

2002

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Ms Kerrie Tucker)

## Electoral Amendment Bill 2002

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## **Electoral Amendment Bill 2002**

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### **A Bill for**

An Act to amend the *Electoral Act 1992*

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

1 **1 Name of Act**

2 This Act is the *Electoral Amendment Act 2002*.

3 **2 Commencement**

4 This Act commences on the day after its notification day.

5 **3 Act amended**

6 This Act amends the *Electoral Act 1992*.

7 **4 Disclosure of gifts**  
8 **Section 217 (3)**

9 *substitute*

10 (3) However, the reporting agent is not required to specify the  
11 information mentioned in subsection (2) (c) to (e) for a gift by a  
12 person if the sum of the amount of the gift and of all other gifts  
13 made to the candidate by the person is less than \$200.

14 **5 Disclosure of gifts—non-party groups**  
15 **Section 218 (3)**

16 *substitute*

17 (3) However, the reporting agent is not required to specify the  
18 information mentioned in subsection (2) (c) to (e) for a gift by a  
19 person if the sum of the amount of the gift and of all other gifts  
20 made to the non-party group by the person is less than \$200.

21 **6 Annual returns by parties, ballot groups and MLAs**  
22 **Section 230 (2) and (3)**

23 *omit*

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1 **7 Section 230 (4) (b)**

2 *substitute*

3 (b) the amount paid by, or on behalf of, the party, ballot group or  
4 MLA during the financial year, together with the particulars  
5 required by section 233 (1) (Amounts paid); and

6 **8 New section 230 (7A)**

7 *insert*

8 (7A) A return under this section must identify the receipts that are not for  
9 gifts and the purpose for which each amount was received.

10 **9 Section 230**

11 *renumber subsections when Act next republished under Legislation*  
12 *Act 2001*

13 **10 Returns by parties under Commonwealth Electoral Act**  
14 **Section 231A**

15 *omit*

16 **11 Annual returns by associated entities**  
17 **Section 231B (2) (b)**

18 *substitute*

19 (b) the amount paid by, or on behalf of, the entity during the  
20 financial year, together with the particulars required by  
21 section 233 (1) (Amounts paid); and

22 **12 Annual returns by associated entities**  
23 **New section 231B (7)**

24 *insert*

25 (7) A return under this section must identify the receipts that are not for  
26 gifts and the purpose for which each amount was received.

1 **13 Returns by associated entities under Commonwealth**  
2 **Electoral Act**  
3 **Section 231C**

4 *omit*

5 **14 Amounts received**  
6 **Section 232 (2)**

7 *omit*

8 \$1 500

9 *substitute*

10 \$100 received at a fundraising event

11 **15 New section 232 (4)**

12 *insert*

13 (4) In this section:

14 ***fundraising event*** means any of the following:

- 15 (a) a breakfast, lunch or dinner;
- 16 (b) a morning tea, afternoon tea, barbecue or cocktail party;
- 17 (c) an auction (including a dutch auction);
- 18 (d) a raffle or lucky envelope sale;
- 19 (e) a game or quiz night;
- 20 (f) a tipping competition;
- 21 (g) a concert;
- 22 (h) a theatre party;
- 23 (i) a fair or fete;
- 24 (j) a conference or seminar;
- 25 (k) a tour or trip;

- 1 (l) a ball or dance;
- 2 (m) an art, craft or fashion exhibition;
- 3 (n) an event in which fund-raising participants are sponsored by
- 4 someone else;
- 5 (o) any other event prescribed under the regulations.

6 **16 New section 233**

7 *insert*

8 **233 Amounts paid**

- 9 (1) If the sum of all amounts paid by, or on behalf of, a party, ballot
- 10 group, MLA or associated entity to a person or organisation during a
- 11 financial year is \$1 500 or more, the return by the party, ballot
- 12 group, MLA or associated entity under section 230 or 231B in
- 13 relation to the financial year must state the amount of the sum and
- 14 set out the defined particulars in relation to it.
- 15 (2) In working out the sum, the following amounts need not be counted:
- 16 (a) an amount of less than \$500;
- 17 (b) an amount paid under a contract of employment or an award
- 18 providing terms of employment.

1 **17 Part 20**

2 *substitute*

3 **Part 20 Transitional provisions**

4 **345 Application of certain amendments made by the Electoral**  
5 **Amendment Act 2002**

6 The amendments made by the *Electoral Amendment Act 2002* do  
7 not apply in relation to matter required to be included in an annual  
8 return under section 221A (Annual returns of donations), 230  
9 (Annual returns by parties, ballot groups and MLAs) and 231B  
10 (Annual returns by associated entities) for the financial year that  
11 began on 1 July 2001 if, before the commencement of this section,  
12 the matter was not required to be included in the return.

13 **346 Expiry of pt 20**

14 This part expires on 2 March 2003.

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**Endnote**

**Republications of amended laws**

1 For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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