

Electoral Donations Disclosure Submission to

From Kerin Booth

I believe that the public have a right to know who is influencing Tasmanian election campaigns and how much they are donating to parties, individuals and third-party entities involved in influencing elections.

I viewed the different state legislation around Australia and consider that Queensland currently has the fairest disclosure laws and gives the public a shorter time frame between donation and disclosure. I believe the Tasmanian Parliament should work towards legislation that makes it possible for the public to see who is funding our Tasmanian election campaigns prior to election day.

Please see the following extract.

'Changes to the Queensland Electoral Act 1992 in February 2017, set the disclosure threshold for gifts and loans at \$1,000 and imposed a requirement on political parties and candidates to declare any reportable gifts or loans within seven days throughout the year (that is, not just during an election period).'

Ref:

https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1718/Quick_Guides/ElectionFundingStates

I believe that the **7-day reporting should also apply to cumulative donations or loans on reaching of \$1,000** during an election cycle from any individual or entity.

I believe this information should be provided to the Tasmanian Electoral Commission who in turn should be **required to make it available to the public on their website as soon as possible, within 24 hours or shortest time frame considered feasible.**

'In addition, election returns are required within 15 weeks after the election from candidates and parties listing the total amount of all gifts and fundraising contributions, the number of donors, total loans and number of entities making the loans, and the electoral expenditure.

I agree with the Qld legislation that considers the disclosure period to begin ***'either when they announce their candidature or are preselected by their party, and ends 30 days after the election'***.

I consider the following also to be important:

'It is unlawful for a candidate or party to receive a gift of foreign property (including, but not limited to, money). Unless the gift is returned within six weeks an amount equal to the amount of the value of the gift will be payable to the state. It is unlawful for a candidate to receive

more than \$200, or a political party more than \$1,000, from an anonymous donor, or any gift where the real identity of the donor is obscured by paying through an accountant or lawyer.

Any amount over \$200 contributed to a fundraising effort, such as attendance at a dinner or payment for a raffle ticket, constitutes a gift, and if a single individual makes such contributions of \$1,200 or more it must be declared within seven days.

In Queensland state elections third parties, whether they are individuals or organisations, who incur expenditure of more than \$1,000 advocating voting for or against a party or candidate or drawing attention to a particular issue, must also provide a return to the Electoral Commission of Queensland (ECQ) reporting all gifts, gifts in kind, and fundraising contributions. Individuals or organisations who donate a total of \$1,000 or more to candidates or parties must also submit a return to the ECQ. Donors fall under these third party disclosure requirements and are not covered by a separate donor return requirement.

All returns are made public by the ECQ and are available on the [Commission's disclosures website](#), and must be accompanied by an auditor's certification. ECQ is the first Australian electoral commission to use visualisations of donation data to help illustrate the source of the donations.

In addition to recommending the adoption by Tasmania of similar donation disclosure legislation as Queensland, I believe there should also be a cap of campaign expenditure. This should be based on an affordable amount that would not rule out the average wage or salary earner from running as a candidate with a reasonable fundraising effort. Running for parliament should not be the right of millionaires to the exclusion of others, unable to match the expenditure of rich individuals and parties that have the support of wealthy entities.

Overall caps for parties should be based on the combined caps for their individual candidates. Third party's expenditure should also be capped. We should not make the caps so high that we have a parliament made up of only the wealthiest people or parties supported by the wealthiest individuals or entities in the country.

It is vitally important for Tasmanians to know who is behind the funding of election campaigns and how much is being spent, to make a properly informed judgement about the candidates and parties before they get to the polling place.

I believe the Electoral Commission Tasmania should be empowered and funded to take legal action against parties, candidates or third parties involved in infringements of the laws regarding the acceptance of donations and making expenditures to influence elections.

I hope that the Tasmanian Parliament will strengthen donation disclosure and shorten the gap between political donations, disclosure and when the public has access to this information.

Thank you for accepting my submission.

Kerin Booth