

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*, and for other purposes

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

- 1 **1 Name of Act**
- 2 This Act is the *Legislative Assembly (Office of the Legislative*
3 *Assembly) Amendment Act 2019*.
- 4 **2 Commencement**
- 5 This Act commences on the day after its notification day.
- 6 *Note* The naming and commencement provisions automatically commence on
7 the notification day (see [Legislation Act](#), s 75 (1)).
- 8 **3 Legislation amended**
- 9 This Act amends the *Legislative Assembly (Office of the Legislative*
10 *Assembly) Act 2012*.
- 11 *Note* This Act also amends the *Electoral Act 1992* (see s 5 and s 6).
- 12 **4 New section 19B**
- 13 *insert*
- 14 **19B MLA communication allowance**
- 15 (1) This section applies if the Legislative Assembly passes a continuing
16 resolution entitling members of the Assembly to an allowance for—
- 17 (a) routine communication with the member’s constituents; and
18 (b) equipment used for paragraph (a).
- 19 (2) The clerk must pay the allowance to a member of the Assembly and
20 administer the allowance in accordance with the continuing
21 resolution.
- 22 (3) The amount of the allowance is the amount determined by the
23 continuing resolution.
- 24 (4) The member may only use the allowance for a purpose mentioned in
25 subsection (1) (a) or (b).

1 (5) In this section:

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

- 4 (a) soliciting a vote for the member;
- 5 (b) soliciting subscriptions or other financial or non-financial
6 support (other than volunteering) for a member, political party
7 or candidate;
- 8 (c) soliciting applications for, or renewals of, membership in a
9 political party;
- 10 (d) instructing a person on how to complete a ballot paper;
- 11 (e) producing or distributing material that includes an
12 advertisement supporting a commercial purpose of the member
13 or another person;
- 14 (f) producing or distributing material that refers to the performance
15 of a member, former member, political party, candidate or group
16 of candidates, the government or opposition or a previous
17 government or opposition, except if the member is referring to
18 their own—
- 19 (i) performance as a member of the Assembly; or
- 20 (ii) position on a particular policy issue; or
- 21 (iii) political party's performance, including the performance
22 of other members within the party; or
- 23 (iv) performance as a member of the Executive, including
24 work done with other members of the Executive;
- 25 (g) a communication that the continuing resolution states the
26 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](#), 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](#), section 19B.

Endnotes

1 Presentation speech

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

2 Notification

Notified under the [Legislation Act](#) on 2019.

3 Republications of amended laws

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