

2011

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Brendan Smyth)

Electoral (Donation Limit) Amendment Bill 2011

A Bill for

An Act to amend the *Electoral Act 1992*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Electoral (Donation Limit) Amendment Act 2011*.

2 Commencement

(1) This Act (other than section 5) is taken to have commenced on 22 June 2011.

(2) Section 5 commences on 2 December 2012.

3 Legislation amended

This Act amends the *Electoral Act 1992*.

4 Division 14.4 heading

substitute

Division 14.4 Limitation and disclosure of donations

5 Division 14.4 heading

substitute

Division 14.4 Disclosure of donations

6 New sections 216A and 216B*insert***216A Prohibition of gifts more than \$50 000**

- (1) A person or entity must not give a party a gift, or gifts, the total value of which is more than \$50 000 in a financial year.

Maximum penalty: 20 penalty units.

- (2) For this section a person or entity gives a gift to a party if the gift is given to—

- (a) the party; or
- (b) a party candidate; or
- (c) an MLA who is a member of the party; or
- (d) an associated entity of the party.

- (3) This section expires on 1 December 2012.

216B Certain gifts not to be received

- (1) A party must not receive from a person or entity a gift, or gifts, the total value of which is more than \$50 000 in a financial year.

Maximum penalty: 50 penalty units.

- (2) For this section a party receives a gift from a person or entity if the gift is given to—

- (a) the party; or
- (b) a party candidate; or
- (c) an MLA who is a member of the party; or
- (d) an associated entity of the party.

- (3) This section expires on 1 December 2012.

7 New section 221C

insert

221C Advice about \$50 000 limitation on gifts

- (1) If, in a financial year, a party, party candidate, MLA, or associated entity (the *receiver*) receives a gift of \$49 500 or more, or gifts totalling \$49 500 or more, from the same person (the *giver*), the receiver must within 14 days of receiving the gift or last gift, by written notice to the giver, tell the giver about the requirements of section 216A (Prohibition of gifts of more than \$50 000).

Maximum penalty: 50 penalty units.

- (2) In this section:

gift—see section 221A (6).

- (3) This section expires on 1 December 2012.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2011.

2 Notification

Notified under the Legislation Act on 2011.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
