

Submission  
No 4

**INQUIRY INTO PROVISIONS OF THE ELECTION  
FUNDING, EXPENDITURE AND DISCLOSURES BILL  
2011**

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24 December 2011

Dr John Kaye MLC  
Committee Chair  
Select Committee on Election Funding Bill 2011  
Parliament House  
Macquarie St  
Sydney NSW 2000

Dear Sir

**SUBMISSION**

Election Funding, Expenditure and  
Disclosures Amendment Bill 2011

**SECTION 96D: MONITORING AND ENFORCEMENT OF MEASURES**

To assist in determining responsibility for ensuring that donations comply with the requirements in the proposed Section 96D we suggest that Pecuniary Interest Tribunals, similar to those used for Local Government should be established. The beneficiary of a donation should have the burden of donations legislation enforcement and have an obligation to know where the money is coming from, even in the case of complex chain situations.

Additionally, we suggest that timeous public disclosure of donations received and election expenditure should be mandated so that the media and the public can be rapidly informed of trends and of any transgressions. Parties should be obligated to place on a website details of monthly electoral income and expenditure in similar form to the final election reporting currently required.

Nil returns for Disclosure of Political Donations by individual candidates (which are in addition to the Party Disclosure) should not be required to be audited. Requiring an auditor to sign multiple nil returns for individuals for whom the auditor is not in a position to determine if a donation has been received by that individual is a pointless exercise.



#### INCREASES IN FUNDING FROM THE PUBLIC SECTOR

It is suggested that consideration be given to extending public funding beyond current parameters (up to \$5000 per annum) so that emerging parties can get a more equitable benefit. It is undemocratic for a funding system to entrench current incumbents to the detriment of other contestants. For example funding could cover assistance in the form of free mailings, free use of public rooms during an election period and free airtime for political broadcasts. Registration procedures for parties are now so onerous that frivolous party election nominations are unlikely.

#### RELATED MATTERS FOR FUTURE CONSIDERATION

In order to improve the democratic process it is suggested that consideration be given to training the public to expect good government and to gain good government. Such an approach should reduce the impact of political advertisements. An electoral system should aim at voters voting according to party and/or candidate performance rather than according to pre-election promotions. This should reduce reliance on electoral expenditure by parties.

To this end some sort of system should be set up to monitor promises and advertisements and publicly compare what actually has been accomplished.

Yours sincerely

Tony Recsei  
President