

## **Electoral Act Review**

### **Response to interim report by the Tasmanian Branch of the Australian Labor Party**

Tasmanian Labor welcomes the opportunity to make comment on the consultation issues raised in the Interim Report on the Electoral Act Review.

#### **Section 1 – Modernising the Tasmanian Electoral Act**

Labor is broadly supportive of many of the amendments recommended, which would simplify and clarify the intended operation of the Act.

Namely, Labor supports:

- Clear rules around how online and digital materials are to be authorised.
- Changing section 196(1) of the Act requiring written consent to use the name, photograph or likeness of candidates.
- Repeal of section 198(1)(b)(i) to allow for newspaper advertising on polling day.
- The alteration to the rules around the return of the writs as recommended by the TEC
- The alterations to Part 4 of the act promoting increased transparency for the registration of political parties as recommended by the TEC.
- Clarifying the rules around how express and interstate pre-poll ballots are dealt with by the Commission.

Labor does not support narrowing the definition of ‘electoral matter’ or removal of the deeming provision.

While Labor supports amendments that would ensure consistency around instructions on ballot papers, Labor does not support amendments to section 100 which would in effect introduce optional preferential voting.

#### **Section 2 – Disclosure and Electoral Expenditure**

It is long held Labor policy that changes are required to disclosure laws. Currently Tasmania has the weakest requirements around disclosure of donations and this must change.

Labor supports lowering the threshold for donations to \$1000 (and cumulative up to \$1000 from a single donor), and applying donation disclosure rules to candidates and members of parliament as well as political parties.

Labor supports the implementation of spending caps for candidates for Legislative Council and House of Assembly elections, as well as for political parties.

The possibility of public funding for elections must form part of the wider discussion regarding spending caps for parties and candidates.

### **Section 3 – Regulation of Third Parties**

It is a vital part of Australia's free and fair democracy that members of the community are able to have their say in the political process, without fear of retribution or harm.

Equally, members of the public have an entitlement to know when organisations have a significant impact on the electoral process. For this reason, a formal registration process for third parties seeking to influence electoral outcomes should be established and maintained by the Electoral Commissioner.

Labor would support an appropriate disclosure regime for third parties, which must be balanced against the expectations of the community to know who is influencing decision making, with the legitimate right to participate in the public and political discourse.