

1999  
THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Mr Moore)

**Electoral (Amendment) Bill 1999**

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Job No.: 1999/119

*Electoral (Amendment) No. , 1999*  
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**Electoral (Amendment) Bill 1999**

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**A BILL**

FOR

**An Act to amend the *Electoral Act 1992* and for  
related purposes**

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

**1. Short title**

This Act may be cited as the *Electoral (Amendment) Act 1999*.

**5 2. Commencement**

(1) Sections 1, 2 and 3 commence on the day this Act is notified in the *Gazette*.

(2) The remaining provisions commence on a day, or respective days, fixed by the Minister by notice in the *Gazette*.

10 (3) If a provision mentioned in subsection (2) has not commenced within 6 months beginning on the day this Act is notified in the *Gazette*, it commences, by force of this subsection, on the first day after that period.

**3. Principal Act**

In this Act, "Principal Act" means the *Electoral Act 1992*.<sup>1</sup>

**4. Heading to Division 4 of Part 14**

5 The heading to Division 4 of Part 14 of the Principal Act is amended by adding at the end "*made during a reporting period*".

**5. Parties to advise donors of obligation to lodge return**

Section 221B of the Principal Act is amended by omitting from subsection (1) "221A" and substituting "231D"

**6. Relocation and renumbering—sections 221A and 221B**

10 Sections 221A and 221B of the Principal Act, as amended by this Act, are relocated so that they appear immediately after section 231C and are renumbered 231D and 231E respectively.

**7. Substitution**

15 Section 228 of the Principal Act is repealed and the following section substituted:

**"228. Definition**

In this Division—

'defined details', in relation to a sum that has been received, paid or owed, means—

- 20 (a) for a sum received from, paid to or owed to, an unincorporated association, other than a registered industrial organisation—
- 25 (i) the association name; and
- (ii) the name and address of each member of the association executive committee (however described);
- (b) for a sum received from, paid to or owed to, a trust fund or a foundation—
- 30 (i) the name and address of each trustee of the fund or foundation; and
- (ii) the name, title or description of the trust fund or foundation;
- (c) in any other case—the name and address of the person or organisation that paid, received or was or is owed the sum; and
- 35 (d) in any case—other details prescribed under the regulations."

**8. Annual returns by parties and MLAs**

Section 230 of the Principal Act is amended by omitting from paragraphs (2) (a), (b) and (c) "particulars" and substituting "details".

**9. Periods of less than financial year**

5 Section 231 of the Principal Act is amended by omitting "particulars" and substituting "details".

**10. Repeal**

Section 231A of the Principal Act is repealed.

**11. Annual returns by associated entities**

10 Section 231B of the Principal Act is amended by omitting from paragraphs (2) (a), (b) and (c) "particulars" and substituting "details".

**12. Repeal**

Section 231C of the Principal Act is repealed.

**13. Details of amounts received**

15 Section 232 of the Principal Act is amended—

- (a) by omitting from subsection (1) "\$1,500" and substituting "\$500";
- (b) by omitting from subsection (1) "particulars" and substituting "details"; and
- 20 (c) by omitting subsection (2) and substituting the following subsection:

"(2) In calculating the sum, an amount that was received from a person or organisation in the course of a fund-raising event need not be counted unless the total amount received from the person or organisation in the course of that event was \$100 or more."

25 **14. Details of amounts paid**

Section 233 of the Principal Act is amended—

- (a) by omitting from subsection (1) "\$1,500" and substituting "\$500";
- (b) by omitting from subsection (1) "particulars" and substituting "details"; and
- 30 (c) by omitting from paragraph (2) (a) "\$500" and substituting "\$100".

**15. Details of outstanding amounts**

Section 234 of the Principal Act is amended—

- (a) by omitting from subsection (1) "\$1,500" and substituting "\$500";

- (b) by omitting from subsection (1) "particulars" and substituting "details";
- (c) by omitting from subsection (2) "\$1,500" and substituting "\$500"; and
- 5 (d) by omitting from subsection (2) "particulars" and substituting "details".

**16. Regulations**

Section 234A of the Principal Act is amended by omitting subsection (3).

10 **17. Partial renumbering of Electoral Act**

In the next republication of the *Electoral Act 1992*, the provisions of that Act beginning at section 198 must be renumbered as permitted under section 13 of the *Legislation (Republication) Act 1996*.

## NOTES

### Principal Act

1. Reprinted as at 1 December 1997. See also Acts Nos. 54 and 61, 1998.

### Section headings

On the day on which the *Electoral Act 1992* is amended by this Act, in addition to any alteration of section headings indicated in the text of this Act, the headings to the sections of the Principal Act set out in the following table are altered as set out in the table:

Section	Alteration
217	Omit the heading, substitute the following heading: <b>Disclosure of gifts—candidates</b>
221	Omit the heading, substitute the following heading: <b>Disclosure of donations—non-party groups and candidates</b>

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