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Dept of Justice
Office of the Secretary
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20 July 2018

Re: Electoral Act Review

The Australian Christian Lobby (ACL) welcomes the opportunity to provide a submission to the Electoral Act Review.

ACL's vision is to see Christian principles and ethics influencing the way we are governed, do business, and relate to each other as a community. ACL seeks to see a compassionate, just and moral society through having the public contributions of the Christian faith reflected in the political life of the nation.

With more than 100,000 supporters, ACL facilitates professional engagement and dialogue between the Christian constituency and government, allowing the voice of Christians to be heard in the public square. ACL is neither party-partisan nor denominationally aligned. ACL representatives bring a Christian perspective to policy makers in Federal, State and Territory Parliaments.

Please feel free to contact me if I can be of further assistance in the consideration of this matter. I would be pleased to meet to discuss our submission or any other aspect in respect to this review.

Yours sincerely,

Martyn Iles
Managing Director

Submission to Electoral Act Review

Preamble

ACL is a non-party partisan, non-denominational movement that seeks to bring a Christian voice for values to the public policy discourse.

ACL is regulated under the ACNC as a Charity which has the advancement of religion as its purpose. It represents Australian citizens who want to see Christian principles and ethics influence the way we are governed, do business and relate as a society.

ACL wishes to make the following recommendations to this review:

Terms of Reference

1. Modernising the current Tasmanian *Electoral Act* with specific examination of certain sections

No recommendations

2. Whether state-based disclosure rules should be introduced, and, if so, what should they include?

Currently disclosure of donations and gifts in Tasmania is governed by the Commonwealth *Electoral Act 1918*. Tasmania is the only Australian state that does not have state-based legislation regulating disclosure of gifts and donations to political parties.

In Tasmania, donations of \$13,500 or more must be declared by the receiving party through an annual reporting process under the Commonwealth Act. However, this reporting may not be due for over a year and does not consider multiple donations from one source.

Recommendations:

1. The delay of over a year between receiving and reporting donations is unacceptable. To ensure transparency, and for this information to be relevant to the election, it ought to be declared as received. Further, multiple donation from the same source or executives from the same organisation should be declared and any links between donors disclosed.
2. ACL does not make donations to candidates, groups or political parties. As an Australian charity, regulated by the Australian Charities and Not-for-profits Commission (ACNC), it is permitted to advocate on issues which further its charitable purpose, but it is not permitted to support a candidate, group or political party, or to oppose their election.

3. The level of regulation of third parties, including unions, during Election campaigns

There has been increasing discussion both in Tasmania and in other jurisdictions about the activity and regulation of third parties during election campaigns. There is no regulation of the activity or expenditure of third parties, such as unions, representative bodies, lobby groups and corporate bodies, during election campaigns under Tasmanian law. There are varying levels of regulation of third parties in other States and Territories including disclosure and reporting requirements.

Recommendation:

In any considerations of third parties there ought to be a distinction between third parties and charities. Third parties may have vested political interests. Their activities ought to be regulated and their financial donations to candidates and political parties monitored in the interests of transparency.

Charities are already regulated and are permitted to comment on issues pertaining to an election in so far as these issues effect its membership and supporters, but are not permitted to support a candidate, group or political party, or to oppose their election.