

Submission by Sven Wiener

Submitted online.

Part 1:

=====

[https://www.legislation.tas.gov.au/view/html/inforce/current/act-2004-051?query=\(\(PrintType%3D%22act.reprint%22+AND+Amending%3C%3E%22pure%22+AND+PitValid%3D%40pointInTime\(20180720000000\)\)+OR+\(PrintType%3D%22act.reprint%22+AND+Amending%3D%22pure%22+AND+PitValid%3D%40pointInTime\(20180720000000\)\)+OR+\(PrintType%3D%22reprint%22+AND+Amending%3C%3E%22pure%22+AND+PitValid%3D%40pointInTime\(20180720000000\)\)+OR+\(PrintType%3D%22reprint%22+AND+Amending%3D%22pure%22+AND+PitValid%3D%40pointInTime\(20180720000000\)\)\)+AND+Title%3D\(%22Electoral%22\)&dQuery=Document+Types%3D%22%3Cspan+class%3D%27dq-highlight%27%3EActs%3C%2Fspan%3E%2C+%3Cspan+class%3D%27dq-highlight%27%3EAmending+Acts%3C%2Fspan%3E%2C+%3Cspan+class%3D%27dq-highlight%27%3ESRs%3C%2Fspan%3E%2C+%3Cspan+class%3D%27dq-highlight%27%3EAmending+SRs%3C%2Fspan%3E%22%2C+Search+In%3D%22%3Cspan+class%3D%27dq-highlight%27%3ETitle%3C%2Fspan%3E%22%2C+All+Words%3D%22%3Cspan+class%3D%27dq-highlight%27%3EElectoral%3C%2Fspan%3E%22%2C+Point+In+Time%3D%22%3Cspan+class%3D%27dq-highlight%27%3E20%2F07%2F2018%3C%2Fspan%3E%22#GS198@EN](https://www.legislation.tas.gov.au/view/html/inforce/current/act-2004-051?query=((PrintType%3D%22act.reprint%22+AND+Amending%3C%3E%22pure%22+AND+PitValid%3D%40pointInTime(20180720000000))+OR+(PrintType%3D%22act.reprint%22+AND+Amending%3D%22pure%22+AND+PitValid%3D%40pointInTime(20180720000000))+OR+(PrintType%3D%22reprint%22+AND+Amending%3C%3E%22pure%22+AND+PitValid%3D%40pointInTime(20180720000000))+OR+(PrintType%3D%22reprint%22+AND+Amending%3D%22pure%22+AND+PitValid%3D%40pointInTime(20180720000000)))+AND+Title%3D(%22Electoral%22)&dQuery=Document+Types%3D%22%3Cspan+class%3D%27dq-highlight%27%3EActs%3C%2Fspan%3E%2C+%3Cspan+class%3D%27dq-highlight%27%3EAmending+Acts%3C%2Fspan%3E%2C+%3Cspan+class%3D%27dq-highlight%27%3ESRs%3C%2Fspan%3E%2C+%3Cspan+class%3D%27dq-highlight%27%3EAmending+SRs%3C%2Fspan%3E%22%2C+Search+In%3D%22%3Cspan+class%3D%27dq-highlight%27%3ETitle%3C%2Fspan%3E%22%2C+All+Words%3D%22%3Cspan+class%3D%27dq-highlight%27%3EElectoral%3C%2Fspan%3E%22%2C+Point+In+Time%3D%22%3Cspan+class%3D%27dq-highlight%27%3E20%2F07%2F2018%3C%2Fspan%3E%22#GS198@EN)

s191ss1(b) Should be able to use a PO Box address on "Authorised By" of electoral material.

191. Campaign material to be authorised

(1) Subject to sections 192 , 193 and 194 , a person must not, between the issue of the writ for an election and the close of poll at that election –

(a) print, publish, keep on display or distribute, or permit or authorise another person to print, publish, keep on display or distribute, any printed electoral matter without the name and address of the responsible person being printed, in legible characters, at the end of the electoral matter; or

(b) publish, or permit or authorise another person to publish, any electoral matter on the internet without the name and address of the responsible person appearing at the end of the electoral matter.

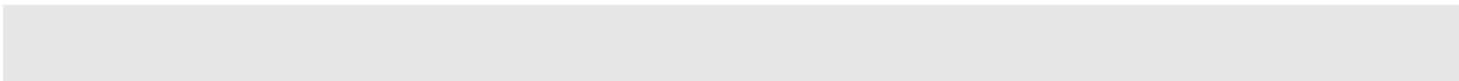
s196ss1

196. Candidate names not to be used without authority

(1) A person must not between the issue of the writ for an election and the close of poll at that election print, publish or distribute any advertisement, "how to vote" card, handbill, pamphlet, poster or notice which contains the name, photograph or a likeness of a candidate or intending candidate at that election without the written consent of the candidate.

Penalty: Fine not exceeding 300 penalty units or imprisonment for a term not exceeding 12 months, or both.

Need some truth in advertising laws in relation to electoral advertisements. That way if falsehoods are published regarding a candidate, an offence under the Act will have been committed.



s198ss1(b)

198. Campaigning on polling day

(1) A person must not, on the polling day fixed for an election, or on a day to which the polling for an election has been adjourned –

(a) distribute any advertisement, "how to vote" card, handbill, pamphlet, poster or notice containing any electoral matter; or

(b) publish or cause to be published in a newspaper –

(i) an advertisement for or on behalf of, or relating in any way to, a candidate or party; or

(ii) a matter or comment relating to a candidate or a question arising from, or an issue of, the election campaign.

Seems like a good idea to make these the same as for federal elections, e.g. allowing how-to-vote cards to be handed out at polling booths.

Part 2.

=====

Facebook/twitter/email comments of an electoral nature as well as readers comments on websites, should be exempt from needing "Authorised By" authorisation.

There should be real-time disclosure of political donations indicating who donated the money and the amount donated.

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

=====

I propose that third parties should be effectively subject to regulation by virtue of them not knowing the names and addresses of the foundation members listed in a state registration application. The Australian Electoral Commission does not require advertisements in connection with federal registration, to list the names and addresses of the proposed foundation members. So why should state registration require this?

Third parties, as a result of ignorance of details, would not be able to attack or harass intending foundation members. This would encourage greater freedom of speech by allowing state registration of more political parties since prospective foundation members would be easier to find.

I think that the Australian Human Rights Commission should be required to investigate harassment of political candidates and harassment of their support workers.