2019

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Chief Minister)

Legislative Assembly (Office of the Legislative Assembly) Amendment Bill 2019

A Bill for

An Act to amend the [Legislative Assembly (Office of the Legislative Assembly) Act 2012](http://www.legislation.act.gov.au/a/2012-26%22%20%5Co%20%22A2012-26), and for other purposes

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

1 Name of Act

This Act is the *Legislative Assembly (Office of the Legislative Assembly) Amendment Act 2019*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

3 Legislation amended

This Act amends the [Legislative Assembly (Office of the Legislative Assembly) Act 2012](http://www.legislation.act.gov.au/a/2012-26).

Note This Act also amends the [Electoral Act 1992](http://www.legislation.act.gov.au/a/1992-71) (see s 5 and s 6).

4 New section 19B

insert

19B MLA communication allowance

 (1) This section applies if the Legislative Assembly passes a continuing resolution entitling members of the Assembly to an allowance for—

 (a) routine communication with the member’s constituents; and

 (b) equipment used for paragraph (a).

 (2) The clerk must pay the allowance to a member of the Assembly and administer the allowance in accordance with the continuing resolution.

 (3) The amount of the allowance is the amount determined by the continuing resolution.

 (4) The member may only use the allowance for a purpose mentioned in subsection (1) (a) or (b).

 (5) In this section:

***routine communication***, by a member, does not include the following:

 (a) soliciting a vote for the member;

 (b) soliciting subscriptions or other financial or non-financial support (other than volunteering) for a member, political party or candidate;

 (c) soliciting applications for, or renewals of, membership in a political party;

 (d) instructing a person on how to complete a ballot paper;

 (e) producing or distributing material that includes an advertisement supporting a commercial purpose of the member or another person;

 (f) producing or distributing material that refers to the performance of a member, former member, political party, candidate or group of candidates, the government or opposition or a previous government or opposition, except if the member is referring to their own—

 (i) performance as a member of the Assembly; or

 (ii) position on a particular policy issue; or

 (iii) political party’s performance, including the performance of other members within the party; or

 (iv) performance as a member of the Executive, including work done with other members of the Executive;

 (g) a communication that the continuing resolution states the allowance in subsection (1) should not be used for.

5 Electoral Act 1992
Section 198, definition of *electoral expenditure*,paragraph (b)

substitute

 (b) does not include—

 (i) administrative expenditure; or

 (ii) expenditure using a communication allowance provided to the MLA under the [Legislative Assembly (Office of the Legislative Assembly) Act 2012](http://www.legislation.act.gov.au/a/2012-26), section 19B.

6 Electoral Act 1992
Section 230 (7)

substitute

 (7) However, subsection (4) (b) or (c) does not require disclosure of any amount paid, or to be paid, by or on behalf of an MLA using a communication allowance provided to the MLA under the [Legislative Assembly (Office of the Legislative Assembly) Act 2012](http://www.legislation.act.gov.au/a/2012-26), section 19B.

Endnotes

1 Presentation speech

 Presentation speech made in the Legislative Assembly on 24 October 2019.

2 Notification

 Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 2019.

3 Republications of amended laws

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

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