

Vica BAYLEY

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Independent in Nelson

www.vicabayley.info

facebook.com/VicaBayleyinNelson/

1 Beach Rd
Kingston Beach, 7053

Department of Justice
Office of the Secretary
GPO Box 825
Hobart TAS 7001

By email: haveyoursay@justice.tas.gov.au

Electoral Act Review

15 April 2019

Dear review team,

Thank you for the opportunity to comment on the Electoral Act Review Interim Report, and the additional time within which to comment. Please find below my perspective with regards the report and recommendations it contains.

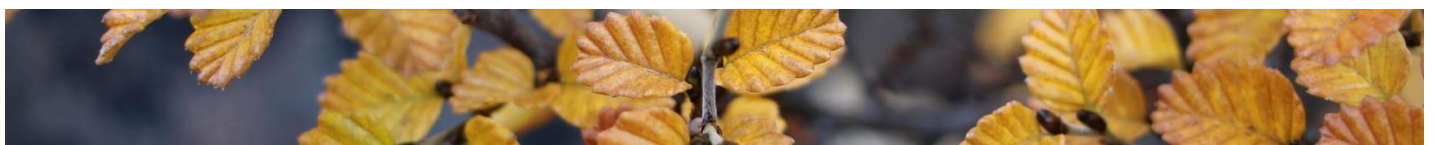
While I support the key thrust of proposed amendments articulated in Section 1 of the Interim Report into the review of the Electoral Act, I wish to outline specific reform with regards the way electoral donations are declared and campaign expenditure is published.

I write this as a nominated candidate in the upcoming Legislative Council division of Nelson, and note with interest the differences in electoral spending and campaign disclosure requirement between the Council and the House of Assembly elections. I note and support that fact that spending on Legislative Council elections is capped at \$17,000, and that within 60 days of the election, a candidate must declare, with receipts, the entirety of his or her campaign expenditure.

These measures level the playing field with regards competing candidates and makes contestation of elections more accessible to people with limited financial or fundraising capacity. It also adds a level of transparency that is currently missing in other election contexts.

Specifically, I would like to see reform to the Electoral Act to ensure that:

1. Disclosure of all donations of over \$1000 are to be made in real time (within 24 hours of receipt), both on a candidate's or party's website, and to the Tasmanian Electoral Commission. This is to be made mandatory and include multiple or cumulative donations from a single source.
2. Donations from commercial interests profiting from a range of problematic activities, including gambling, tobacco, firearms manufacture and sale, and property development, should not be allowed.
3. An appropriate cap is placed on House of Assembly elections that is consistent with Legislative Council elections (currently \$17,000 but this may not necessarily need be the prescribed amount).
4. House of Assembly candidates are mandated to report on their election campaign expenditure, including but not limited to expenditure on advertising, printing and events.



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If possible, a system should be developed to monitor, assess and prosecute offensive, misleading or deceptive comments and advertising used as part of an election campaign. Increasingly, fear that is based on entirely unsubstantiated or spurious claims is the commodity traded in elections. Tasmania needs a system to ensure there is truth and substance in political advertising to ensure elections are contested fairly and in good faith. Disqualification from the contest should be a consequence of repeated promulgation of false or misleading material.

As a candidate in the Nelson election, I have announced the intention, if elected, to establish an inquiry into the 2018 Election and electoral donations. However, it may well be that another body is better suited (such as the Integrity Commission) and will work with all stakeholders to ensure the most appropriate inquiry is initiated. Understanding the donation landscape of the 2018 election, seemingly unprecedented by way of scale of donations, should be a priority as reform is progressed.

Thank you again for the opportunity to submit these views.

Yours sincerely,



Vica Bayley,

Independent Candidate in Nelson

