


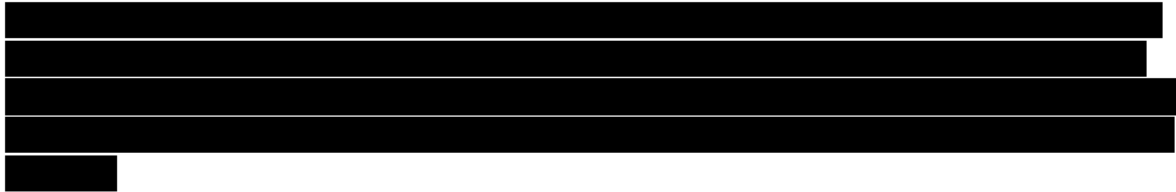
1.

**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Cc:** [Lethborg, Tania](#)  
**Subject:** FW: Electoral Review - internal deliberative  
**Date:** Monday, 15 February 2021 8:41:23 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)  
  
[image006.png](#)  
**Importance:** High

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1.1  
1.2  
1.3

Hi Felicity



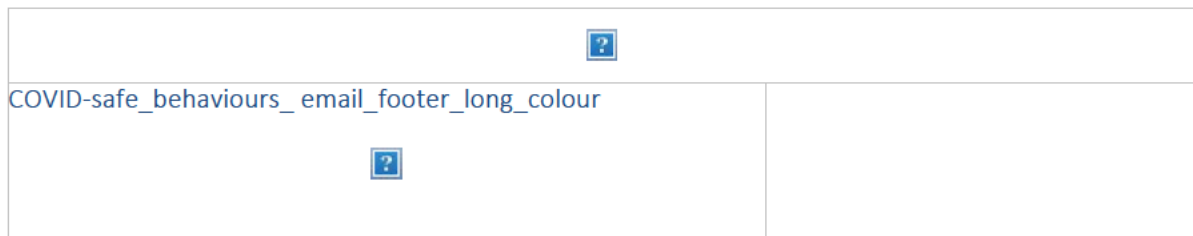
She's asked if we can have a look at this and get some advice back to her in the next few days – I indicated we'd have a quick look on Monday and see what we can find, so this is probably the first cab off the rank for today now, sorry! Happy to chat when you have a chance..

Cheers  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice  
**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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---

**From:** Craven, Brooke  
**Sent:** Thursday, 11 February 2021 6:10 PM  
**To:** Gilbertson, Rowena (DPaC) <[Rowena.Gilbertson@dpac.tas.gov.au](mailto:Rowena.Gilbertson@dpac.tas.gov.au)>; Hollick, Sean (DPaC) <[Sean.Hollick@dpac.tas.gov.au](mailto:Sean.Hollick@dpac.tas.gov.au)>  
**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>

2.



**Importance:** High

Hi both,

Row -



Hope this assists in the meantime.

Cheers  
Brooke



Brooke Craven

|  
Director

Strategic Legislation and Policy

Department of Justice

p

(03) 6165 4926

e

-  
[brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

w

-  
[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** FW: Urgent - IDC paper - gifts and fundraising events2.docx  
**Date:** Monday, 15 February 2021 12:47:26 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

---

Well. I'm hoping this is in the Mueller table and an easy answer. Otherwise, let me know.

B

---

**From:** Gilbertson, Rowena <[Rowena.Gilbertson@dpac.tas.gov.au](mailto:Rowena.Gilbertson@dpac.tas.gov.au)>  
**Sent:** Monday, 15 February 2021 12:39 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Russell, Amanda <[Amanda.Russell@justice.tas.gov.au](mailto:Amanda.Russell@justice.tas.gov.au)>  
**Subject:** RE: Urgent - IDC paper - gifts and fundraising events2.docx

Thanks Brooke,

This is a helpful addition.

I have a further query - when did the C'weath make the change to \$250?

Thanks, R

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Monday, 15 February 2021 12:34 PM  
**To:** Gilbertson, Rowena <[Rowena.Gilbertson@dpac.tas.gov.au](mailto:Rowena.Gilbertson@dpac.tas.gov.au)>  
**Cc:** Webster, Ginna (DoJ) <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Russell, Amanda (DoJ) <[Amanda.Russell@justice.tas.gov.au](mailto:Amanda.Russell@justice.tas.gov.au)>  
**Subject:** FW: Urgent - IDC paper - gifts and fundraising events2.docx

Hi Row

Please see below further urgent officer advice on this, based on our current understanding and what I think you were after - to the extent we can address it quickly.

Cheers

Brooke

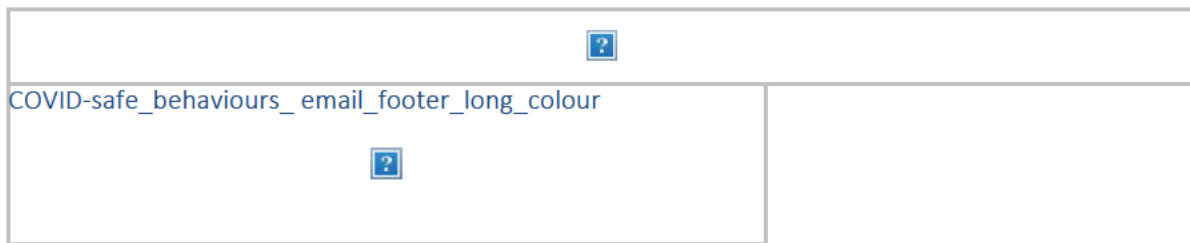


**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

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**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Monday, 15 February 2021 11:41 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** RE: Urgent - IDC paper - gifts and fundraising events2.docx

6.

Hi Brooke

We touched on the issue of smaller amounts under “anonymous donations” in the interim report on page 35.

Basically, now the Commonwealth has required that you cannot remain anonymous for anything over \$250. Nor can you remain anonymous for multiple small donations that total over \$250 in a single reporting period.

NSW implemented a ban last year on any donation over \$100 that was made in cash. Otherwise, “small political donations” are those under \$1000 (or multiple donations that still fall under \$1000) and therefore do not need to be disclosed by the donor but need to be included in the total donations data by the recipient.

Victoria has what are called “small contributions”. This is an indexed amount intended to be so small that it doesn’t need to be considered as part of a donor’s general cap or disclosure threshold for the period. The amount is required to be included in the total receipts reported by the candidate, party, third party etc. Currently this is \$52. There is an anti-avoidance provision in the offences whereby someone cannot enter into a scheme to circumvent the reporting requirement – ie you still can’t just make \$50 donations in a systematic way so as to avoid disclosure requirements.

The Vic provisions appear the most intricate in this regards – and this is likely due to the fact that they have donation caps so they need to be able to regulate how much a specific donor gives to an individual recipient.

---

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Re: some thoughts so far today re DPAC  
**Date:** Monday, 15 February 2021 5:09:36 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

---

Looks great thanks!

Have a good night!

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Monday, February 15, 2021 5:07:06 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** some thoughts so far today re DPAC

Before I head off to the bus, I thought I would share by draft list of issues for DPAC's consideration

[REDACTED]

- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]

-



**Felicity Poulter**

Senior Legislation and Policy Officer

Department of Justice

(03) 6165 4943 | [felicity.poulter@justice.tas.gov.au](mailto:felicity.poulter@justice.tas.gov.au)

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9.

**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: Urgent - IDC paper - gifts and fundraising events2.docx  
**Date:** Monday, 15 February 2021 12:34:47 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

---

Thanks, I have forwarded this content to Row with a caveat that it's based on a quick look and what I understood her question to be..

---

10.

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Monday, 15 February 2021 11:41 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** RE: Urgent - IDC paper - gifts and fundraising events2.docx

Hi Brooke

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The Vic provisions appear the most intricate in this regards – and this is likely due to the fact that they have donation caps so they need to be able to regulate how much a specific donor gives to an individual recipient.

11.

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Monday, 15 February 2021 10:29 AM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Cc:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** Urgent - IDC paper - gifts and fundraising events2.docx



**Importance:** High

Hi Felicity

I've had a call from Row this morning with a couple of questions re this paper.

[REDACTED]

[REDACTED]

[REDACTED]

Cheers

Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
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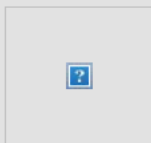
**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** FW: Introducing a new political donations disclosure scheme for Tasmania  
**Date:** Tuesday, 16 February 2021 2:41:40 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[image003.png](#)

12.

FYI

**From:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>  
**Sent:** Tuesday, 16 February 2021 2:39 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Russell, Amanda <[Amanda.Russell@justice.tas.gov.au](mailto:Amanda.Russell@justice.tas.gov.au)>; Graham, Peter J. <[Peter.J.Graham@justice.tas.gov.au](mailto:Peter.J.Graham@justice.tas.gov.au)>; Crowder, Kerrie <[Kerrie.Crowder@justice.tas.gov.au](mailto:Kerrie.Crowder@justice.tas.gov.au)>  
**Subject:** FW: Introducing a new political donations disclosure scheme for Tasmania

13.



**Ginna Webster**

Secretary

Department of Justice

(03) 6165 4943 | [Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)

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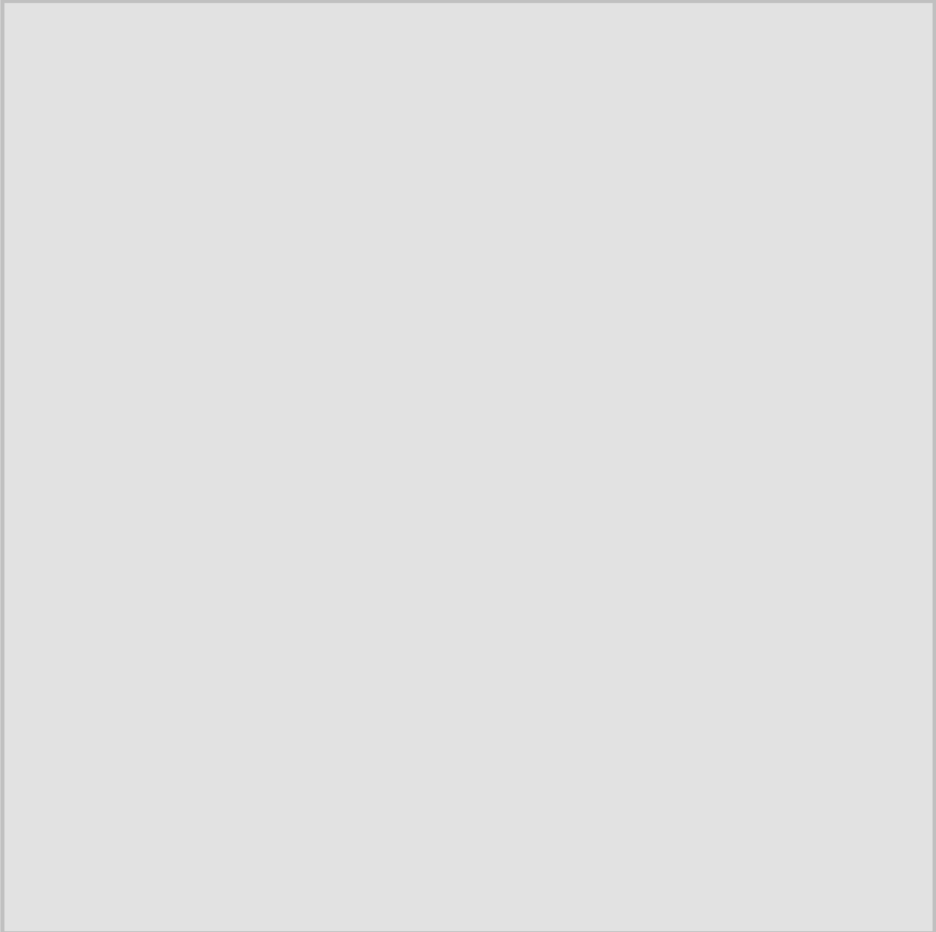


**From:** Tasmanian Government Media Office <[media@dpac.tas.gov.au](mailto:media@dpac.tas.gov.au)>  
**Sent:** Tuesday, 16 February 2021 2:33 PM  
**To:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>  
**Subject:** Introducing a new political donations disclosure scheme for Tasmania

14.

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**Peter Gutwein, Premier**  
**Elise Archer, Attorney-General**  
16 February 2021

### **Introducing a new political donations disclosure scheme for Tasmania**

The Tasmanian Government has today released the Final Report of the Electoral Act Review, paving the way for new legislation to be drafted to deliver a political donation disclosure scheme in Tasmania. This will deliver a fairer, more transparent and modern electoral system for our State.

“When I outlined my Government’s priorities for 2021, releasing this Report along with our response was front and centre, and today we are delivering on our commitment to create a fairer, more transparent and modern electoral system for our State.

“I want to make the very strong point that whilst there will always be those who will claim that the system is not fair or that it is open to manipulation we are not acting because an ICAC or other similar body like our Integrity Commission has recommended we do so.

“The reforms we are announcing today are because increasing transparency and fairness is the right thing to do to ensure that the public continue to have faith in the outcomes of elections into the future,” Premier Peter Gutwein said.

The Electoral Act Review has been delivered at a time when changes to



electoral laws are occurring across Australia and a number of decisions have been handed down by the High Court in relation to electoral law which reveal the complexity of regulating the electoral process.

The Final Report makes 11 high-level recommendations for proposed reform to modernise our current system and create a political donations disclosure regime specifically for Tasmania.

The Review involved two rounds of public consultation and has already led to amendments to the Electoral Act 2004 which commenced in 2019.

The recommendations in the Final Report broadly fall into four areas, namely:

- recommendations of a technical nature that will ensure our electoral system is effective and contemporary;
- recommendations relating to a new disclosure regime for candidates and political parties;
- recommendations relating to the regulation of third party campaigners, donors and associated entities; and
- a recommendation in relation to the public funding of election campaigns.

“The Tasmanian Government is committed to ensuring Tasmanians have confidence in our electoral system and a key premise of this is ensuring our electoral system is fair, transparent, effective and contemporary,” Attorney-General Elise Archer said.

“That’s why the Tasmanian Government supports, in principle, all of the recommendations of the Final Report and has commenced the preparation of urgent draft legislation to deal comprehensively with the critical areas of the Final Report,” the Attorney-General added.

Some of these components will be subject to further modelling to determine the best approach for Tasmania. This will be informed by advice received from an Inter-Departmental Committee that has been established to consider these matters.

Subject to public consultation and further advice, the legislation will broadly deal with:

- introducing a new State-based threshold for disclosure of political donations. We expect this threshold to be in line with other Australian jurisdictions of between \$1,000 - \$5,000 accumulative over 12 months and apply to non-monetary gifts;
- introducing new timeframes for the disclosure of political donations. Donations are to be declared at least 6 monthly and then more regularly in election campaigns;
- introducing public funding, at an appropriate level, for both administrative and ‘cost per vote’ support;
- look at excluding smaller contributions in the order of \$200 or less;
- a ban on foreign donations, and anonymous donations over a prescribed amount; and
- dealing with other administrative matters, including the functions and



powers of the Tasmanian Electoral Commission.

It is our intention for this legislation to be released for public consultation after Easter 2021, and introduced into State Parliament before the winter break.

Subject to the legislation passing both houses, the new arrangements will be implemented as soon as practical and prior to the next State election.

"I've spoken this morning with the Electoral Commissioner and assured him that all necessary resources will be made available to enable this to occur. We understand this will be a major change for the Tasmanian Electoral Commission (TEC) and we will consult closely with the TEC on how best to transition to the new arrangements," the Premier Peter Gutwein said.

At this stage, this scheme will only apply to the House of Assembly, given the different requirements and it is important we do not disrupt the preparations for the upcoming Legislative Council elections.

As per the Final Report's recommendations, we agree that caps can be dealt with at a later stage. As the Report states, there is currently insufficient evidence to determine whether caps are genuinely needed or if problems exist that would be resolved by the introduction of caps.

This reform will be a sensible and balanced approach to ensure accountability and transparency in our State elections. Key elements of this scheme will be applied to third parties and political parties equally, to ensure a level playing field.

It is important that Tasmanians have confidence in our electoral system and we must ensure it applies to everyone who participates in the political process. It's critical we get these settings right.

**Contact:** Tom Cooper    **Phone:** 0434 127 060



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**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** FW: Letter from Secretary DoJ to Treasury re Electoral IDC and Working Group (Feb 2021)  
**Date:** Tuesday, 16 February 2021 9:23:15 AM  
**Attachments:** [image002.jpg](#)  
[image003.jpg](#)  
[image004.jpg](#)  
[20210211 Memo to Justice - Treasury representative on Electoral Act Review IDC.PDF](#)

15.1

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FYI

---

**From:** Secretary <[Secretary@justice.tas.gov.au](mailto:Secretary@justice.tas.gov.au)>  
**Sent:** Tuesday, 16 February 2021 9:10 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Moody, Rebecca <[Rebecca.Moody@justice.tas.gov.au](mailto:Rebecca.Moody@justice.tas.gov.au)>  
**Subject:** FW: Letter from Secretary DoJ to Treasury re Electoral IDC and Working Group (Feb 2021)

16.

Hi Brooke – response from Treasury attached.

Cheers  
 Kate

---

**From:** Secretary <[secretary@treasury.tas.gov.au](mailto:secretary@treasury.tas.gov.au)>  
**Sent:** Tuesday, 16 February 2021 9:00 AM  
**To:** Secretary <[Secretary@justice.tas.gov.au](mailto:Secretary@justice.tas.gov.au)>  
**Subject:** RE: Letter from Secretary DoJ to Treasury re Electoral IDC and Working Group (Feb 2021)

17.

Good morning

Please find attached response to your letter dated 11/02/2021.

Kind regards

**Office of the Secretary**  
 Department of Treasury and Finance  
 p (03) 6166 4444  
 e [Secretary@treasury.tas.gov.au](mailto:Secretary@treasury.tas.gov.au)  
 w [www.treasury.tas.gov.au](http://www.treasury.tas.gov.au)  
 21 Murray Street, Hobart, TAS 7000 | GPO Box 147, Hobart TAS 7001




---

**From:** Secretary <[Secretary@justice.tas.gov.au](mailto:Secretary@justice.tas.gov.au)>  
**Sent:** Thursday, 11 February 2021 9:33 AM  
**To:** Secretary <[secretary@treasury.tas.gov.au](mailto:secretary@treasury.tas.gov.au)>  
**Subject:** Letter from Secretary DoJ to Treasury re Electoral IDC and Working Group (Feb 2021)  
**Importance:** High

18.

Good morning, please see attached letter from Ginna Webster, Secretary, Department of Justice.



Kind Regards



**Office of the Secretary**

Department of Justice

p (03) 6165 4943

e [secretary@justice.tas.gov.au](mailto:secretary@justice.tas.gov.au)

w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: request for advice to IDC  
**Date:** Tuesday, 16 February 2021 2:39:22 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

---

Thanks!

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Tuesday, 16 February 2021 2:17 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** request for advice to IDC

Hi Martin

[REDACTED]

[REDACTED]

[REDACTED]

Cheers

F



**Felicity Poulter**

Senior Legislation and Policy Officer

Department of Justice

(03) 6165 4943 | [felicity.poulter@justice.tas.gov.au](mailto:felicity.poulter@justice.tas.gov.au)

[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

GPO Box 825 Hobart TAS 7001 | Level 14, 110 Collins Street, Hobart, TAS 7000









**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: suggested email to Eleanor  
**Date:** Tuesday, 16 February 2021 4:00:22 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

Thanks, great minds think alike – I had added that already and am just checking scope with Ginna for any comments before we send – probably tomorrow morning now..

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Tuesday, 16 February 2021 3:53 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** RE: suggested email to Eleanor

22

One further comment

- [REDACTED]

**From:** Poulter, Felicity  
**Sent:** Tuesday, 16 February 2021 3:46 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** suggested email to Eleanor

23

Hello Eleanor

As you may have noticed, the Premier released the Final Report of the Electoral Act Review today

[http://www.premier.tas.gov.au/site\\_resources\\_2015/additional\\_releases/introducing\\_a\\_new\\_political\\_donations\\_disclosure\\_scheme\\_for\\_tasmania](http://www.premier.tas.gov.au/site_resources_2015/additional_releases/introducing_a_new_political_donations_disclosure_scheme_for_tasmania)

[REDACTED]

Thanks for your assistance



**Felicity Poulter**

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From: Craven, Brooke  
 To: Patterson, Eleanor (Treasury)  
 Cc: Poulter, Felicity  
 Subject: Public Funding - follow up for IDC papers  
 Date: Wednesday, 17 February 2021 12:35:59 PM  
 Attachments: image012.png  
 image014.jpg  
 image004.png

24.1

Hi Eleanor

Thanks for the quick chat just now, and I look forward to seeing you at the first IDC meeting which we hope to get in diaries for early next week (likely Monday).

Below are links to the media release and the Final Report of the Electoral Act Review which the Premier released yesterday:

[http://www.premier.tas.gov.au/site\\_resources\\_2015/additional\\_releases/introducing\\_a\\_new\\_political\\_donations\\_disclosure\\_scheme\\_for\\_tasmania](http://www.premier.tas.gov.au/site_resources_2015/additional_releases/introducing_a_new_political_donations_disclosure_scheme_for_tasmania)  
[Department of Justice - Electoral Act Final Report](#)  
[Electoral Act Review Final Report February 2021 \(justice.tas.gov.au\)](#)

[REDACTED]

[REDACTED]

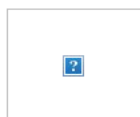
[REDACTED]

[REDACTED]

[REDACTED]

Also please let me know if you would like us to make contact with Dana at project team level in the meantime or if you'd prefer given timing we come through you at this stage.

Best regards  
 Brooke



Brooke Craven | Director  
 Strategic Legislation and Policy  
 Department of Justice  
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 E [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
 W [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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[REDACTED]

COVID-safe\_behaviours\_email\_footer\_long\_colour


[REDACTED]



**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Re: unfinished draft - leg co  
**Date:** Wednesday, 17 February 2021 5:53:43 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

---

Thanks!



Happy to chat tomorrow..

Cheers  
Brooke

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, February 17, 2021 5:11:03 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** unfinished draft - leg co

Hi Brooke

I just wanted to send you where I am up to with the leg co paper. I am still working on it but thought you may want to have a look at it in the meantime

If you don't have time to look that is fine too – just wanted to keep you up to date

F



**Felicity Poulter**

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[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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27.

**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** FW: draft paper on M.Ogilvie's robocalling amendment  
**Date:** Thursday, 18 February 2021 11:55:43 AM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

27.1

---

Hi Fliss

When you send the draft agenda through would you mind sending your other papers as well just so it's all in one place?

And should we add this one?

Thanks

Brooke

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, 4 February 2021 3:09 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** draft paper on M.Ogilvie's robocalling amendment

28.

Hi Brooke and Tania

[REDACTED]

I have tailored the issues paper format we used for the steering committee – I thought we could discuss both the format/nature of the paper as a means of providing the advice for the AG as well as getting started on one of the smaller issues

See you both at 3.30

F



**Felicity Poulter**

Senior Legislation and Policy Officer

Department of Justice

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[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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29.

**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Re: IDC papers  
**Date:** Thursday, 18 February 2021 4:47:39 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

---

Great thanks! I will have a read tomorrow

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, February 18, 2021 4:39:13 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** RE: IDC papers

30.

I have renamed the public funding paper in the IDC doc folder to end with "as at 2019"  
As FYI I have printed out a copy of the NSW Electoral Funding Act – as, just to use more trees, NSW have all their funding and disclosure stuff in a separate act to their electoral act  
It is sitting on your chair

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Thursday, 18 February 2021 4:34 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Re: IDC papers

31.

Thank you! I will review and send to Ginna tonight.

[REDACTED]

Yes a bit hot for making honey tomorrow I imagine- will let you know if anything urgent comes up otherwise just enjoy your weekend..

Cheers  
B

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, February 18, 2021 3:21:14 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** IDC papers

32.

Hi Brooke  
The link below leads to the range of IDC papers produced so far. These include an agenda and TOR – I have updated these to include dates where know and people supposedly assisting ;)

[G:\Electoral Act Review\2021\IDC documents](#)

I have saved a copy of the old steering committee paper on public funding – [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Chris and I are not going to harvest and bottle the honey tomorrow now so I might do some work – I might do that reflecting of legislative models on the couch , unless you have something else more urgent?



**Felicity Poulter**

Senior Legislation and Policy Officer

Department of Justice

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[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Re: IDC papers  
**Date:** Thursday, 18 February 2021 4:34:04 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

Thank you! I will review and send to Ginna tonight.

[REDACTED]

Yes a bit hot for making honey tomorrow I imagine- will let you know if anything urgent comes up otherwise just enjoy your weekend..

Cheers  
 B

Director, Strategic Legislation and Policy  
 Department of Justice Tasmania  
 03 6165 4926

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, February 18, 2021 3:21:14 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** IDC papers

Hi Brooke

The link below leads to the range of IDC papers produced so far. These include an agenda and TOR – I have updated these to include dates where know and people supposedly assisting ;)

[G:\Electoral Act Review\2021\IDC documents](#)

I have saved a copy of the old steering committee paper on public funding – [REDACTED]

[REDACTED]

Chris and I are not going to harvest and bottle the honey tomorrow now so I might do some work – I might do that reflecting of legislative models on the couch , unless you have something else more urgent?



**Felicity Poulter**

Senior Legislation and Policy Officer  
 Department of Justice

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[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#)  
**Subject:** FW: confirming WG member for DPaC - IDC  
**Date:** Friday, 19 February 2021 9:17:22 AM  
**Attachments:** [image001.jpg](#)

---

FYI – good news!

---

**From:** Holeywell-Jones, Alice <[Alice.Holeywell-Jones@dpac.tas.gov.au](mailto:Alice.Holeywell-Jones@dpac.tas.gov.au)>  
**Sent:** Friday, 19 February 2021 8:50 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Gibson, Martin (DPaC) <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Subject:** confirming WG member for DPaC - IDC

Hi Brooke

Happy Friday!

Just confirming that Martin is our WG member for DPaC

Cheers

Alice

**Alice Holeywell-Jones**

Executive Director | People, Performance and Governance Division

**Department of Premier and Cabinet**

Level 7, 15 Murray Street

Hobart, Tasmania 7000

T: 0419 826 385

[alice.holeywell-jones@dpac.tas.gov.au](mailto:alice.holeywell-jones@dpac.tas.gov.au) | [www.dpac.tas.gov.au](http://www.dpac.tas.gov.au)




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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** IDC paper- inclusion of Leg Co.docx  
**Date:** Friday, 19 February 2021 3:09:01 PM  
**Attachments:**   
[image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

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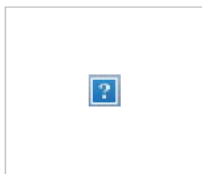
37.1

Hi there

This looks good – I have made a few track changes (mostly additions) – I will see if Ginna wants to send this out as part of the papers this afternoon – apologies if I've made any errors here, just let me know and we can talk to them on Monday if it goes out as part of the papers today..

Cheers

Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

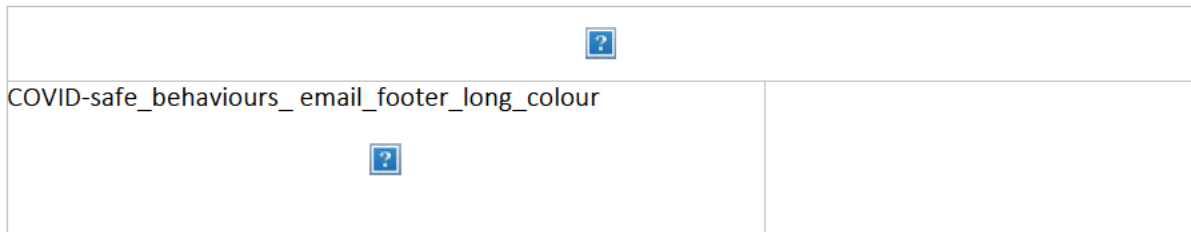
**p** (03) 6165 4926

**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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## ISSUES PAPER

### Inclusion of Legislative Council in Disclosure Regime

#### ISSUE:

[REDACTED]

#### Background

[REDACTED]

***Recommendation 3:*** That, subject to further modelling and analysis to inform the final detail of the model, a disclosure system be introduced for political donations that are received by political parties and candidates, with the following elements and informed by models in other jurisdictions:

- (a) The Tasmanian Act include a definition of “gift” that is generally consistent with the definition in the Commonwealth Electoral Act 1918.
- (b) That a threshold be set for disclosure of donations received, informed by approaches in other jurisdictions.
- (c) There be a requirement that all donations over the specified disclosure threshold be disclosed to the regulator within a specified time period. This time period could either be a single rolling period of no more than 28 days or alternatively, a less frequent reporting period outside the election period with more frequent reporting during the election period.
- (d) Multiple donations received from a single donor during a reporting period be aggregated when determining whether the disclosure threshold has been exceeded.
- (e) All candidates and political parties for House of Assembly elections be required to submit a return identifying all electoral expenditure, donations and debt during an identified period and that the return be required to be submitted via the designated electronic system within a set period after polling day.
- (f) All disclosure and reporting obligations be managed through an online disclosure system which allows:



- (i) *easy and secure input of meaningful information by candidates, parties and third parties;*
- (ii) *the public to access and interrogate all appropriate data; and*
- (iii) *effective monitoring, auditing, investigation and enforcement.*
- (g) *It be an offence to receive a donation over the threshold for disclosure without recording the requisite identifying information.*
- (h) *It be an offence for a donor to provide false identifying information when making a political donation*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]





DRAFT



**From:** [Craven, Brooke](#)  
**To:** [Wailles, Gavin](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** Electoral Reform - public funding - confidential internal deliberative  
**Date:** Monday, 22 February 2021 3:12:19 PM  
**Attachments:** [REDACTED]  
[image001.png](#)  
[image004.jpg](#)  
[image005.png](#)

38.1

38.2

38.3

Hi Gav

Some background docs attached as discussed re public funding – including the spreadsheet that Alexis and Richard prepared for us a little while back. Treasury (Budget/Eleanor P) have ok'd this as a model.

[REDACTED]

Also a link to the Final Report if you need –

[https://www.justice.tas.gov.au/about/reports\\_and\\_inquiries/electoral-act-final-report](https://www.justice.tas.gov.au/about/reports_and_inquiries/electoral-act-final-report)

We have plenty of further background if you need but I wanted to keep it high-level for starters.

Thanks  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

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**From:** Craven, Brooke  
**To:** Poulter, Felicity; Lethborg, Tania  
**Subject:** FW: Electoral IDC and Working Group  
**Date:** Monday, 22 February 2021 3:01:54 PM  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)  
[Letter from Jenny Gale - Secret~re Electoral IDC working group.pdf](#)  
[image003.jpg](#)  
[image004.png](#)  
[image005.png](#)

39.1

For CM with the other IDC papers etc, thanks

**From:** Webster, Ginna <Ginna.Webster@justice.tas.gov.au>  
**Sent:** Monday, 22 February 2021 3:00 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Subject:** FW: Electoral IDC and Working Group

40.

FYI Brooke



### Ginna Webster

Secretary  
 Department of Justice  
 (03) 6165 4943 | [Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)  
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**From:** Secretary <[Secretary.Executive@dpac.tas.gov.au](mailto:Secretary.Executive@dpac.tas.gov.au)>  
**Sent:** Monday, 22 February 2021 2:49 PM  
**To:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>  
**Cc:** Secretary <[Secretary@justice.tas.gov.au](mailto:Secretary@justice.tas.gov.au)>; Holeywell-Jones, Alice (DPaC) <[Alice.Holeywell-Jones@dpac.tas.gov.au](mailto:Alice.Holeywell-Jones@dpac.tas.gov.au)>  
**Subject:** Electoral IDC and Working Group

41.

Please find attached correspondence for your attention.

**Office of the Secretary**  
 Department of Premier and Cabinet  
**T:** 03 6232 7230 **E:** [secretary@dpac.tas.gov.au](mailto:secretary@dpac.tas.gov.au)

[www.dpac.tas.gov.au](http://www.dpac.tas.gov.au)



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**From:** [Lugg, Nicole](#)  
**To:** [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** FW: Electoral  
**Date:** Monday, 22 February 2021 3:20:47 PM  
**Attachments:** [image001.png](#)

---

Getting the band back together...

---

**From:** Lugg, Nicole  
**Sent:** Monday, 22 February 2021 3:09 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Subject:** Electoral

43.

Hi Brooke,

I've spoken to Peter this afternoon.

My understanding is that I am available to assist with the Electoral Act work and that this is a priority, around which I will work on CBOS work depending on work flows. I'll be based at my desk at CBOS but can be available to meet in person in the city or via Teams with you, Tania and Felicity as required.

I work 0.8, Mondays to Thursdays. Two days each week I do a school run in the afternoon but then work from home after that – Wednesday and Thursday this week, Monday and Tuesday next week and so on. With notice however, I can be flexible to make other arrangements should this coincide with a meeting etc.

How would you like to commence my work on this project? Do you have a work plan already established with Tania and Felicity I can look over, or should we meet in some form to discuss an overview of the project?

Regards,


Nicole

Nicole Lugg | Senior Policy Analyst, Policy and Projects | Consumer, Building and Occupational Services |  
**Department of Justice**  
**p:** (03) 6165 4751  
 PO Box 56 Rosny Park Tas 7018  
[www.cbos.tas.gov.au](http://www.cbos.tas.gov.au)

V1.0\_Keep\_on\_top\_of\_COVID\_email\_footer (002)





**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** Re: Electoral  
**Date:** Monday, 22 February 2021 4:21:34 PM  
**Attachments:** [image002.png](#)  
[image005.jpg](#)  
[Public Funding Summary - Treasury.docx](#)  
  
[image001.png](#)

44.1

Hi both

I've sent Nicole an email along the following lines re the immediate priorities to help us with the draft Cab Minute and asked if she can get in touch with one of you for more detail,,


Probably best to sit with you Tania, but will leave it with you both to decide what works best..

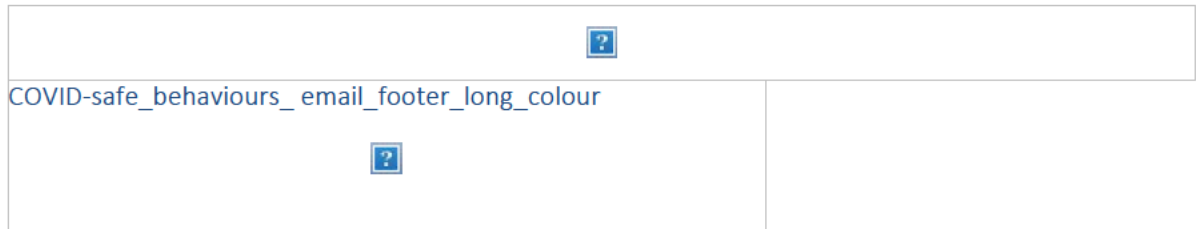
Cheers  
Brooke




**Brooke Craven | Director**  
 Strategic Legislation and Policy  
 Department of Justice

p (03) 6165 4926  
 e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
 w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** Decisions and Action Items - IDC - February 2021.doc  
**Date:** Tuesday, 23 February 2021 10:06:18 AM  
**Attachments:**   
[image001.png](#)  
[image002.png](#)  
[image003.jpg](#)  
**Importance:** High

---

Great, thanks Tania

This looks good! I've tracked a few changes in the attached – let me know if you're happy with them and I will send to Ginna this morning.

Also would you mind setting up a team meeting for us with Nicole for sometime early next week to work through what we might ask her to focus on from here (after the quick checks she's doing for the draft Cab Minute this week)?

Cheers  
Brooke



**Brooke Craven | Director**  
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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#); [Lugg, Nicole](#)  
**Subject:** FW: ECANZ Agenda - 23 February [DLM= Unclassified]  
**Date:** Tuesday, 23 February 2021 4:29:27 PM  
**Attachments:** [image002.png](#)

---

Hi all

FYI – there may be more to come, and I will forward to Dana and Eleanor as well,,

Cheers  
 Brooke

---

**From:** Andrew Hawkey <[Andrew.Hawkey@tec.tas.gov.au](mailto:Andrew.Hawkey@tec.tas.gov.au)>  
**Sent:** Tuesday, 23 February 2021 4:22 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** FW: ECANZ Agenda - 23 February [DLM= Unclassified]

47.

Hello Brooke,

A response to your question from NSW with a link to a lengthy report.

Cheers

### Andrew Hawkey

Electoral Commissioner | Tasmanian Electoral Commission  
 6208 8712 | [Andrew.Hawkey@tec.tas.gov.au](mailto:Andrew.Hawkey@tec.tas.gov.au)  
 PO Box 307 Moonah TAS 7009 | Level 3, 169 Main Road Moonah TAS 7009

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Stay at least 1.5 metres away from others.  
 Wash your hands often with soap and warm water. Use alcohol-based hand sanitiser when out and about.  
 Stay at home if you are unwell and always cover coughs and sneezes.  
 Get tested for COVID-19 if you have any cold or flu-like symptoms.  
 Be aware of, and follow, current gathering, business and travel restrictions.

---

**From:** John Schmidt <[John.Schmidt@elections.nsw.gov.au](mailto:John.Schmidt@elections.nsw.gov.au)>  
**Date:** Tuesday, 23 February 2021 at 4:17 pm  
**To:** Andrew Hawkey <[Andrew.Hawkey@tec.tas.gov.au](mailto:Andrew.Hawkey@tec.tas.gov.au)>  
**Subject:** RE: ECANZ Agenda - 23 February [DLM= Unclassified]

48.



Andrew,

Some background for NSW:

There is nothing in the [second reading speech](#) to specifically explain the level of funding introduced in 2011. The Admin Fund was legislated in response to Recommendation 32 of the JSCEM [report](#) on Public funding of election campaigns. That recommendation proposed a tiered model of funding on the basis of Parliamentary representation. While the proposed funding model was not exactly the one that was ultimately adopted, the maximum amount of annual funding for a party (\$2m) was consistent with the proposed model.

Regards

John

**John Schmidt | Electoral Commissioner  
NSW Electoral Commission**

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**From:** [Lethborg, Tania](#)  
**To:** [Craven, Brooke](#); [Poulter, Felicity](#)  
**Subject:** FW: IDC actions  
**Date:** Tuesday, 23 February 2021 9:30:00 AM  
**Attachments:** [image001.jpg](#)

49.1

Sorry – forgot to attach the document!



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy  
 Department of Justice

**p** (03) 6165 4942

**e** [Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** Lethborg, Tania

**Sent:** Monday, 22 February 2021 5:23 PM

**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** IDC actions

50.

Hi Brooke and Felicity

Actions items from today's meeting for your consideration.

Cheers,  
 Tania



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy  
 Department of Justice

**p** (03) 6165 4942

**e** [Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Patterson, Eleanor \(Treasury\)](#)  
**Cc:** [Poulter, Felicity](#); [Faletic, Dana \(Treasury\)](#)  
**Subject:** FW: Meeting of Attorneys-General - Wednesday 31 March 12:30pm AEDT [SEC=OFFICIAL]  
**Date:** Tuesday, 23 February 2021 10:29:33 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)  
**Importance:** High

---

Hi Eleanor

As flagged in the IDC meeting yesterday, we are continuing to try to get any information we can from Justice Departments in other jurisdictions and through Electoral Commissions where we can, but have not had much luck to date in getting any advice on how levels of administrative funding have been set in other jurisdictions.

The Commonwealth Attorney-General's Department indicated that they do not have deal with this issue and have recommended we speak to the Commonwealth Department of Finance.

I am hoping that you could reach out to a contact there, and to other jurisdiction's Treasury and Finance Departments in the next day or two in parallel to our inquiries, in case they are able to provide any further detail around how the levels have been set for administrative funding (and public funding generally) so we can include in our advice in the Minute to the Attorney-General and the draft Cabinet Minute.

Please feel free to contact me if you would like to discuss – I wasn't sure whether it would be your area or perhaps Dean Burgess/ Economic Policy Division(?) that would have these contacts in any case.

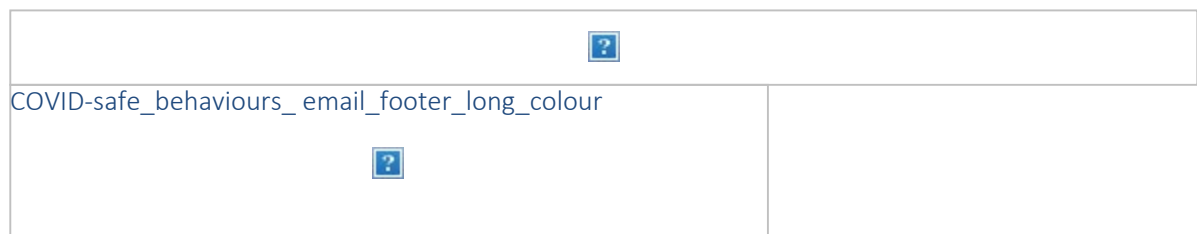
Best regards  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

p (03) 6165 4926  
 e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
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**From:** MAGSecretariat <MAGSecretariat@ag.gov.au>  
**Sent:** Tuesday, 23 February 2021 7:57 AM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Cc:** MAGSecretariat <MAGSecretariat@ag.gov.au>; Catt, Antony <Antony.Catt@ag.gov.au>; Logan, Mila <Mila.Logan@ag.gov.au>  
**Subject:** RE: Meeting of Attorneys-General - Wednesday 31 March 12:30pm AEDT [SEC=OFFICIAL]

**OFFICIAL**

Hi Brooke

In relation to your query about a Commonwealth contact for public and administrative funding levels for elections, we recommend approaching the Department of Finance.

We do not have a key contact to recommend; the switchboard may be the best place to get a lead – 02 6215 2222.

Kind regards

**Jess Hockings**  
0436 849 544

**OFFICIAL**

**From:** Craven, Brooke [<mailto:Brooke.Craven@justice.tas.gov.au>]  
**Sent:** Monday, 22 February 2021 1:56 PM  
**To:** MAGSecretariat <[MAGSecretariat@ag.gov.au](mailto:MAGSecretariat@ag.gov.au)>  
**Subject:** Re: Meeting of Attorneys-General - Wednesday 31 March 12:30pm AEDT [SEC=OFFICIAL]

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**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#); [Poulter, Felicity](#); [Lugg, Nicole](#)  
**Subject:** Fwd: Query re public funding for elections  
**Date:** Tuesday, 23 February 2021 6:19:41 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

---

FYI

Nicole would you mind creating an email list/register of the contacts as they come through from jurisdictions?

Thanks  
 Brooke

Director, Strategic Legislation and Policy  
 Department of Justice Tasmania  
 03 6165 4926

---

**From:** Coram, Michelle (AGD) <Michelle.Coram@sa.gov.au>  
**Sent:** Tuesday, February 23, 2021 5:59:41 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Subject:** FW: Query re public funding for elections

55.

## OFFICIAL

Hi Brooke

Jo Martin has referred your email to me as I am the contact for electoral reform in the Attorney-General's Department in SA. Our Electoral Commission undertake the day to day administration of our Electoral Act so I will liaise with an officer in the Commission to prepare responses to your queries.

Regards

Michelle

**Michelle Coram | Senior Legal Officer | Legislative Services**  
**Attorney-General's Department**  
 Level 19, 10 Franklin Street, Adelaide SA 5000  
 P: (08) 8207 1521 | M: 0417 840 746 | E: [michelle.coram@sa.gov.au](mailto:michelle.coram@sa.gov.au)

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Tuesday, 23 February 2021 4:45 PM  
**To:** [Sylvia.Mendelssohn@justice.nsw.gov.au](mailto:Sylvia.Mendelssohn@justice.nsw.gov.au); [Robert.Bradshaw@nt.gov.au](mailto:Robert.Bradshaw@nt.gov.au);  
[Jennifer.Lang@justice.qld.gov.au](mailto:Jennifer.Lang@justice.qld.gov.au); Martin, Joanna (AGD) <[Joanna.Martin@sa.gov.au](mailto:Joanna.Martin@sa.gov.au)>;  
[Carol.Kmon@justice.vic.gov.au](mailto:Carol.Kmon@justice.vic.gov.au); Rachel E Burrows (DJCS) <[Rachel.Burrows@justice.vic.gov.au](mailto:Rachel.Burrows@justice.vic.gov.au)>;  
[Fiona.Cohen@justice.wa.gov.au](mailto:Fiona.Cohen@justice.wa.gov.au); [JACSLPPGBS@act.gov.au](mailto:JACSLPPGBS@act.gov.au)  
**Cc:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity  
 <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>

56.



**Subject:** Query re public funding for elections

Dear all

Tasmania is currently progressing electoral law reform, and we are trying to establish contacts in Departments of Justice or Attorneys-General that we can confirm some queries with regarding how electoral laws operate in your jurisdictions.

In the short term, we are trying to find any relevant information on how public funding levels for elections have been set in your jurisdictions, particularly for administrative funding (or general funding that is not on a 'per vote' basis).

We have started with the MAG liaison officer list as a starting point but understand there may be another area of your agency that is better placed to assist. I would be very grateful if you could let me know if you are the best contact or otherwise who we might be best to touch base with on these issues.

Best regards  
Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** List of recommendations (Feb 2021).docx  
**Date:** Tuesday, 23 February 2021 4:28:17 PM  
**Attachments:** [REDACTED]  
[image001.png](#)  
[image002.png](#)  
[image003.jpg](#)  
**Importance:** High

57.1

Great, thanks Tania!

I have tracked a few changes for a version we can circulate to IDC and also TEC in confidence for their feedback [REDACTED]

For the covering email to IDC I suggest if it goes out first thing tomorrow that we say –

Can we please have any feedback and additions to the draft decision by **10am Thursday** – and that we need in particular:

- [REDACTED]
- [REDACTED]

We will then circulate an updated draft Cabinet Minute and covering Minute by cob Thursday for information, and provide to the AGO on Friday – so we have time to incorporate the details [threshold etc] on Monday/Tuesday and get the final draft Cab Minute to the AGO by Tuesday 2 March.

Note if we want comment on the Leg Co inclusion aspect advice from IDC members we will presumably need to get them something by the end of tomorrow, I think?

Happy to chat in the morning about that and also how we construct the covering Minute with IDC advice from existing docs etc in the next couple of days. Timing is pretty tricky but I can help tomorrow morning..

Cheers  
Brooke



**Brooke Craven | Director**  
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 Department of Justice  
 P (03) 6165 4926  
 E [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Patterson, Eleanor \(Treasury\)](#); [Faletic, Dana \(Treasury\)](#)  
**Cc:** [Lethborg, Tania](#); [Poulter, Felicity](#); [Lugg, Nicole](#)  
**Subject:** Public funding - follow up query  
**Date:** Tuesday, 23 February 2021 5:38:01 PM  
**Attachments:** [image002.png](#)  
[image004.jpg](#)  
[image005.png](#)  
**Importance:** High

---

Hi Eleanor and Dana,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Unfortunately, as you know, we have really tight timeframes for finalising the Cabinet Minute, so if you could provide this information by 10 am on Thursday morning that would be greatly appreciated.

[REDACTED]

Thanks again for all your help with this

Cheers,  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

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**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Sylvia.Mendelssohn@justice.nsw.gov.au](mailto:Sylvia.Mendelssohn@justice.nsw.gov.au); [Robert.Bradshaw@nt.gov.au](mailto:Robert.Bradshaw@nt.gov.au); [Jennifer.Lang@justice.qld.gov.au](mailto:Jennifer.Lang@justice.qld.gov.au); [joanna.martin@sa.gov.au](mailto:joanna.martin@sa.gov.au); [Carol.Kmon@justice.vic.gov.au](mailto:Carol.Kmon@justice.vic.gov.au); [Rachel E Burrows \(DJCS\)](#); [Fiona.Cohen@justice.wa.gov.au](mailto:Fiona.Cohen@justice.wa.gov.au); [JACSLPPGBS@act.gov.au](mailto:JACSLPPGBS@act.gov.au)  
**Cc:** [Lethborg, Tania](#); [Poulter, Felicity](#); [Lugg, Nicole](#)  
**Subject:** Query re public funding for elections  
**Date:** Tuesday, 23 February 2021 5:14:52 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

---

Dear all

Tasmania is currently progressing electoral law reform, and we are trying to establish contacts in Departments of Justice or Attorneys-General that we can confirm some queries with regarding how electoral laws operate in your jurisdictions.

In the short term, we are trying to find any relevant information on how public funding levels for elections have been set in your jurisdictions, particularly for administrative funding (or general funding that is not on a 'per vote' basis).

We have started with the MAG liaison officer list as a starting point but understand there may be another area of your agency that is better placed to assist. I would be very grateful if you could let me know if you are the best contact or otherwise who we might be best to touch base with on these issues.

Best regards  
 Brooke



**Brooke Craven** | Director  
 Strategic Legislation and Policy  
 Department of Justice

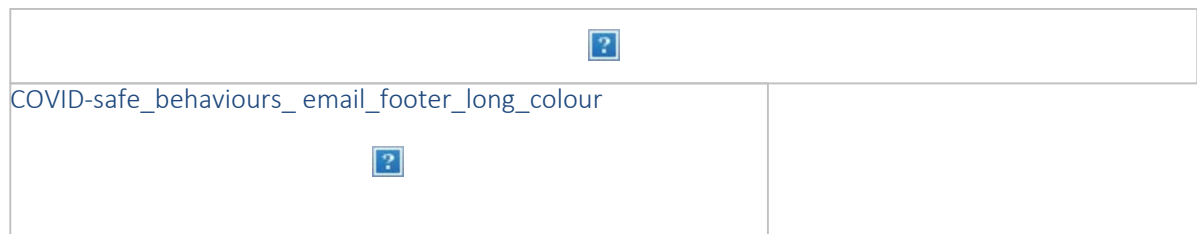
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**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Lethborg, Tania](#)  
**To:** [Craven, Brooke](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** RE: List of recommendations (Feb 2021).docx  
**Date:** Tuesday, 23 February 2021 4:41:28 PM  
**Attachments:** [image004.jpg](#)  
[image005.png](#)  
[image006.png](#)  
[image007.jpg](#)

---

Hi Brooke

Looks fine to me.

[REDACTED]

Cheers,  
Tania



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4942

**e** [Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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---

**From:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>

**Sent:** Tuesday, 23 February 2021 4:28 PM

**To:** Lethborg, Tania <Tania.Lethborg@justice.tas.gov.au>

**Cc:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>

**Subject:** List of recommendations (Feb 2021).docx

**Importance:** High

Great, thanks Tania!

I have tracked a few changes for a version we can circulate to IDC and also TEC in confidence for their feedback [REDACTED]

[REDACTED] Let me know if this looks ok.

For the covering email to IDC I suggest if it goes out first thing tomorrow that we say –

Can we please have any feedback and additions to the draft decision by **10am Thursday** – and that we need in particular:

[REDACTED]



[REDACTED]

We will then circulate an updated draft Cabinet Minute and covering Minute by cob Thursday for information, and provide to the AGO on Friday – so we have time to incorporate the details [threshold etc] on Monday/Tuesday and get the final draft Cab Minute to the AGO by Tuesday 2 March.

Note if we want comment on the Leg Co inclusion aspect advice from IDC members we will presumably need to get them something by the end of tomorrow, I think?



Happy to chat in the morning about that and also how we construct the covering Minute with IDC advice from existing docs etc in the next couple of days. Timing is pretty tricky but I can help tomorrow morning..

Cheers  
Brooke



**Brooke Craven | Director**  
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**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Faletic, Dana](#)  
**To:** [Craven, Brooke](#); [Patterson, Eleanor \(Treasury\)](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** RE: Meeting of Attorneys-General - Wednesday 31 March 12:30pm AEDT [SEC=OFFICIAL]  
**Date:** Tuesday, 23 February 2021 3:53:42 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)  
[image004.jpg](#)  
[image005.jpg](#)

Hi Brooke! Eleanor is checking with other Treasury's budget contacts however we also wondered whether it could be useful to check with other Justice Department budget contacts. I've tried to call Gavin Wailes in Justice, but no answer as yet - you could have a chat to him and see if he has Budget contacts in other Treasury's interstate?

Dana.

**Dana Faletic** | **Specialist Agency Analyst**  
 Budget Management Branch | Department of Treasury and Finance  
 p (03) 6166 4144 (redirected to mobile 0422 442 863)  
 e [dana.faletic@treasury.tas.gov.au](mailto:dana.faletic@treasury.tas.gov.au)  
 w [www.treasury.tas.gov.au](http://www.treasury.tas.gov.au)  
 21 Murray Street, Hobart, TAS 7000 | GPO Box 147, Hobart TAS 7001  
 Work pattern:  
 Mon, Wed 9am - 2.30pm;  
 Tues, Thurs, Fri 8.30am - 5pm.



**From:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Sent:** Tuesday, 23 February 2021 10:30 AM  
**To:** Patterson, Eleanor <Eleanor.Patterson@treasury.tas.gov.au>  
**Cc:** Poulter, Felicity (DoJ) <Felicity.Poulter@justice.tas.gov.au>; Faletic, Dana <Dana.Faletic@treasury.tas.gov.au>  
**Subject:** FW: Meeting of Attorneys-General - Wednesday 31 March 12:30pm AEDT [SEC=OFFICIAL]  
**Importance:** High

Hi Eleanor

As flagged in the IDC meeting yesterday, we are continuing to try to get any information we can from Justice Departments in other jurisdictions and through Electoral Commissions where we can, but have not had much luck to date in getting any advice on how levels of administrative funding have been set in other jurisdictions.

The Commonwealth Attorney-General's Department indicated that they do not have deal with this issue and have recommended we speak to the Commonwealth Department of Finance.

I am hoping that you could reach out to a contact there, and to other jurisdiction's Treasury and Finance Departments in the next day or two in parallel to our inquiries, in case they are able to provide any further detail around how the levels have been set for administrative funding (and public funding generally) so we can include in our advice in the Minute to the Attorney-General and the



draft Cabinet Minute.

Please feel free to contact me if you would like to discuss – I wasn't sure whether it would be your area or perhaps Dean Burgess/ Economic Policy Division(?) that would have these contacts in any case.

Best regards

Brooke



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**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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---

**From:** MAGSecretariat <[MAGSecretariat@ag.gov.au](mailto:MAGSecretariat@ag.gov.au)>

**Sent:** Tuesday, 23 February 2021 7:57 AM

**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>

**Cc:** MAGSecretariat <[MAGSecretariat@ag.gov.au](mailto:MAGSecretariat@ag.gov.au)>; Catt, Antony <[Antony.Catt@ag.gov.au](mailto:Antony.Catt@ag.gov.au)>; Logan, Mila <[Mila.Logan@ag.gov.au](mailto:Mila.Logan@ag.gov.au)>

**Subject:** RE: Meeting of Attorneys-General - Wednesday 31 March 12:30pm AEDT [SEC=OFFICIAL]

64.

**OFFICIAL**

Hi Brooke

In relation to your query about a Commonwealth contact for public and administrative funding levels for elections, we recommend approaching the Department of Finance.

We do not have a key contact to recommend; the switchboard may be the best place to get a lead – 02 6215 2222.

Kind regards

**Jess Hockings**

0436 849 544

**OFFICIAL**



**From:** Craven, Brooke [<mailto:Brooke.Craven@justice.tas.gov.au>]  
**Sent:** Monday, 22 February 2021 1:56 PM  
**To:** MAGSecretariat <[MAGSecretariat@ag.gov.au](mailto:MAGSecretariat@ag.gov.au)>  
**Subject:** Re: Meeting of Attorneys-General - Wednesday 31 March 12:30pm AEDT [SEC=OFFICIAL]

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**From:** [Lethborg, Tania](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** foreign donations  
**Date:** Wednesday, 24 February 2021 3:20:40 PM  
**Attachments:** [image001.jpg](#)

---

Hi Felicity



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Department of Justice

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Cc:** [Lethborg, Tania](#)  
**Subject:** FW: Electoral Act Reform - draft Cabinet Minute  
**Date:** Wednesday, 24 February 2021 10:00:02 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)  
[image004.jpg](#)  
**Importance:** High

---

Hi Felicity

FYI – would you mind chasing Martin up at WG level to see whether they expect to be able to meet this timeframe as well? It would be good to get a sense of how far progressed they are.

I have meetings most of the afternoon so might send through a quick Teams meeting for the 3 of us late morning, if that suits?

Cheers

Brooke

---

**From:** Craven, Brooke  
**Sent:** Wednesday, 24 February 2021 9:58 AM  
**To:** 'Holeywell-Jones, Alice' <[Alice.Holeywell-Jones@dpac.tas.gov.au](mailto:Alice.Holeywell-Jones@dpac.tas.gov.au)>  
**Subject:** Electoral Act Reform - draft Cabinet Minute  
**Importance:** High

68.

Hi Alice

I know it's very tight timing but just wanted to flag that we would like to get the further advice from DPAC on the proposed figures [etc] in the draft Cabinet Minute under (g) from the IDC meeting and any further wording we can add to the draft Minute or as background in the Cabinet Minute in addition to what was in the IDC Papers in relation to third party regulation by **10am Thursday (tomorrow)** for inclusion in the Minute to the Attorney.

Hopefully Martin can lift some of this from the previous Steering Committee Papers and Interim and Final Report.

Happy to chat if you need, best to try me on my mobile – 0427 361 289.

Cheers

Brooke

---

**From:** Craven, Brooke  
**Sent:** Monday, 22 February 2021 12:48 PM  
**To:** Holeywell-Jones, Alice <[Alice.Holeywell-Jones@dpac.tas.gov.au](mailto:Alice.Holeywell-Jones@dpac.tas.gov.au)>  
**Subject:** RE: couple of things

69.

Hi Alice



Thanks, both of those are great suggestions –

Very happy to include the reference to local government disclosure threshold, it would be great if you could check with Matt for us.

And we can coordinate queries to electoral commissions/ justice departments in other jurisdictions if you would like to send them through. Andrew H has a meeting tomorrow so if you have anything specific you'd like us to put on his radar then just let me know later today if you can – and we can then send other things through as needed after that. Sorry, I should have offered that – there was a lot to get through and a few things I meant to say at the end but we were fairly short on time..

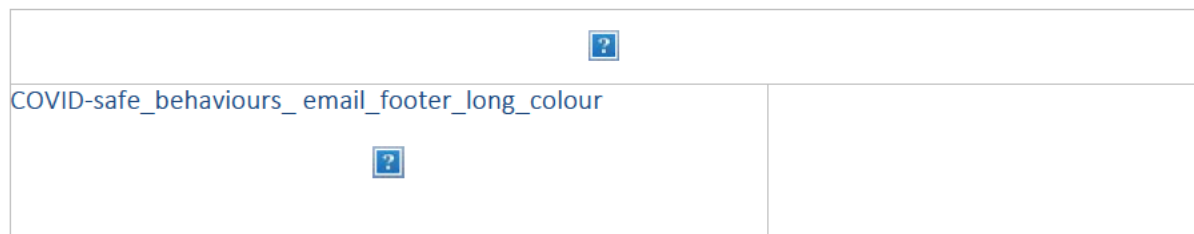
Talk soon, hope you had a good weekend.

Cheers  
Brooke



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---

**From:** Holeywell-Jones, Alice <[Alice.Holeywell-Jones@dpac.tas.gov.au](mailto:Alice.Holeywell-Jones@dpac.tas.gov.au)>  
**Sent:** Monday, 22 February 2021 12:43 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** couple of things

70.

Hi Brooke

Martin and I had a quick round out after the meeting this morning and wanted to put a couple of matters on your radar.

[REDACTED]



[REDACTED]

Secondly, and given it felt like each Department's assigned tasks will require possible contact with other jurisdictions and specifically Electoral Commissions we wondered if there was some advantage in coordinating approach and/or seeking a key contact to be nominated through tomorrow's meeting to direct queries? We just considered the issue of say, DPaC seeking info and two hours later DoJ making contact and also time pressure associated with the need to get info and prioritise what we can get if other jurisdictions are limited in what they can do at short notice?

Happy to discuss of course otherwise will leave with you unless I hear from you.

Cheers

Alice

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**Department of Premier and Cabinet**

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**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** FW: Electoral Reform Implementation WG Draft Terms of reference  
**Date:** Wednesday, 24 February 2021 11:36:11 AM  
**Attachments:** [image007.png](#)  
[image008.png](#)  
[image009.jpg](#)

---

Hi both

As flagged -

[REDACTED]

[REDACTED]

[REDACTED]

Cheers  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

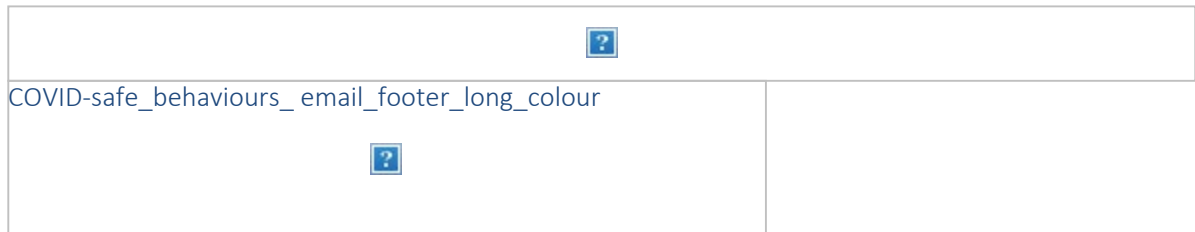
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**From:** [Craven, Brooke](#)  
**To:** [Lugg, Nicole](#)  
**Cc:** [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** FW: Query re public funding for elections  
**Date:** Wednesday, 24 February 2021 10:39:28 AM  
**Attachments:** [image005.png](#)  
[image006.png](#)  
[image007.jpg](#)  
[image001.jpg](#)

---

FYI and to add to our list of contacts.

Thanks  
Brooke

---

**From:** Jennifer Lang <[Jennifer.Lang@justice.qld.gov.au](mailto:Jennifer.Lang@justice.qld.gov.au)>  
**Sent:** Wednesday, 24 February 2021 10:12 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Imelda Bradley <[Imelda.Bradley@justice.qld.gov.au](mailto:Imelda.Bradley@justice.qld.gov.au)>  
**Subject:** RE: Query re public funding for elections

73.

Hi Brooke

Imelda Bradley from our policy area would be the best first point of contact for you. I have included her in this email.

Kind regards  
Jenny

**Jennifer Lang**  
 Deputy Director-General  
 Justice Services  
 Department of Justice and Attorney-General  
 P: 07 3738 9435 M: 0447 064 914  
 E: [Jennifer.Lang@justice.qld.gov.au](mailto:Jennifer.Lang@justice.qld.gov.au)




---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Tuesday, 23 February 2021 4:15 PM  
**To:** [Sylvia.Mendelssohn@justice.nsw.gov.au](mailto:Sylvia.Mendelssohn@justice.nsw.gov.au); [Robert.Bradshaw@nt.gov.au](mailto:Robert.Bradshaw@nt.gov.au); Jennifer Lang <[Jennifer.Lang@justice.qld.gov.au](mailto:Jennifer.Lang@justice.qld.gov.au)>; [joanna.martin@sa.gov.au](mailto:joanna.martin@sa.gov.au); [Carol.Kmon@justice.vic.gov.au](mailto:Carol.Kmon@justice.vic.gov.au); Rachel E Burrows (DJCS) <[Rachel.Burrows@justice.vic.gov.au](mailto:Rachel.Burrows@justice.vic.gov.au)>; [Fiona.Cohen@justice.wa.gov.au](mailto:Fiona.Cohen@justice.wa.gov.au); [JACSLPPGBS@act.gov.au](mailto:JACSLPPGBS@act.gov.au)  
**Cc:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** Query re public funding for elections

74.

Dear all



Tasmania is currently progressing electoral law reform, and we are trying to establish contacts in Departments of Justice or Attorneys-General that we can confirm some queries with regarding how electoral laws operate in your jurisdictions.

In the short term, we are trying to find any relevant information on how public funding levels for elections have been set in your jurisdictions, particularly for administrative funding (or general funding that is not on a 'per vote' basis).

We have started with the MAG liaison officer list as a starting point but understand there may be another area of your agency that is better placed to assist. I would be very grateful if you could let me know if you are the best contact or otherwise who we might be best to touch base with on these issues.

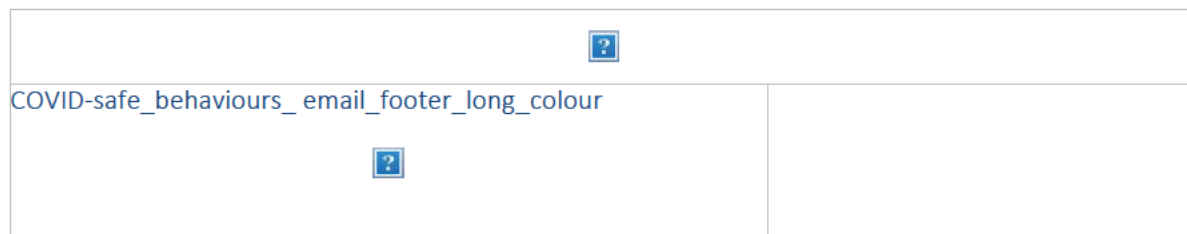
Best regards  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
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**From:** [Lethborg, Tania](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: foreign donations  
**Date:** Wednesday, 24 February 2021 3:40:06 PM  
**Attachments:** [image001.jpg](#)

Thanks very much. I was thinking there might be something on their EC websites but wasn't able to find it quickly (which seems odd)



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**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 3:29 PM  
**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** RE: foreign donations

76.

Qld – s270  
 NSW s.46 (electoral funding act)  
 Vic – 217A

ACT bill that commences in July only appears to ban property developers. If you are a russki, that is fine

**From:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 3:21 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** foreign donations

77.

Hi Felicity

Do you know off hand whether there are any other States or Territories with a ban on foreign donations? I can see the provision in the Bill before the WA parliament but I couldn't see anything on the EC websites for the other jurisdictions (I have only looked very quickly though)



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 Department of Justice

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Re: IDC paper- inclusion of Leg Co.docx  
**Date:** Wednesday, 24 February 2021 4:18:26 PM  
**Attachments:** [image001.png](#)  
[image004.png](#)  
[image005.jpg](#)

---

Excellent thanks could I have a word version? Am in the RWM but can look on my phone

Director, Strategic Legislation and Policy  
 Department of Justice Tasmania  
 03 6165 4926

---

**From:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Sent:** Wednesday, February 24, 2021 4:00:39 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Subject:** RE: IDC paper- inclusion of Leg Co.docx

Hi Brooke

I have made a variety of changes to the leg co paper and saved back into the g/j drive  
[G:\Electoral Act Review\2021\IDC documents\IDC paper- inclusion of Leg Co.docx](#)

Will jump back into the cover minute now

---

**From:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Sent:** Wednesday, 24 February 2021 12:13 PM  
**To:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Cc:** Lethborg, Tania <Tania.Lethborg@justice.tas.gov.au>  
**Subject:** IDC paper- inclusion of Leg Co.docx

Hi Felicity

Can we say – [REDACTED]  
 [REDACTED]  
 [REDACTED]

Can we add – [REDACTED]  
 [REDACTED]

[REDACTED]  
 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
 [REDACTED]

These are just some quick thoughts along with other things we've discussed. Also we need to check Andrew H's paper and perhaps add any notes re his model. I will keep Andrew.



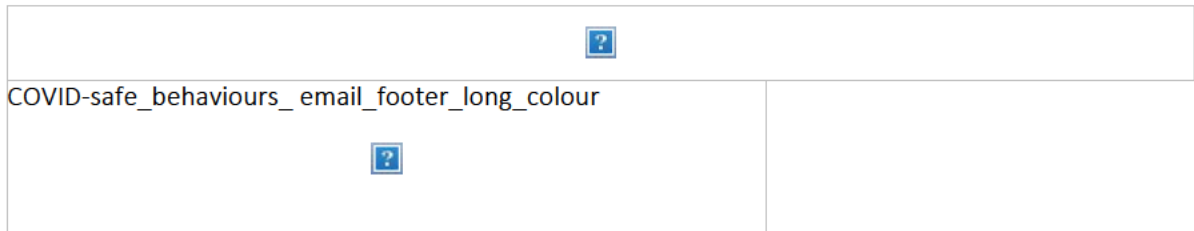
Thanks  
Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Faletic, Dana](#)  
**To:** [Craven, Brooke](#); [Patterson, Eleanor \(Treasury\)](#)  
**Cc:** [Lethborg, Tania](#); [Poulter, Felicity](#); [Lugg, Nicole](#)  
**Subject:** RE: Public funding - follow up query  
**Date:** Wednesday, 24 February 2021 9:14:03 AM  
**Attachments:** [image001.jpg](#)  
[image003.jpg](#)  
[image006.png](#)  
[image007.png](#)  
[image008.jpg](#)

Thanks Brooke - [REDACTED]

Cheers,  
Dana.

**Dana Faletic | Specialist Agency Analyst**  
 Budget Management Branch | Department of Treasury and Finance  
 p (03) 6166 4144 (redirected to mobile 0422 442 863)  
 e [dana.faletic@treasury.tas.gov.au](mailto:dana.faletic@treasury.tas.gov.au)  
 w [www.treasury.tas.gov.au](http://www.treasury.tas.gov.au)  
 21 Murray Street, Hobart, TAS 7000 | GPO Box 147, Hobart TAS 7001  
 Work pattern:  
 Mon, Wed 9am - 2.30pm;  
 Tues, Thurs, Fri 8.30am - 5pm.



**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Tuesday, 23 February 2021 5:38 PM  
**To:** Patterson, Eleanor <[Eleanor.Patterson@treasury.tas.gov.au](mailto:Eleanor.Patterson@treasury.tas.gov.au)>; Faletic, Dana <[Dana.Faletic@treasury.tas.gov.au](mailto:Dana.Faletic@treasury.tas.gov.au)>  
**Cc:** Lethborg, Tania (DoJ) <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity (DoJ) <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lugg, Nicole (DoJ) <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** Public funding - follow up query  
**Importance:** High

Hi Eleanor and Dana,

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

Unfortunately, as you know, we have really tight timeframes for finalising the Cabinet Minute, so if you could provide this information by 10 am on Thursday morning that would be greatly appreciated.

[REDACTED]

Thanks again for all your help with this

Cheers,  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
Level T4, T10 Collins St, Hobart, TAS 7000 | GPO Box 825, Hobart TAS 7001

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**From:** [Lugg, Nicole](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Re: timeframes  
**Date:** Wednesday, 24 February 2021 3:03:35 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

---

No, ACT don't have campaign accounts.

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 3:49 AM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** RE: timeframes

84.

That sounds great – again, I realise how silly these timeframes are, just do what you can do.

[REDACTED]




---

**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 2:33 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: timeframes

85.

No I thought it was for Monday.

[REDACTED] I'm doing a brief word summary of the situation for those states that have them for that purpose, but a separate document referencing the relevant legislative provisions for our purposes.

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 2:31 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** timeframes

86.

Hi Nicole

After getting off the phone, and then also talking to tania and brooke about other issues – I thought I had better clarify that the AGO want our advice and the draft Cab Minute by Monday 1 March

So realistically, we are just going to have to pull together any info we have to inform the Cab Minute by tomorrow really

Eeerrgh! This may have been your take on it, however I was worried that I may have indicated we had another week F



### Felicity Poulter

Senior Legislation and Policy Officer

Department of Justice


(03) 6165 4943 | [felicity.poulter@justice.tas.gov.au](mailto:felicity.poulter@justice.tas.gov.au)

[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Cc:** [Lethborg, Tania](#)  
**Subject:** Urgent - IDC paper- inclusion of Leg Co.docx  
**Date:** Wednesday, 24 February 2021 2:10:01 PM  
**Attachments:**   
[image001.png](#)  
[image002.png](#)  
[image003.jpg](#)  
**Importance:** High

---

Hi Felicity

I'm going into a meeting now so here are my rough additions for checking and tidy up – apologies I know there is a lot on, but I think probably best if you are ok to focus on getting this one to the point where we can send it out later today, and the covering Minute to the A-G can wait for now until that's done – if that's ok with you? I don't mind if it's still a little rough when it goes out.

The main thing is that it would be fantastic if you could have a quick read of what Andrew's paper says on these issues as it might help plug some of our knowledge gaps – and we can ask him as well if we need...

Cheers

Brooke



**Brooke Craven | Director**  
 Strategic Legislation and Policy  
 Department of Justice

p (03) 6165 4926  
 e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
 w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Lugg, Nicole](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Re: timeframes  
**Date:** Wednesday, 24 February 2021 3:31:10 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

[REDACTED] ladies assume the foetal position & rock maniacally!

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 4:06 AM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** RE: timeframes

89.

Hmm, [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]

Think I might crawl under desk and hide

**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 3:04 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Re: timeframes

90.

No, ACT don't have campaign accounts.

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 3:49 AM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** RE: timeframes

91.

That sounds great – again, I realise how silly these timeframes are, just do what you can do.

[REDACTED]  
 [REDACTED]  
 [REDACTED]



**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 2:33 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: timeframes

92.

No I thought it was for Monday.

[REDACTED] I'm doing a brief word summary of the situation for those states that have them for that purpose, but a separate document referencing the relevant legislative provisions for our purposes.

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 2:31 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** timeframes

93.

Hi Nicole

After getting off the phone, and then also talking to tania and brooke about other issues – I thought I had better clarify that the AGO want our advice and the draft Cab Minute by Monday 1 March  
 So realistically, we are just going to have to pull together any info we have to inform the Cab Minute by tomorrow really  
 Eeerrgh! This may have been your take on it, however I was worried that I may have indicated we had another week



F



**Felicity Poulter**

Senior Legislation and Policy Officer  
Department of Justice  
(03) 6165 4943 | [felicity.poulter@justice.tas.gov.au](mailto:felicity.poulter@justice.tas.gov.au)  
[www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Lugg, Nicole](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: timeframes  
**Date:** Wednesday, 24 February 2021 2:33:04 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

---

No I thought it was for Monday.

[REDACTED] I'm doing a brief word summary of the situation for those states that have them for that purpose, but a separate document referencing the relevant legislative provisions for our purposes.

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 2:31 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** timeframes

95.

Hi Nicole

After getting off the phone, and then also talking to tania and brooke about other issues – I thought I had better clarify that the AGO want our advice and the draft Cab Minute by Monday 1 March

So realistically, we are just going to have to pull together any info we have to inform the Cab Minute by tomorrow really

Eeerrgh! This may have been your take on it, however I was worried that I may have indicated we had another week F



**Felicity Poulter**

Senior Legislation and Policy Officer

Department of Justice

(03) 6165 4943 | [felicity.poulter@justice.tas.gov.au](mailto:felicity.poulter@justice.tas.gov.au)

[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Lugg, Nicole](#)  
**To:** [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** Campaign accounts  
**Date:** Thursday, 25 February 2021 1:50:07 PM  
**Attachments:** [image001.png](#)

---

Hi

If either of you have a few minutes, would you mind reading through what I have written in relation to campaign accounts please.

[REDACTED]

Do you think what I have written is what Brooke is after?

Any suggestions gratefully received.

I have school run at 2:50pm for about half an hour, but am contactable on my mobile any time and will be back on email after that.

Thanks.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[Redacted]

[Redacted]

Nicole Lugg | Senior Policy Analyst, Policy and Projects | Consumer, Building and Occupational Services |

**Department of Justice**

**p:** (03) 6165 4751

PO Box 56 Rosny Park Tas 7018

[www.cbos.tas.gov.au](http://www.cbos.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** FW: Local Government Act review  
**Date:** Thursday, 25 February 2021 10:36:03 AM  
**Attachments:** [image001.jpg](#)

FYI re Local Government review if this assists – apologies if I have already forwarded it, am losing track! 😊

**From:** Holeywell-Jones, Alice <[Alice.Holeywell-Jones@dpac.tas.gov.au](mailto:Alice.Holeywell-Jones@dpac.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 8:55 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Gibson, Martin (DPaC) <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Subject:** Fwd: Local Government Act review

Hi Brooke

Please see below from Mat so not quite what I understood sorry but maybe still okay for background/context.

Martin and I met this afternoon and talked through the work he has done so all track on for tomorrow.

Talk soon

Alice

Get [Outlook for iOS](#)

**From:** Healey, Mathew <[Mathew.Healey@dpac.tas.gov.au](mailto:Mathew.Healey@dpac.tas.gov.au)>  
**Sent:** Wednesday, February 24, 2021 12:38:24 PM  
**To:** Holeywell-Jones, Alice <[Alice.Holeywell-Jones@dpac.tas.gov.au](mailto:Alice.Holeywell-Jones@dpac.tas.gov.au)>  
**Cc:** Nettlefold, Tahnee <[tahnee.nettlefold@dpac.tas.gov.au](mailto:tahnee.nettlefold@dpac.tas.gov.au)>  
**Subject:** RE: Local Government Act review

Hi Alice

Will chat with Tahnee but to confirm, [REDACTED]

[REDACTED]

<div data-bbox="244 1529 288 1574" data-label="Text">[REDACTED]</div> <div data-bbox="317 1529 458 1641" data-label="Text">[REDACTED]</div>	<div data-bbox="515 1529 869 1803" data-label="Text">[REDACTED]</div>			<div data-bbox="1093 1529 1348 1915" data-label="Text">[REDACTED]</div>
---	---	--	--	---

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Cheers

Mat

---

**From:** Holeywell-Jones, Alice <[Alice.Holeywell-Jones@dpac.tas.gov.au](mailto:Alice.Holeywell-Jones@dpac.tas.gov.au)>  
**Sent:** Tuesday, 23 February 2021 8:31 PM  
**To:** Healey, Mathew <[Mathew.Healey@dpac.tas.gov.au](mailto:Mathew.Healey@dpac.tas.gov.au)>  
**Subject:** Local Government Act review

100.

Hey Mat

Just following up on our corridor conversation [REDACTED]

[REDACTED]  
[REDACTED] We're on a pretty tight timeframe to  
finalise the cab minute so keen to reference if applicable.

Cheers

Alice

**Alice Holeywell-Jones**

Executive Director | People, Performance and Governance Division

**Department of Premier and Cabinet**

Level 7, 15 Murray Street  
Hobart, Tasmania 7000  
T: 0419 826 385

[alice.holeywell-jones@dpac.tas.gov.au](mailto:alice.holeywell-jones@dpac.tas.gov.au) | [www.dpac.tas.gov.au](http://www.dpac.tas.gov.au)



---

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#)  
**Subject:** FW: Third parties material  
**Date:** Thursday, 25 February 2021 9:59:54 AM  
**Attachments:** [image001.png](#)

Hi both

A lot of useful inter-jurisdictional information here – it might be good to include these tables as an Attachment to the covering Minute to the Attorney as they stand – let me know what you think.

Happy to chat on any issues you think we need to clarify/agree for recs to the Attorney/Government and the final Cab Minute. Feel free to send an email through with your thoughts when you've had time to consider, if needed I will try to get out of some of this afternoon's meeting if we need to chat rather than email..

Thanks again for all your fantastic work on this – we are getting there, well done!

Cheers  
 Brooke

---

**From:** Gibson, Martin <Martin.Gibson@dpac.tas.gov.au>  
**Sent:** Thursday, 25 February 2021 9:48 AM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Cc:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>; Holeywell-Jones, Alice (DPaC) <Alice.Holeywell-Jones@dpac.tas.gov.au>  
**Subject:** Third parties material

Hi Brooke

Here is the material you were after to fill in the gaps on third parties. Happy to discuss, noting that some items have significance beyond just third parties.

Cheers  
 Martin

Martin Gibson | Senior Policy Analyst  
 Policy Division | Department of Premier and Cabinet  
 Ph 6232 7132  
 Level 7, 15 Murray St, Hobart | GPO Box 123, Hobart 7000

cid:image001.png@01D2DB90.106B0B70






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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#)  
**Subject:** Fwd: Draft Paper- inclusion of Leg Co in donations scheme  
**Date:** Thursday, 25 February 2021 5:08:17 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)  


103 1

---

FYI confidentially

Director, Strategic Legislation and Policy  
 Department of Justice Tasmania  
 03 6165 4926


---

**From:** Andrew Hawkey <Andrew.Hawkey@tec.tas.gov.au>  
**Sent:** Thursday, February 25, 2021 5:04:57 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Subject:** Re: Draft Paper- inclusion of Leg Co in donations scheme

104.

### Andrew Hawkey

Electoral Commissioner | Tasmanian Electoral Commission  
 6208 8712 | [Andrew.Hawkey@tec.tas.gov.au](mailto:Andrew.Hawkey@tec.tas.gov.au)  
 PO Box 307 Moonah TAS 7009 | Level 3, 169 Main Road Moonah TAS 7009

A close up of a sign  Description automatically generated



Stay at least 1.5 metres away from others.  
 Wash your hands often with soap and warm water. Use alcohol-based hand sanitiser when out and about.  
 Stay at home if you are unwell and always cover coughs and sneezes.  
 Get tested for COVID-19 if you have any cold or flu-like symptoms.  
 Be aware of, and follow, current gathering, business and travel restrictions.

---

**From:** "Craven, Brooke (DoJ)" <Brooke.Craven@justice.tas.gov.au>  
**Date:** Thursday, 25 February 2021 at 1:34 pm  
**To:** Andrew Hawkey <Andrew.Hawkey@tec.tas.gov.au>  
**Subject:** Draft Paper- inclusion of Leg Co in donations scheme

105.

**EXTERNAL EMAIL:** This email was sent from outside the organisation – be cautious, particularly with links and attachments.

Hi Andrew

Please treat this as a confidential draft.



Please let me know if you have any particular thoughts on whether we have identified the relevant potential consequences here and if the information is accurate etc.

I will try to give you a quick call.

Cheers  
Brooke

**Brooke Craven**

|

**Director**

Strategic Legislation and Policy

Department of Justice

**p**

(03) 6165 4926

**e**

[brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

**w**

[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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106.

**From:** [Lugg, Nicole](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: Campaign accounts  
**Date:** Thursday, 25 February 2021 2:39:08 PM  
**Attachments:** [image001.png](#)

---

[REDACTED]

107.

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 2:38 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** RE: Campaign accounts

I suspected this. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

108.

---

**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 2:36 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Campaign accounts

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

109.

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 2:31 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** RE: Campaign accounts

Indeed  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

110.

---

**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 2:28 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Campaign accounts

Yes minority government.







[REDACTED]  
As I said I think this looks great – and we really appreciate your help in bringing this info together  
Tania, [REDACTED]

[REDACTED]?

F

---

**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>

**Sent:** Thursday, 25 February 2021 1:50 PM

**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity  
<[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** Campaign accounts

114.

Hi

If either of you have a few minutes, [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
Do you think what I have written is what Brooke is after?

Any suggestions gratefully received.

I have school run at 2:50pm for about half an hour, but am contactable on my mobile any time  
and will be back on email after that.

Thanks.

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[Redacted]

[Redacted]

[Redacted]

Nicole Lugg | Senior Policy Analyst, Policy and Projects | Consumer, Building and Occupational Services |

**Department of Justice**

**p:** (03) 6165 4751

PO Box 56 Rosny Park Tas 7018

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**From:** [Lugg, Nicole](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: Campaign accounts  
**Date:** Thursday, 25 February 2021 2:17:05 PM  
**Attachments:** [image001.png](#)

Just as an aside –

113.

This looks good –

F

114.

Hi



If either of you have a few minutes, would you mind reading through what I have written in relation to campaign accounts please.

[REDACTED]

Do you think what I have written is what Brooke is after?

Any suggestions gratefully received.

I have school run at 2:50pm for about half an hour, but am contactable on my mobile any time and will be back on email after that.

Thanks.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]





Nicole Lugg | Senior Policy Analyst, Policy and Projects | Consumer, Building and Occupational Services |

**Department of Justice**

**p:** (03) 6165 4751

PO Box 56 Rosny Park Tas 7018

[www.cbos.tas.gov.au](http://www.cbos.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#)  
**Subject:** RE: Comments on Document plus some words regarding funding needs  
**Date:** Thursday, 25 February 2021 10:15:00 AM

---

Hi Fliss

Thanks for looking at this so quickly – my very brief responses below your questions, hope this helps. And happy to keep going back on forth on this over the day as needed..

Cheers  
Brooke

---

**From:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Sent:** Thursday, 25 February 2021 9:53 AM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>; Lethborg, Tania <Tania.Lethborg@justice.tas.gov.au>  
**Subject:** RE: Comments on Document plus some words regarding funding needs

116.

Good Morning Brooke  
Hope all is ok this morning  
Thanks for this doc from TEC – it is really useful actually. Confirms some thought we had already had and provides some good feedback that we really wanted from the operational perspective

- [REDACTED]

- [REDACTED]

- [REDACTED]



[REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

I have a personal appt at 10.20 so have to duck out briefly but I note that Martin just sent through 3<sup>rd</sup> party stuff so I will look at that now and when I get back  
F☺

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>

**Sent:** Wednesday, 24 February 2021 10:12 PM

**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** Fwd: Comments on Document plus some words regarding funding needs

In confidence, thanks.

Will chat tomorrow somehow around my 9-5 meetings! And email of course.

Cheers  
Brooke



Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

118.

From: Andrew Hawkey  
Sent: Wednesday, 24 February, 9:55 pm  
Subject: Comments on Document plus some words regarding funding needs  
To: Craven, Brooke

Hi Brooke,

I found what I was looking for so have sent through the document.

Happy to discuss with you on the phone before 10am

Cheers  
Andrew

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119.

**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Re: Draft Paper- inclusion of Leg Co in donations scheme  
**Date:** Thursday, 25 February 2021 8:13:30 PM  
**Attachments:** [image004.png](#)  
[image005.png](#)  
[image006.jpg](#)

---

Yes, great work on this well done!

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

120.

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, February 25, 2021 7:30:35 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** RE: Draft Paper- inclusion of Leg Co in donations scheme

This appears to be quite positive feedback on the whole

[REDACTED]

121.

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 5:08 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** Fwd: Draft Paper- inclusion of Leg Co in donations scheme

FYI confidentially

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

122.

**From:** Andrew Hawkey <[Andrew.Hawkey@tec.tas.gov.au](mailto:Andrew.Hawkey@tec.tas.gov.au)>  
**Sent:** Thursday, February 25, 2021 5:04:57 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** Re: Draft Paper- inclusion of Leg Co in donations scheme

### Andrew Hawkey

Electoral Commissioner | Tasmanian Electoral Commission  
6208 8712 | [Andrew.Hawkey@tec.tas.gov.au](mailto:Andrew.Hawkey@tec.tas.gov.au)  
PO Box 307 Moonah TAS 7009 | Level 3, 169 Main Road Moonah TAS 7009



A close up of a sign? ? Description automatically generated



Stay at least 1.5 metres away from others.  
Wash your hands often with soap and warm water. Use alcohol-based hand sanitiser when out and about.  
Stay at home if you are unwell and always cover coughs and sneezes.  
Get tested for COVID-19 if you have any cold or flu-like symptoms.  
Be aware of, and follow, current gathering, business and travel restrictions.

---

**From:** "Craven, Brooke (DoJ)" <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>

**Date:** Thursday, 25 February 2021 at 1:34 pm

**To:** Andrew Hawkey <[Andrew.Hawkey@tec.tas.gov.au](mailto:Andrew.Hawkey@tec.tas.gov.au)>

**Subject:** Draft Paper- inclusion of Leg Co in donations scheme

**EXTERNAL EMAIL:** This email was sent from outside the organisation – be cautious, particularly with links and attachments.

Hi Andrew

Please treat this as a confidential draft.

Please let me know if you have any particular thoughts on whether we have identified the relevant potential consequences here and if the information is accurate etc.

I will try to give you a quick call.

Cheers  
Brooke

**Brooke Craven**

|

**Director**

Strategic Legislation and Policy

Department of Justice

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(03) 6165 4926

**e**



[brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

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124.

**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: Public funding - follow up query  
**Date:** Thursday, 25 February 2021 12:29:54 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

---

Oh definitely, and Gav has checked it too 😊

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 12:29 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** RE: Public funding - follow up query

125.

I thought it was pretty clear and user friendly so hopefully it helps

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 12:28 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** RE: Public funding - follow up query

126.

Great, thanks Fliss – and that is unfortunate about the spreadsheet, really appreciate you talking to Dana and sending it across..

B

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 12:27 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** RE: Public funding - follow up query

127.

Hi Brooke

I have spoken briefly with Dana – and they are working on trying to provide us with something. She is not sure they will be able to add much to the basic figures we have provided [REDACTED] but are looking at the assumptions made in relation to the numbers to see if they think it is clear etc  
It appears that Eleanor had not provided Dana with the excel spreadsheet we had shared with her so I think Dana and her team had been trying to replicate numbers from scratch which is unfortunate...  
I have shared the excel spreadsheet now with Dana in hopes that it might make it clearer how we got to the figures we got to etc

Re admin funding, they are working on a proposal at the lower end of the scale and will send that through when done

F

---

**From:** Craven  
, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 12:05 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** FW: Public funding - follow up query

128.



**Importance:** High

Hi both

Would one of you mind giving Dana a quick follow up call? I have sent her an email saying I should get a break briefly a bit after 1 but not sure how much time I will have..

Thanks  
Brooke

---

**From:** Faletic, Dana <[Dana.Faletic@treasury.tas.gov.au](mailto:Dana.Faletic@treasury.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 11:43 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** RE: Public funding - follow up query

129.

Hi Brooke,

Could you give me a quick call to discuss some modelling queries we have? Ph 0422 442 863

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Tuesday, 23 February 2021 5:38 PM  
**To:** Patterson, Eleanor <[Eleanor.Patterson@treasury.tas.gov.au](mailto:Eleanor.Patterson@treasury.tas.gov.au)>; Faletic, Dana <[Dana.Faletic@treasury.tas.gov.au](mailto:Dana.Faletic@treasury.tas.gov.au)>  
**Cc:** Lethborg, Tania (DoJ) <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity (DoJ) <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lugg, Nicole (DoJ) <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** Public funding - follow up query  
**Importance:** High

130.

Hi Eleanor and Dana,

[REDACTED]

At the meeting, [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Unfortunately, as you know, we have really tight timeframes for finalising the Cabinet Minute, so if



you could provide this information by 10 am on Thursday morning that would be greatly appreciated.

[REDACTED]

Thanks again for all your help with this

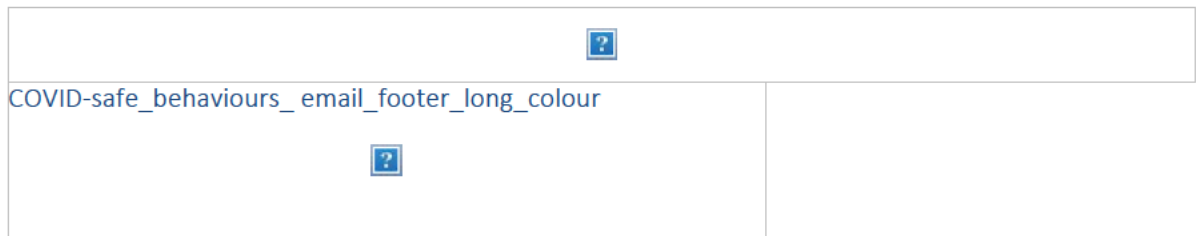
Cheers,  
Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Gibson, Martin](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: Third parties material  
**Date:** Thursday, 25 February 2021 10:40:33 AM  
**Attachments:** [image001.png](#)

---

Thanks Felicity

I tried to call you a couple of times this week to discuss, but I have not managed to catch you. I am not sure I have your correct number.

[REDACTED]

[REDACTED]

Sorry I never responded to your offer of a catch-up, In my haste that day I had only opened your email in preview mode and not realised there was more content than just alerting me to the release of the Report! Fortunately I opened it earlier this week and found the list of content you were seeking assistance with 😊.

Cheers  
 Martin

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 10:15 AM  
**To:** Gibson, Martin <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Subject:** RE: Third parties material

132.

Thanks so much for your work on this Martin – this is great

[REDACTED]

We will get back to you and Alice officially as soon as we can – but just wanted to say an informal thanks  
 F

---

**From:** Gibson, Martin <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 9:48 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Holeywell-Jones, Alice (DPaC) <[Alice.Holeywell-Jones@dpac.tas.gov.au](mailto:Alice.Holeywell-Jones@dpac.tas.gov.au)>

133.



**Subject:** Third parties material

Hi Brooke

Here is the material you were after to fill in the gaps on third parties. Happy to discuss, noting that some items have significance beyond just third parties.

Cheers

Martin

Martin Gibson | Senior Policy Analyst  
Policy Division | Department of Premier and Cabinet  
Ph 6232 7132  
Level 7, 15 Murray St, Hobart | GPO Box 123, Hobart 7000  
cid:image001.png@01D2DB90.106B0B70



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**From:** [Patterson, Eleanor](#)  
**To:** [Secretary](#); [Holeywell-Jones, Alice \(DPaC\)](#)  
**Cc:** [Craven, Brooke](#); [Lethborg, Tania](#); [Poulter, Felicity](#); [Gibson, Martin \(DPaC\)](#); [Faletic, Dana \(Treasury\)](#)  
**Subject:** RE: Urgent - Electoral Act Reform IDC - Minutes and Paper for comment/endorsement  
**Date:** Thursday, 25 February 2021 1:22:06 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

Hi Gina

[REDACTED]

Cheers  
 Eleanor

**From:** Secretary <Secretary@justice.tas.gov.au>  
**Sent:** Thursday, 25 February 2021 9:57 AM  
**To:** Holeywell-Jones, Alice (DPaC) <Alice.Holeywell-Jones@dpac.tas.gov.au>; Patterson, Eleanor <Eleanor.Patterson@treasury.tas.gov.au>  
**Cc:** Craven, Brooke (DoJ) <Brooke.Craven@justice.tas.gov.au>; Lethborg, Tania (DoJ) <Tania.Lethborg@justice.tas.gov.au>; Poulter, Felicity (DoJ) <Felicity.Poulter@justice.tas.gov.au>; Gibson, Martin (DPaC) <Martin.Gibson@dpac.tas.gov.au>; Faletic, Dana <Dana.Faletic@treasury.tas.gov.au>  
**Subject:** Urgent - Electoral Act Reform IDC - Minutes and Paper for comment/endorsement  
**Importance:** High

135.

Dear colleagues

I seek any comments on the attached draft Minutes from the IDC Meeting and urgently seek any comments and agreement to the recommendations [REDACTED], by **9am tomorrow Friday 26 February**. Apologies for the short timeframe (we need to include a recommendation in the Minute to the Attorney to allow the draft Cabinet Minute to be finalised). Any questions/comments on these can be directed to [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au).

We will provide the updated draft Cabinet Minute and Minute to the Attorney to the IDC tomorrow morning for information, including the feedback we expect to receive today.

Kind Regards  
 Ginna



**Ginna Webster**

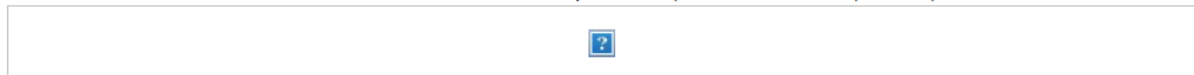
Secretary

Department of Justice

(03) 6165 4943 | [secretary@justice.tas.gov.au](mailto:secretary@justice.tas.gov.au)

[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

GPO Box 825 Hobart TAS 7001 | Level 14, 110 Collins Street, Hobart, TAS 7000



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**From:** [Gibson, Martin](#)  
**To:** [Craven, Brooke](#)  
**Cc:** [Poulter, Felicity](#); [Holeywell-Jones, Alice \(DPaC\)](#)  
**Subject:** Third parties material  
**Date:** Thursday, 25 February 2021 9:48:28 AM  
**Attachments:** [image001.png](#)

136.1

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Hi Brooke

Here is the material you were after to fill in the gaps on third parties. Happy to discuss, noting that some items have significance beyond just third parties.

Cheers  
Martin

Martin Gibson | Senior Policy Analyst  
Policy Division | Department of Premier and Cabinet  
Ph 6232 7132  
Level 7, 15 Murray St, Hobart | GPO Box 123, Hobart 7000  
cid:image001.png@01D2DB90.106B0B70



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**Key items for Bill – Terms of Reference 3**

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]







<b>Cwlth</b> s287 <a href="#">Commonwealth Electoral Act 1918</a>	<b>associated entity</b> means: (a) an entity that is controlled by one or more registered political parties; or (b) an entity that operates wholly, or to a significant extent, for the benefit of one or more registered political parties; or (c) an entity that is a financial member of a registered political party; or (d) an entity on whose behalf another person is a financial member of a registered political party; or (e) an entity that has voting rights in a registered political party; or (f) an entity on whose behalf another person has voting rights in a registered political party.
<b>NSW</b> s4 <a href="#">Electoral Funding Act 2018</a>	<b>associated entity</b> means a corporation or another entity that operates solely for the benefit of one or more registered parties or elected members
<b>Vic</b> s206 <a href="#">Electoral Act 2006</a> (amended 2018)	<b>associated entity</b> means— (a) an entity that is controlled by one or more registered political parties; or (b) an entity that operates wholly, or to a significant extent, for the benefit of one or more registered political parties; or (c) an entity that is a financial member of a registered political party; or (d) an entity on whose behalf another person is a financial member of a registered political party; or (e) an entity that has voting rights in a registered political party; (f) an entity on whose behalf another person has voting rights in a registered political party— but does not include a nominated entity of a registered political party;
<b>SA</b> s130A <a href="#">Electoral Act 1985</a>	<b>associated entity</b> means— (a) an entity that is controlled by 1 or more registered political parties; or (b) an entity that operates wholly, or to a significant extent, for the benefit of 1 or more registered political parties; or (c) an entity that is a financial member of a registered political party; or (d) an entity on whose behalf another person is a financial member of a registered political party; or (e) an entity that has voting rights in a registered political party; or (f) an entity on whose behalf another person has voting rights in a registered political party;



<p><b>Qld</b> S204 <a href="#">Electoral Act 1992</a></p>	<p>(2) An entity is an <b>associated entity</b> of a registered political party if the entity</p> <ul style="list-style-type: none"> <li>(a) is controlled by the party or a group of endorsed candidates of the party; or</li> <li>(b) operates wholly, or to a significant extent, for the benefit of the party or a group of endorsed candidates of the party; or</li> <li>(c) operates for the dominant purpose of— (i) promoting the party in elections; or (ii) promoting a group of endorsed candidates of the party in an election.</li> </ul> <p>(3) However, an associated entity of a registered political party does not include—</p> <ul style="list-style-type: none"> <li>(a) a candidate endorsed by the party for an election; or</li> <li>(b) another political party that is a related political party of the party; or</li> <li>(c) if the party is part of another entity—a federal or interstate branch or division of the other entity.</li> </ul>
<p><b>WA</b> S175 <a href="#">WA Electoral Act 1907</a></p>	<p><b>associated entity</b> means an entity that —</p> <ul style="list-style-type: none"> <li>(a) is controlled by one or more political parties; or</li> <li>(b) operates for the benefit of one or more political parties</li> </ul>
<p><b>ACT</b> s198 <a href="#">Electoral Act 1992</a></p>	<p><b>associated entity</b> means an entity that—</p> <ul style="list-style-type: none"> <li>(a) is controlled by 1 or more parties or MLAs; or</li> <li>(b) operates, completely or to a significant extent, for the benefit of 1 or more registered parties or MLAs.</li> </ul>
<p><b>NT</b> s3 <a href="#">ELECTORAL-ACT-2004</a></p>	<p><b>associated entity</b> means an entity that:</p> <ul style="list-style-type: none"> <li>(a) is controlled by one or more registered parties; or</li> <li>(b) operates wholly or to a significant extent for the benefit of one or more registered parties</li> </ul>



## Third parties – definition, threshold, time periods

### Definitions of third parties in other jurisdictions

<b>Cwllh</b> s287 <a href="#">Commonwealth Electoral Act 1918</a>	<p><b>third party:</b> a person or entity (except a political entity or a member of the House of Representatives or the Senate) is a third party during a financial year if:</p> <ul style="list-style-type: none"><li>(a) the amount of electoral expenditure incurred by or with the authority of the person or entity during the financial year is more than the disclosure threshold; and</li><li>(b) the person or entity is not required to be, and is not, registered as a political campaigner under section 287F for the year.</li></ul> <p>S287F (paraphrased) Registration as a <b>political campaigner</b> is required when electoral expenditure:</p> <ul style="list-style-type: none"><li>is \$500,000 or more during that financial year, or any one of the previous three financial years; or</li><li>is \$100,000 or more during that financial year, and electoral expenditure during the previous financial year was at least two-thirds of the revenue</li></ul>
<b>NSW</b> s4 <a href="#">Electoral Funding Act 2018</a>	<p><b>third-party campaigner</b> means the following—</p> <ul style="list-style-type: none"><li>(a) for a State election—a person or another entity (not being an associated entity, party, elected member, group or candidate) who incurs electoral expenditure for a State election during a capped State expenditure period that exceeds \$2,000 in total, ...</li><li>(c) a registered third-party campaigner for an election for which it is registered.</li></ul>



<b>Vic</b> s206 <a href="#">Electoral Act 2006</a>	<p><b>"third party campaigner"</b> means any person or <a href="#">entity</a> other than—</p> <ul style="list-style-type: none"> <li>(a) a <a href="#">registered</a> political party; or</li> <li>(b) a <a href="#">candidate</a> at an election; or</li> <li>(c) a <a href="#">group</a>; or</li> <li>(d) an <a href="#">elected member</a>; or</li> <li>(e) an <a href="#">associated entity</a>; or</li> <li>(f) a <a href="#">nominated entity</a> of a <a href="#">registered</a> political party—</li> </ul> <p>that receives <a href="#">political donations</a> or incurs <a href="#">political expenditure</a> which exceeds a total of \$4000 in a financial year;</p>
<b>SA</b> s130A <a href="#">Electoral Act 1985</a>	<p><b>third party</b> means a person, other than-... who—</p> <p>(f) incurs or intends to incur more than \$10 000 in political expenditure during the designated period (year of the election commencing 1 Jan) in relation to an election;</p>
<b>Qld</b> s197 <a href="#">Electoral Act 1992</a>	<p><b>third party</b> means an entity other than a registered political party, an associated entity or a candidate.</p>
<b>WA</b> <a href="#">Electoral Act 1907</a>	<p>Does not define third party</p> <p>Refers to other persons - s.175Q and 175SD</p>
<b>ACT</b> s198 <a href="#">Electoral Act 1992</a>	<p>means a person or entity that incurs \$1000 or more in electoral expenditure in the disclosure period for an election; but does not include ....candidates etc.</p>
<b>NT</b> s3 <a href="#">ELECTORAL-ACT-2004</a>	<p><b>third party campaigner</b> means a person who or entity that incurs or expects to incur more than \$1 000 of political expenditure during the capped expenditure period (1 January to 30 days after election day), but does not include a candidate, a registered party or an associated entity.</p> <p>Political expenditure is defined as ‘expenditure incurred in promoting or opposing a candidate or a registered party’.</p> <p>The definition of political expenditure is narrower than ‘electoral expenditure’ and does not capture communications or advertisements on election issues only (i.e. issues which are intended to raise awareness, education or encourage public debate)</p>





#### Definitions of third parties in other jurisdictions

	Cwlth	NSW	Vic.	SA	Qld	WA	ACT	NT
Amount	\$14,300 (to June 2021)	\$2000	\$4160	\$10,000	\$6000 – threshold for requirement to <u>register</u> as a third party	\$500	\$1000	\$1000
Period	Financial year	Capped State expenditure period (from 1 Oct of year prior to election to election day) – (or Issue of writs to election day)	Financial year	Designated period (year of the election commencing 1 Jan)	During the capped expenditure period for an election  first business day after the last Saturday in the preceding March until polling day - (or issue of writs to election day)	Unlimited except expenditure must relate to an election	Period since 31st day after polling day for the last previous election.	During the capped expenditure period (1 January to 30 days after election day)
Reporting of donations					Unregistered third parties need to report political donations received of at least \$1000.	When a person incurs expenditure for a political purpose, they should lodge a return within 15 weeks of polling day with details of donations received in the period since the last election.		



## Definition of electoral expenditure/electoral matter



## Summary of jurisdictional approaches

<u>Narrow</u>	<p>Vic - expenditure for the <u>dominant purpose of directing how a person votes at an election, by promoting or opposing a candidate or party</u> but does not include expenditure incurred by an associated entity or third party campaigner on any material ..disseminated outside of the election campaigning period unless the material refers to— a candidate or a registered political party; and how a person should vote at an election;</p> <p>NT - ‘expenditure incurred in promoting or opposing a candidate or a registered party’</p>
<u>Moderate</u>	<p>Cwlth - matter communicated or intended to be communicated for the dominant purpose of influencing the way electors vote in an election ...including by promoting or opposing... a political entity...(Note <i>Communications whose dominant purpose is to educate their audience on a public policy issue, or to raise awareness of, or encourage debate on, a public policy issue, are not for the dominant purpose of influencing the way electors vote in an election (as there can be only one dominant purpose for any given communication).</i></p> <p>NSW - expenditure for or in connection with promoting or opposing, directly or indirectly, a party or the election of a candidate or candidates or for the purpose of influencing, directly or indirectly, the voting at an election - does not include expenditure ...if the expenditure is not incurred for the dominant purpose of promoting or opposing a party or the election of a candidate or candidates or <u>influencing the voting at an election</u>.</p> <p>Qld - if the <u>dominant purpose</u> for which the expenditure is incurred is a campaign purpose. However, expenditure incurred by a third party is not electoral expenditure if the dominant purpose for which the expenditure is incurred is another purpose, even if the expenditure is also incurred for, or achieves, a campaign purpose. Example of other purposes for incurring expenditure— to educate or raise awareness about an issue of public policy</p>
<u>Broad</u>	<p>SA - public expression of views <u>on an issue in an election</u> by any means</p> <p>WA – matter that is intended, calculated <u>or likely to affect voting in an election</u></p> <p>ACT – matter is <u>taken to be intended or likely to affect voting at an election if it contains an express or implicit reference to, or comment on .. the election; or ... an issue submitted to, or otherwise before, the electors in relation to the election</u></p>



## Registration process for third parties

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Summary of jurisdictional approaches

	Cwlth	NSW	Vic.	SA	Qld	WA	ACT	NT
Registration	<p><u>Third parties</u> are not required to register with the AEC.</p> <p>Registration as a <u>political campaigner</u> is required when electoral expenditure:  is \$500,000 or more during that financial year, or any one of the previous three financial years; or  is \$100,000 or more during that financial year, and electoral expenditure during the previous financial year was at least two-thirds of the revenue of the person or entity for that year.</p>	A third-party campaigner must be registered for an election before making payments of more than \$2,000 for electoral expenditure incurred during the capped State expenditure period.	NA	NA	<p>A third party must register with the ECQ if they spend, or someone they authorise spends, cumulatively, more than \$6,000 in electoral expenditure, during the capped expenditure period for an election.</p> <p>Applications for registration must be submitted before the polling day for an election</p>	NA	NA	Third-party campaigners need to register for each election. s175B - registration must be received at least five days before the election.

## Timeframes for reporting for third parties



	Cwth	NSW	Vic.	SA	Qld	WA	ACT	NT
Annual and half year Returns	<u>Third parties:</u> Annual returns for donations and expenditure.  <u>Political campaigners:</u> Annual Returns for donations and expenditure.	An annual disclosure of <u>electoral expenditure</u> on or before 22 September	Annual return including income and expenditure	If a third party incurs political expenditure over the legislated threshold (10,000 indexed) during a financial year, they must lodge an <u>annual political expenditure return</u> .  Lodge half-yearly returns within 30 days of the end of each half-yearly period	Nil	Nil	Nil	Nil
Year-round reporting	As above	All political <u>donations</u> must be disclosed every six months within 4 weeks after the end of the half-year	Must disclose all political donations of over \$1,000 within 21 days.		Disclosure of donations within 7 business days of its first use.	Generally when a person incurs expenditure for a political purpose, they should lodge a return within 15 weeks of polling day with details of donations received in the period since the last election.		



	Cwlth	NSW	Vic.	SA	Qld	WA	ACT	NT
Pre-election	Nil	political donations of \$1,000 or more, made or received between 1 October in the year before the election and election day, must be disclosed within 21 days	As above	If a third party incurs more than \$5,000 (indexed) of political expenditure during the capped expenditure period, they must lodge a capped expenditure period return. This return must be lodged within 60 days after polling day.	A return no more than 15 weeks after polling day for donations received of over \$1000 (for Registered third parties).  Registered third parties must disclose their electoral expenditure in an election summary return within 15 weeks after the election	Where a person (not being a political party, an associated entity a candidate or a group) exceeds \$500 on electoral expenditure - details of expenditure to be lodged within 15 weeks of polling day.	If a third party receives gifts of \$1000 or more during the disclosure period (period since the last election) then they must provide a return within 60 days after polling day  If a third party campaigner incurs electoral expenditure in the capped expenditure period, they need to provide a return within 60 days after polling day	Reporting from third-party campaigners is required for the election period only ie Election year.  Reporting of donations for political expenditure received during election period: 6 reports in total over year preceding the election see <a href="#">Financial-Disclosure-Handbook</a> for details.  Expenditure report due 60 days after election.  A person (as distinct from a third party campaigner) spends more than \$200 in electoral expenditure then they need to provide a report within 60 days of the election.







137.

**From:** [Lugg, Nicole](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: Campaign accounts  
**Date:** Thursday, 25 February 2021 2:27:59 PM  
**Attachments:** [image001.png](#)

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Yes minority government.

[REDACTED]

[REDACTED]

138.

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**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 2:20 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** RE: Campaign accounts

I know! That snuck in under the radar didn't it!! I have an ABC news clipping on my desk as I feel sure it is going to pop up at some point  
The ACT Bill was actually tabled in 2018 so I think there was some horsetrading required over there last year. I believe the Govt is in minority with the greens?

139.

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**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 2:17 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Campaign accounts

Hi

Just as an aside – [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

140.

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**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 2:03 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** RE: Campaign accounts

Hi Nicole

This looks good [REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

As I said I think this looks great – and we really appreciate your help in bringing this info together  
Tania, [REDACTED]

[REDACTED]

F

---

**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>

**Sent:** Thursday, 25 February 2021 1:50 PM

**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity  
<[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** Campaign accounts

141.

Hi

If either of you have a few minutes, would you mind reading through what I have written in  
relation to campaign accounts please.

[REDACTED]

Do you think what I have written is what Brooke is after?

Any suggestions gratefully received.

I have school run at 2:50pm for about half an hour, but am contactable on my mobile any time  
and will be back on email after that.

Thanks.

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Nicole Lugg | Senior Policy Analyst, Policy and Projects | Consumer, Building and Occupational Services |

**Department of Justice**

**p:** (03) 6165 4751

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**From:** [Lethborg, Tania](#)  
**To:** [Poulter, Felicity](#); [Craven, Brooke](#)  
**Subject:** RE: Comments on Document plus some words regarding funding needs  
**Date:** Thursday, 25 February 2021 10:03:18 AM  
**Attachments:** [image001.jpg](#)

Hi

I have looked at Andrew's comments and Felicity's (comments below in red). I have made some changes in the Cab Min after seeing Andrew's comments and somethings were already in the background/issues.

Cheers,  
Tania



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4942

[e Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)

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Level 14, 110 Collins Street, Hobart TAS 7000 | GPO Box 825, Hobart, TAS 7001

Work hours – Mondays to Thursdays

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**From:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Sent:** Thursday, 25 February 2021 9:53 AM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>; Lethborg, Tania <Tania.Lethborg@justice.tas.gov.au>  
**Subject:** RE: Comments on Document plus some words regarding funding needs

143.

Good Morning Brooke

Hope all is ok this morning

Thanks for this doc from TEC – it is really useful actually. Confirms some thought we had already had and provides some good feedback that we really wanted from the operational perspective

Age Group	Gender	Vaccinated (%)
18-24	Male	~15
	Female	~10
25-34	Male	~25
	Female	~20
35-44	Male	~35
	Female	~30
45-54	Male	~45
	Female	~40
55-64	Male	~55
	Female	~50
65-74	Male	~65
	Female	~60
75+	Male	~75
	Female	~70



[REDACTED]

I have a personal appt at 10.20 so have to duck out briefly but I note that Martin just sent through 3<sup>rd</sup> party stuff so I will look at that now and when I get back  
F😊

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 February 2021 10:12 PM  
**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Fwd: Comments on Document plus some words regarding funding needs

144.

In confidence, thanks.

Will chat tomorrow somehow around my 9-5 meetings! And email of course.

Cheers  
Brooke

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

**From:** Andrew Hawkey  
**Sent:** Wednesday, 24 February, 9:55 pm  
**Subject:** Comments on Document plus some words regarding funding needs  
**To:** Craven, Brooke

145.

Hi Brooke,

I found what I was looking for so have sent through the document.



Happy to discuss with you on the phone before 10am

Cheers  
Andrew

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**From:** [Lethborg, Tania](#)  
**To:** [Craven, Brooke](#); [Poulter, Felicity](#)  
**Subject:** RE: Third parties material  
**Date:** Thursday, 25 February 2021 10:20:04 AM  
**Attachments:** [image002.jpg](#)  
[image003.png](#)  
**Importance:** High

---

Hi Brooke and Felicity

Thanks for forwarding this. I have just had a quick look through and had a question. [REDACTED]

[REDACTED]

- [REDACTED]

Just wondering what you think in relation to these definitional issues.

Cheers

Tania



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4942

**e** [Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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Work hours – Mondays to Thursdays

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---

**From:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>

**Sent:** Thursday, 25 February 2021 10:00 AM

**To:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>; Lethborg, Tania <Tania.Lethborg@justice.tas.gov.au>

**Subject:** FW: Third parties material



Hi both

A lot of useful inter-jurisdictional information here – it might be good to include these tables as an Attachment to the covering Minute to the Attorney as they stand – let me know what you think.

Happy to chat on any issues you think we need to clarify/agree for recs to the Attorney/Government and the final Cab Minute. Feel free to send an email through with your thoughts when you've had time to consider, if needed I will try to get out of some of this afternoon's meeting if we need to chat rather than email..

Thanks again for all your fantastic work on this – we are getting there, well done!

Cheers  
Brooke

---

**From:** Gibson, Martin <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 9:48 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Holeywell-Jones, Alice (DPaC) <[Alice.Holeywell-Jones@dpac.tas.gov.au](mailto:Alice.Holeywell-Jones@dpac.tas.gov.au)>  
**Subject:** Third parties material

148.

Hi Brooke

Here is the material you were after to fill in the gaps on third parties. Happy to discuss, noting that some items have significance beyond just third parties.

Cheers  
Martin

Martin Gibson | Senior Policy Analyst  
Policy Division | Department of Premier and Cabinet  
Ph 6232 7132  
Level 7, 15 Murray St, Hobart | GPO Box 123, Hobart 7000  
cid:image001.png@01D2DB90.106B0B70



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149.

**From:** [Lugg, Nicole](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#)  
**Subject:** RE: Campaign accounts  
**Date:** Thursday, 25 February 2021 2:12:59 PM  
**Attachments:** [image001.png](#)

---

Thanks.

[REDACTED]

[REDACTED]

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 2:03 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** RE: Campaign accounts

150.

Hi Nicole

This looks good –

[REDACTED]

As I said I think this looks great – and we really appreciate your help in bringing this info together

[REDACTED]

F

---

**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 1:50 PM  
**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Campaign accounts

151.

Hi

If either of you have a few minutes, would you mind reading through what I have written in relation to campaign accounts please.



[REDACTED]

Do you think what I have written is what Brooke is after?

Any suggestions gratefully received.

I have school run at 2:50pm for about half an hour, but am contactable on my mobile any time and will be back on email after that.

Thanks.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Nicole Lugg | Senior Policy Analyst, Policy and Projects | Consumer, Building and Occupational Services |  
**Department of Justice**

**p:** (03) 6165 4751

PO Box 56 Rosny Park Tas 7018

[www.cbos.tas.gov.au](http://www.cbos.tas.gov.au)

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152.

**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#); [Poulter, Felicity](#); [Lugg, Nicole](#)  
**Subject:** FW: Public funding - follow up query  
**Date:** Friday, 26 February 2021 11:38:40 AM  
**Attachments:** [image005.jpg](#)  
[image006.png](#)  
[image007.png](#)  
[image008.jpg](#)  
[t0QRA3EK.DOCX](#)

152.1

---

FYI

---

**From:** Patterson, Eleanor <[Eleanor.Patterson@treasury.tas.gov.au](mailto:Eleanor.Patterson@treasury.tas.gov.au)>  
**Sent:** Friday, 26 February 2021 9:44 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Faletic, Dana (Treasury) <[dana.faletic@treasury.tas.gov.au](mailto:dana.faletic@treasury.tas.gov.au)>  
**Cc:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** RE: Public funding - follow up query

153.

Hi Brooke  
Please find attached the updated tables which now reflect the new figures for the Commonwealth.  
Cheers  
Eleanor

---

**From:** Patterson, Eleanor  
**Sent:** Thursday, 25 February 2021 4:31 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Faletic, Dana <[Dana.Faletic@treasury.tas.gov.au](mailto:Dana.Faletic@treasury.tas.gov.au)>  
**Cc:** Lethborg, Tania (DoJ) <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity (DoJ) <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lugg, Nicole (DoJ) <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** RE: Public funding - follow up query

154.

Hi Brooke

Apologies in the delay in getting back to you in relation to the below requests.

[REDACTED]

[REDACTED]

[REDACTED]

1 [REDACTED]



[REDACTED]

2. [REDACTED]

3. [REDACTED]

[REDACTED]

In terms of Commonwealth funding rates, the current amount is \$2.829 per eligible vote. Candidates who receive at least 4% of the total number of formal first preference votes in an election will automatically receive a \$10,344 payment without having to submit an election funding claim or demonstrate electoral expenditure. The AEC will automatically pay \$10,344 to the agent of each eligible registered political party, candidate, or Senate group regardless of the actual amount of expenditure incurred by them. In order to receive election funding of greater than \$10,000 a claim setting out electoral expenditure incurred must be lodged with the AEC. [REDACTED]

[REDACTED]

Cheers  
Eleanor

**Eleanor Patterson | Director**  
Budget Management Branch | Department of Treasury and Finance  
**p** (03) 6166 4438 | **m** 0438 334 051  
**e** [eleanor.patterson@treasury.tas.gov.au](mailto:eleanor.patterson@treasury.tas.gov.au)  
**w** [www.treasury.tas.gov.au](http://www.treasury.tas.gov.au)  
21 Murray Street, Hobart, TAS 7000 | GPO Box 147, Hobart TAS 7001

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Tuesday, 23 February 2021 5:38 PM  
**To:** Patterson, Eleanor <[Eleanor.Patterson@treasury.tas.gov.au](mailto:Eleanor.Patterson@treasury.tas.gov.au)>; Faletic, Dana <[Dana.Faletic@treasury.tas.gov.au](mailto:Dana.Faletic@treasury.tas.gov.au)>  
**Cc:** Lethborg, Tania (DoJ) <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity (DoJ) <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lugg, Nicole (DoJ) <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** Public funding - follow up query  
**Importance:** High



Hi Eleanor and Dana,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Unfortunately, as you know, we have really tight timeframes for finalising the Cabinet Minute, so if you could provide this information by 10 am on Thursday morning that would be greatly appreciated.

[REDACTED]

Thanks again for all your help with this

Cheers,  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice  
**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
Level 14, 110 Collins St, Hobart, TAS 7000 | GPO Box 825, Hobart TAS 7001

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#); [Lugg, Nicole](#)  
**Subject:** Fwd: Query re public funding for elections  
**Date:** Friday, 26 February 2021 10:35:48 AM  
**Attachments:** [image006.jpg](#)  
[image007.png](#)  
[image008.png](#)  
[image009.jpg](#)  
[image001.jpg](#)

---

FYI

Director, Strategic Legislation and Policy  
 Department of Justice Tasmania  
 03 6165 4926

---

**From:** Rachel E Burrows (DJCS) <[Rachel.Burrows@justice.vic.gov.au](mailto:Rachel.Burrows@justice.vic.gov.au)>  
**Sent:** Friday, February 26, 2021 9:55:43 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Zaineb Abdulhussein (DJCS) <[Zaineb.Abdulhussein@justice.vic.gov.au](mailto:Zaineb.Abdulhussein@justice.vic.gov.au)>  
**Subject:** RE: Query re public funding for elections

157.

Hi Brooke,

We think our colleagues in DPC would be better suited to answer your queries. We understand your queries relate to s12 of the *Electoral Act 2002* (Vic) (the Act), which is jointly administered by the Premier and the Minister for Government Services, whom DPC support.

I've passed on your email and contact details to our DPC counterparts, who will get back to you. Please don't hesitate to get in touch if we can assist any further.

Thank you

Rachel

#### Rachel Burrows

*she/her*

Manager

Intergovernmental Strategy

Stakeholder Engagement, Inclusion and Intergovernmental Strategy

Department of Justice and Community Safety

**Mobile:** 0437 732 368 **Email:** [rachel.burrows@justice.vic.gov.au](mailto:rachel.burrows@justice.vic.gov.au)

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**From:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Sent:** Tuesday, 23 February 2021 5:29 PM  
**To:** Rachel E Burrows (DJCS) <Rachel.Burrows@justice.vic.gov.au>; Sylvia.Mendelssohn@justice.nsw.gov.au; Robert.Bradshaw@nt.gov.au; Jennifer.Lang@justice.qld.gov.au; joanna.martin@sa.gov.au; Carol L Kmon (DJCS) <Carol.Kmon@justice.vic.gov.au>; Fiona.Cohen@justice.wa.gov.au; JACSLPPGBS@act.gov.au  
**Cc:** Lethborg, Tania <Tania.Lethborg@justice.tas.gov.au>; Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>; Lugg, Nicole <Nicole.Lugg@justice.tas.gov.au>  
**Subject:** RE: Query re public funding for elections

158.

That's great, thanks Rachel – much appreciated!

Cheers  
Brooke

---

**From:** Rachel E Burrows (DJCS) <Rachel.Burrows@justice.vic.gov.au>  
**Sent:** Tuesday, 23 February 2021 5:21 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>; Sylvia.Mendelssohn@justice.nsw.gov.au; Robert.Bradshaw@nt.gov.au; Jennifer.Lang@justice.qld.gov.au; joanna.martin@sa.gov.au; Carol L Kmon (DJCS) <Carol.Kmon@justice.vic.gov.au>; Fiona.Cohen@justice.wa.gov.au; JACSLPPGBS@act.gov.au  
**Cc:** Lethborg, Tania <Tania.Lethborg@justice.tas.gov.au>; Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>; Lugg, Nicole <Nicole.Lugg@justice.tas.gov.au>  
**Subject:** RE: Query re public funding for elections

159.

Hi Brooke

Thanks for your email and we'll have a look and return to you. In the first instance, Carol Kmon (above) and I are the best contacts. I've replied all in the interests of developing contacts as we navigate the post-Conran landscape.

Thank you  
Rachel

#### Rachel Burrows

she/her

Manager

Intergovernmental Strategy

Stakeholder Engagement, Inclusion and Intergovernmental Strategy

Department of Justice and Community Safety

**Mobile:** 0437 732 368 **Email:** [rachel.burrows@justice.vic.gov.au](mailto:rachel.burrows@justice.vic.gov.au)

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**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Tuesday, 23 February 2021 5:15 PM  
**To:** [Sylvia.Mendelssohn@justice.nsw.gov.au](mailto:Sylvia.Mendelssohn@justice.nsw.gov.au); [Robert.Bradshaw@nt.gov.au](mailto:Robert.Bradshaw@nt.gov.au);  
[Jennifer.Lang@justice.qld.gov.au](mailto:Jennifer.Lang@justice.qld.gov.au); [joanna.martin@sa.gov.au](mailto:joanna.martin@sa.gov.au); Carol L Kmon (DJCS)  
 <[Carol.Kmon@justice.vic.gov.au](mailto:Carol.Kmon@justice.vic.gov.au)>; Rachel E Burrows (DJCS) <[Rachel.Burrows@justice.vic.gov.au](mailto:Rachel.Burrows@justice.vic.gov.au)>;  
[Fiona.Cohen@justice.wa.gov.au](mailto:Fiona.Cohen@justice.wa.gov.au); [JACSLPPGBS@act.gov.au](mailto:JACSLPPGBS@act.gov.au)  
**Cc:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity  
 <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** Query re public funding for elections

Dear all

Tasmania is currently progressing electoral law reform, and we are trying to establish contacts in Departments of Justice or Attorneys-General that we can confirm some queries with regarding how electoral laws operate in your jurisdictions.

In the short term, we are trying to find any relevant information on how public funding levels for elections have been set in your jurisdictions, particularly for administrative funding (or general funding that is not on a 'per vote' basis).

We have started with the MAG liaison officer list as a starting point but understand there may be another area of your agency that is better placed to assist. I would be very grateful if you could let me know if you are the best contact or otherwise who we might be best to touch base with on these issues.

Best regards  
 Brooke



**Brooke Craven | Director**  
 Strategic Legislation and Policy  
 Department of Justice

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**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: Draft Paper- inclusion of Leg Co in donations scheme  
**Date:** Friday, 26 February 2021 11:39:08 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

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Great, thanks Fliss – really appreciate it!

Hope you have a great weekend and I will try not to contact you later today unless I get really stuck ☺

Cheers

B

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Friday, 26 February 2021 9:08 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** RE: Draft Paper- inclusion of Leg Co in donations scheme

Hi Brooke

[REDACTED]

I'm afraid I am going to be away from the computer now – but can be contacted on my phone if you need

F

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 8:13 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Re: Draft Paper- inclusion of Leg Co in donations scheme

Yes, great work on this well done!

Director, Strategic Legislation and Policy  
 Department of Justice Tasmania  
 03 6165 4926

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, February 25, 2021 7:30:35 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** RE: Draft Paper- inclusion of Leg Co in donations scheme

This appears to be quite positive feedback on the whole

– [REDACTED]  
 [REDACTED]  
 [REDACTED]



---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Thursday, 25 February 2021 5:08 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** Fwd: Draft Paper- inclusion of Leg Co in donations scheme

165.

FYI confidentially

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

**From:** Andrew Hawkey <[Andrew.Hawkey@tec.tas.gov.au](mailto:Andrew.Hawkey@tec.tas.gov.au)>  
**Sent:** Thursday, February 25, 2021 5:04:57 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** Re: Draft Paper- inclusion of Leg Co in donations scheme

166.

### Andrew Hawkey

Electoral Commissioner | Tasmanian Electoral Commission  
6208 8712 | [Andrew.Hawkey@tec.tas.gov.au](mailto:Andrew.Hawkey@tec.tas.gov.au)  
PO Box 307 Moonah TAS 7009 | Level 3, 169 Main Road Moonah TAS 7009

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Get tested for COVID-19 if you have any cold or flu-like symptoms.  
Be aware of, and follow, current gathering, business and travel restrictions.

---

**From:** "Craven, Brooke (DoJ)" <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Date:** Thursday, 25 February 2021 at 1:34 pm  
**To:** Andrew Hawkey <[Andrew.Hawkey@tec.tas.gov.au](mailto:Andrew.Hawkey@tec.tas.gov.au)>  
**Subject:** Draft Paper- inclusion of Leg Co in donations scheme

167.

**EXTERNAL EMAIL:** This email was sent from outside the organisation – be cautious, particularly with links and attachments.

Hi Andrew

Please treat this as a confidential draft.

Please let me know if you have any particular thoughts on whether we have identified the



relevant potential consequences here and if the information is accurate etc.

I will try to give you a quick call.

Cheers  
Brooke

**Brooke Craven**

|

**Director**

Strategic Legislation and Policy

Department of Justice

**p**

(03) 6165 4926

**e**

[brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

**w**

[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Patterson, Eleanor](#)  
**To:** [Craven, Brooke](#); [Faletic, Dana \(Treasury\)](#)  
**Cc:** [Lethborg, Tania](#); [Poulter, Felicity](#); [Lugg, Nicole](#)  
**Subject:** RE: Public funding - follow up query  
**Date:** Friday, 26 February 2021 9:45:51 AM  
**Attachments:** [image005.jpg](#)  
[image006.png](#)  
[image007.png](#)  
[image008.jpg](#)  
[t0QRA3EK.DOCX](#)

Hi Brooke

Please find attached the updated tables which now reflect the new figures for the Commonwealth.

Cheers

Eleanor

**From:** Patterson, Eleanor

**Sent:** Thursday, 25 February 2021 4:31 PM

**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>; Faletic, Dana <Dana.Faletic@treasury.tas.gov.au>

**Cc:** Lethborg, Tania (DoJ) <Tania.Lethborg@justice.tas.gov.au>; Poulter, Felicity (DoJ) <Felicity.Poulter@justice.tas.gov.au>; Lugg, Nicole (DoJ) <Nicole.Lugg@justice.tas.gov.au>

**Subject:** RE: Public funding - follow up query

Hi Brooke

Apologies in the delay in getting back to you in relation to the below requests.

It is my understanding that DoJ should be able to determine the figures for estimates of costings of public funding using the model that has been developed by DoJ and was provided to Treasury last week.

While I have attempted to obtain information from other States and Territories in relation to administrative funding and how this was calculated, due to the tight timeframe, no information has been forthcoming.

[REDACTED]

1. [REDACTED]

[REDACTED]

2. [REDACTED]



[REDACTED]

3. [REDACTED]

[REDACTED]

In terms of Commonwealth funding rates, the current amount is \$2.829 per eligible vote. Candidates who receive at least 4% of the total number of formal first preference votes in an election will automatically receive a \$10,344 payment without having to submit an election funding claim or demonstrate electoral expenditure. The AEC will automatically pay \$10,344 to the agent of each eligible registered political party, candidate, or Senate group regardless of the actual amount of expenditure incurred by them. In order to receive election funding of greater than \$10,000 a claim setting out electoral expenditure incurred must be lodged with the AEC. [REDACTED]

[REDACTED]

Cheers  
Eleanor

**Eleanor Patterson | Director**  
Budget Management Branch | Department of Treasury and Finance  
**p** (03) 6166 4438 | **m** 0438 334 051  
**e** [eleanor.patterson@treasury.tas.gov.au](mailto:eleanor.patterson@treasury.tas.gov.au)  
**w** [www.treasury.tas.gov.au](http://www.treasury.tas.gov.au)  
21 Murray Street, Hobart, TAS 7000 | GPO Box 147, Hobart TAS 7001

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Tuesday, 23 February 2021 5:38 PM  
**To:** Patterson, Eleanor <[Eleanor.Patterson@treasury.tas.gov.au](mailto:Eleanor.Patterson@treasury.tas.gov.au)>; Faletic, Dana <[Dana.Faletic@treasury.tas.gov.au](mailto:Dana.Faletic@treasury.tas.gov.au)>  
**Cc:** Lethborg, Tania (DoJ) <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity (DoJ) <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lugg, Nicole (DoJ) <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** Public funding - follow up query  
**Importance:** High

Hi Eleanor and Dana,

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

Unfortunately, as you know, we have really tight timeframes for finalising the Cabinet Minute, so if you could provide this information by 10 am on Thursday morning that would be greatly appreciated.

[REDACTED]

Thanks again for all your help with this

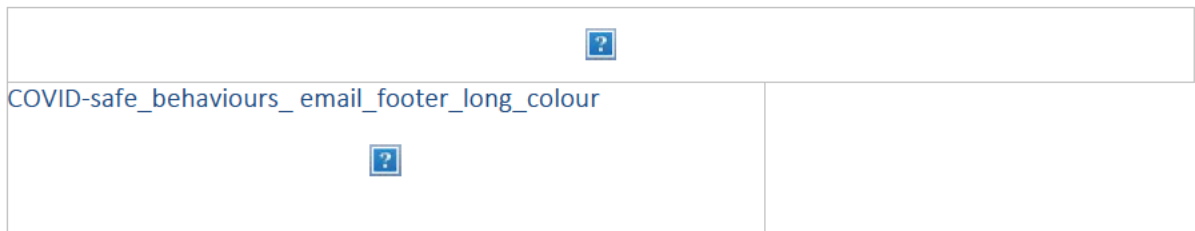
Cheers,  
Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

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**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Lugg, Nicole](#); [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** RE: Apologies  
**Date:** Monday, 1 March 2021 10:47:28 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.jpg](#)  
[image005.png](#)

Hi Nicole

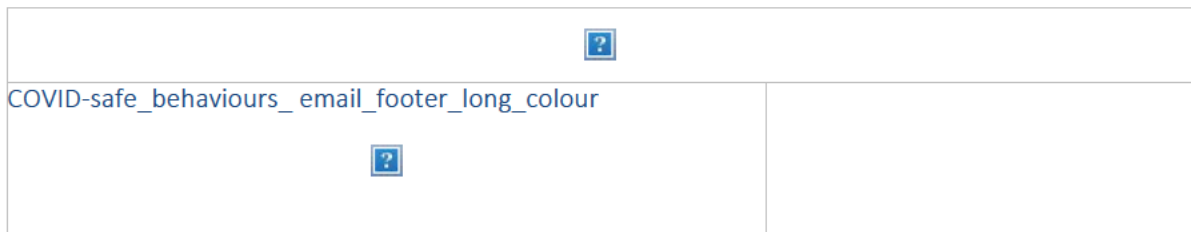
Oh that is frustrating – it might be worth trying to call in rather than log in online to the Teams meeting tomorrow and we'll see how we go.

Cheers  
 Brooke



**Brooke Craven | Director**  
 Strategic Legislation and Policy  
 Department of Justice  
 P (03) 6165 4926  
 E [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
 W [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Sent:** Monday, 1 March 2021 10:41 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Apologies

Sorry I missed the meeting. I was in the breakout room before 10am – not only did I discover the computers in rooms are old and slow to start, they have no microphone or camera! So I could hear you guys but I couldn't be heard or seen.

While I don't have a laptop most other people here do. There were no spare laptops when I asked around and a colleague offered to log off and lend her laptop to me. By the time I went back and set up the laptop you were finished.

I've been advised that I will get a laptop at the next update of computers...whenever that it is!



Another colleague is on secondment for 2 more weeks so my team has agreed for me to use her laptop as required. I'll be on that tomorrow.

Very frustrated!

Nicole Lugg | Senior Policy Analyst, Policy and Projects | Consumer, Building and Occupational Services |

**Department of Justice**

**p:** (03) 6165 4751

PO Box 56 Rosny Park Tas 7018

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Cc:** [Lethborg, Tania](#); [Lugg, Nicole](#)  
**Subject:** Re: Document1  
**Date:** Monday, 1 March 2021 1:07:08 PM

---

Great thanks Fliss, much appreciated

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

**From:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Sent:** Monday, March 1, 2021 12:14:00 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Cc:** Lethborg, Tania <Tania.Lethborg@justice.tas.gov.au>; Lugg, Nicole <Nicole.Lugg@justice.tas.gov.au>  
**Subject:** Document1

174.

Hi Brooke

[REDACTED]

Cheers

F



**From:** [Lethborg, Tania](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: unhelpful table  
**Date:** Monday, 1 March 2021 4:17:16 PM  
**Attachments:** [image001.jpg](#)

OK – so we already had something about Leg Co in there so I have just put this (copied from the below to very much)



PS how is your face going?



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy  
 Department of Justice

**p** (03) 6165 4942

**e** [Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)

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**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Sent:** Monday, 1 March 2021 4:09 PM

**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>

**Subject:** RE: unhelpful table



**From:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>

**Sent:** Monday, 1 March 2021 4:03 PM

**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** RE: unhelpful table

Should I put the table in or should I try to get away with something very vague.....

**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy





Department of Justice

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**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Sent:** Monday, 1 March 2021 3:59 PM

**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>

**Subject:** unhelpful table

178.

Hi Tania

Find below my unhelpful table in response to your request

You can see that there is no clear answer

Some jurisdictions run from the previous election until polling day (a very comprehensive approach!) ie see WA and NT

Vic doesn't appear to need an election period as they have a consistent 21 days donation reporting system and their donation cap runs for the whole election cycle.

The jurisdictions that have caps on electoral expenditure provide somewhat of an example of an election period – however as they act as a capped period, there is a need for them to be relatively contained. IN NSW this is Oct to March and Qld only August to October of an election year. ACT's capped period is January to Oct of an election year.

The Cth doesn't even have election period reporting – just their annual reports, which are then not made public til the following year.

Sorry, this really makes this more complex rather than less

F

WA	<p>Election returns</p> <p>Political parties are required to disclose expenditure incurred in an election.</p> <p>Candidates and groups are required to disclose all gifts received and expenditure incurred during the disclosure period for the election. This ends 30 days after polling day, and for previous candidates, commences 30 days after polling day in the previous election, or for new candidates from one year prior to the day of nomination in the present election. For groups, it commences from the hour of nomination.</p> <p>Persons other than political parties, associated entities, candidates and groups who incur expenditure for political purposes are required to disclose all gifts received and expenditure incurred during the disclosure period for the election. This is the same period as for previous candidates described above. If the total amount of expenditure does not exceed \$500, a return is not required.</p> <p>Annual return</p> <p>Election return – disclosure period finishes 30 days after polling day. Return</p>	



	must be submitted within 15 weeks of polling day. It is made available to the public 19 weeks after polling day. Must be provided to EC a party's election return doesn't need to contain gifts as they are included in the annual return?	
NSW	<p>NSW has a system of regular;</p> <ul style="list-style-type: none"> <li>- Half yearly donation disclosure</li> <li>- Annual electoral expenditure disclosure</li> <li>- Annual major political donor disclosure</li> <li>- Plus a pre-election period donation disclosure</li> </ul> <p>Electoral expenditure must be disclosed to the NSW Electoral Commission annually by:</p> <p>political parties elected members candidates groups of candidates associated entities third-party campaigners.</p> <p>The annual period starts on 1 July and ends on 30 June. All electoral expenditure incurred must be disclosed within 12 weeks after the end of the annual period, by 22 September. Disclosures must be submitted even if no electoral expenditure was incurred in the annual period.</p> <p>In the lead up to an election there is a "capped expenditure period" which runs from 1 October until polling day (end of march)</p>	
Qld	<p>In addition to the previously mentioned reporting of gifts and loans in real-time, election summary returns, are required. The election summary return is a summary of electoral expenditure incurred for the purposes of an election and must include an audit certificate and a bank statement of the party's state campaign account. This must be submitted within 15 weeks of the election.</p> <p>Summary returns must include the electoral expenditure of the associated entity for the political party as they are considered part of the political party's expenditure for calculations towards the cap.</p> <p>The statements provided to the ECQ must cover the period that:</p> <ul style="list-style-type: none"> <li>• starts when the first item of electoral expenditure is incurred for the election or the start of the capped expenditure period, whichever is the earlier date, and</li> <li>• ends on the day before the election summary return is lodged with the ECQ.</li> </ul> <p>Caps (limits) on the amount of electoral expenditure which may be incurred by candidates, registered political parties and third parties during an expenditure cap period for an election will apply for the 2020 State general election. For the 2020 State General Election, the capped expenditure period will be from 1 August 2020 until 6pm on 31 October 2020.</p>	
SA	<p>During an election (elections are in late-ish march)</p> <p>During a general election, there are additional return lodgement obligations. In the year of a general election, registered political parties and third parties must lodge a return for the month of January by 5 February. Following this are the high-frequency lodgements: returns must be lodged for every 7 day period until 30 days after polling day. These returns must be lodged within 5 days of the end of each 7 day period.</p> <p>Information required</p> <hr/> <p>Returns must set out the following information:</p>	



	<ul style="list-style-type: none"> <li>• Total amount received by the entity during the period (total receipts).</li> <li>• Details of amounts received of more than \$5,000 (indexed).</li> <li>• Total outstanding debt as at the end of the period.</li> <li>• Details of each debt of more than \$5,000 (indexed).</li> </ul> <p>Refer to sections 130ZN (political party returns) and 130ZP (third party returns) for more information.</p>	
Vic		
NT	<p><b>Election returns</b></p> <p><b>Candidates at NT Legislative Assembly (LA) elections and by-elections must lodge an election return stating details of all electoral expenditure incurred. A return MUST be completed and lodged even if the candidate has nothing to disclose (i.e. Nil return).</b></p> <p><b>What is reported?</b></p> <ul style="list-style-type: none"> <li>• <b>Total gifts with details of each person or organisation donating \$200 or more.</b></li> <li>• <b>Total number of persons and organisations who made gifts.</b></li> <li>• <b>In-kind gifting of goods, assets and services that were free or below true market value – except volunteer work.</b></li> <li>• <b>Details of loans of \$1500 or more.</b></li> <li>• <b>Details of all expenditure according to categories (broadcasting, publishing, display advertising, campaign material, direct mailing, opinion polling/research).</b></li> </ul> <p><b>Reporting period commences:</b></p> <ul style="list-style-type: none"> <li>• For an <i>independent</i> candidate – on the day candidature is announced or the day nominated, whichever is earlier.</li> <li>• For a <i>newly endorsed party candidate</i> – from the date of endorsement.</li> <li>• For a <i>candidate from the previous election nominating again</i> – 30 days after the previous election day.</li> </ul> <p><b>For all candidates:</b></p> <ul style="list-style-type: none"> <li>• Reporting period ends 30 days after election day.</li> <li>• Return must be lodged within 15 weeks of election day.</li> <li>• Returns are available for inspection on this website from the start of the twenty-fifth week after election day.</li> </ul> <p><b>NOTE:</b></p> <ul style="list-style-type: none"> <li>• Candidates must appoint a reporting agent.</li> <li>• The onus is on the person disclosing to get it right.</li> <li>• If endorsed by a registered political party, donations and expenditure made to the party are reported by the party and not by the candidate.</li> <li>• It is illegal to accept donations of \$200 or more anonymously.</li> <li>• Disclosure amounts are inclusive of GST.</li> <li>• There is no limit on donations or expenditure.</li> <li>• A nil return is required even if there is nothing to disclose.</li> </ul>	
ACT	<p>Elections held in Sept/Oct (the 2024 election is in October)</p> <p>The legislation states that the capped expenditure period runs from January until election day (therefore approx. 9 months)</p> <p>The following info is provided re a candidates obligations to report during an election year</p> <p>The return must be submitted:</p> <ul style="list-style-type: none"> <li>▪ In <b>an election year</b>, if the value of the gift or gifts received from a</li> </ul>	



	<p>person reaches \$1,000 in the financial year <b>between 1 April and 30 June</b>, the declaration must be made to the Electoral Commissioner by <b>7 July</b>;</p> <ul style="list-style-type: none"> <li>▪ In <b>an election year</b>, when the capped electoral expenditure period is applicable, if the value of the gift or gifts received from a person reaches \$1,000 in the financial year <b>after 30 June and before the end of polling day</b>, the declaration must be made to the Electoral Commissioner <b>7 days</b> after the total amount received from the person reaches \$1,000; and</li> <li>▪ In <b>a non-election year</b>, or in <b>the first quarter (1 January until 31 March) of an election year</b>, if the value of the gift or gifts received from a person reaches \$1,000 in the financial year, the declaration must be made to the Electoral Commissioner <b>within 30 days of the end of the financial quarter</b> in which the total amount received from the person reached \$1,000.</li> </ul>	

**From:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Sent:** Monday, 1 March 2021 3:09 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Cab Minute info

179.

Yes I tried to look myself and found it wasn't very straightforward. I think maybe we could just go with a couple of examples and see if Brooke's happy with that



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy  
Department of Justice

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**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Monday, 1 March 2021 3:07 PM  
**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** RE: Cab Minute info

180.

Hi Tania  
Sorry I didn't mean to miss your first email on this  
Unfortunately I don't think there is an easy table  
If you can give me 30-60 mins I should be able to pull something together?  
F

**From:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Sent:** Monday, 1 March 2021 2:41 PM

181.



**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** FW: Cab Minute info  
**Importance:** High

Hi Felicity

Sorry to be a pain but do you have any information on the below (what the election periods are in the other jurisdictions)? Can you point me to a table or something if there is one?

Cheers  
Tania



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**From:** Lethborg, Tania  
**Sent:** Monday, 1 March 2021 12:48 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Cab Minute info  
**Importance:** High

182.

Hi Felicity

Sorry to send yet another email asking for info (I can't guarantee there won't be more!). [REDACTED]  
[REDACTED]. Would you happen to have anything on hand that I can copy in?

Cheers,  
Tania



**Tania Lethborg | Principal Legislative and Policy Officer**

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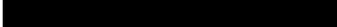
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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Third party regulation - summary.DOCX  
**Date:** Monday, 1 March 2021 1:36:53 PM  
**Attachments:**   
[image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

Hi Fliss





Cheers

Brooke



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**Key items for Bill – Terms of Reference 3**

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]







<b>Cwlth</b> s287 <a href="#">Commonwealth Electoral Act 1918</a>	<b>associated entity</b> means: (a) an entity that is controlled by one or more registered political parties; or (b) an entity that operates wholly, or to a significant extent, for the benefit of one or more registered political parties; or (c) an entity that is a financial member of a registered political party; or (d) an entity on whose behalf another person is a financial member of a registered political party; or (e) an entity that has voting rights in a registered political party; or (f) an entity on whose behalf another person has voting rights in a registered political party.
<b>NSW</b> s4 <a href="#">Electoral Funding Act 2018</a>	<b>associated entity</b> means a corporation or another entity that operates solely for the benefit of one or more registered parties or elected members
<b>Vic</b> s206 <a href="#">Electoral Act 2006</a> (amended 2018)	<b>associated entity</b> means— (a) an entity that is controlled by one or more registered political parties; or (b) an entity that operates wholly, or to a significant extent, for the benefit of one or more registered political parties; or (c) an entity that is a financial member of a registered political party; or (d) an entity on whose behalf another person is a financial member of a registered political party; or (e) an entity that has voting rights in a registered political party; (f) an entity on whose behalf another person has voting rights in a registered political party— but does not include a nominated entity of a registered political party;
<b>SA</b> s130A <a href="#">Electoral Act 1985</a>	<b>associated entity</b> means— (a) an entity that is controlled by 1 or more registered political parties; or (b) an entity that operates wholly, or to a significant extent, for the benefit of 1 or more registered political parties; or (c) an entity that is a financial member of a registered political party; or (d) an entity on whose behalf another person is a financial member of a registered political party; or (e) an entity that has voting rights in a registered political party; or (f) an entity on whose behalf another person has voting rights in a registered political party;



<p><b>Qld</b> S204 <a href="#">Electoral Act 1992</a></p>	<p>(2) An entity is an <b>associated entity</b> of a registered political party if the entity</p> <ul style="list-style-type: none"> <li>(a) is controlled by the party or a group of endorsed candidates of the party; or</li> <li>(b) operates wholly, or to a significant extent, for the benefit of the party or a group of endorsed candidates of the party; or</li> <li>(c) operates for the dominant purpose of— (i) promoting the party in elections; or (ii) promoting a group of endorsed candidates of the party in an election.</li> </ul> <p>(3) However, an associated entity of a registered political party does not include—</p> <ul style="list-style-type: none"> <li>(a) a candidate endorsed by the party for an election; or</li> <li>(b) another political party that is a related political party of the party; or</li> <li>(c) if the party is part of another entity—a federal or interstate branch or division of the other entity.</li> </ul>
<p><b>WA</b> S175 <a href="#">WA Electoral Act 1907</a></p>	<p><b>associated entity</b> means an entity that —</p> <ul style="list-style-type: none"> <li>(a) is controlled by one or more political parties; or</li> <li>(b) operates for the benefit of one or more political parties</li> </ul>
<p><b>ACT</b> s198 <a href="#">Electoral Act 1992</a></p>	<p><b>associated entity</b> means an entity that—</p> <ul style="list-style-type: none"> <li>(a) is controlled by 1 or more parties or MLAs; or</li> <li>(b) operates, completely or to a significant extent, for the benefit of 1 or more registered parties or MLAs.</li> </ul>
<p><b>NT</b> s3 <a href="#">ELECTORAL-ACT-2004</a></p>	<p><b>associated entity</b> means an entity that:</p> <ul style="list-style-type: none"> <li>(a) is controlled by one or more registered parties; or</li> <li>(b) operates wholly or to a significant extent for the benefit of one or more registered parties</li> </ul>



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

<p><b>Cwlth</b> s287 <a href="#"><i>Commonwealth Electoral Act 1918</i></a></p>	<p><b>third party:</b> a person or entity (except a political entity or a member of the House of Representatives or the Senate) is a third party during a financial year if:</p> <ul style="list-style-type: none"> <li>(a) the amount of electoral expenditure incurred by or with the authority of the person or entity during the financial year is more than the disclosure threshold; and</li> <li>(b) the person or entity is not required to be, and is not, registered as a political campaigner under section 287F for the year.</li> </ul> <p>S287F (paraphrased) Registration as a <b>political campaigner</b> is required when electoral expenditure: is \$500,000 or more during that financial year, or any one of the previous three financial years; or is \$100,000 or more during that financial year, and electoral expenditure during the previous financial year was at least two-thirds of the revenue</p>
<p><b>NSW</b> s4 <a href="#"><i>Electoral Funding Act 2018</i></a></p>	<p><b>third-party campaigner</b> means the following—</p> <ul style="list-style-type: none"> <li>(a) for a State election—a person or another entity (not being an associated entity, party, elected member, group or candidate) who incurs electoral expenditure for a State election during a capped State expenditure period that exceeds \$2,000 in total, ...</li> <li>(c) a registered third-party campaigner for an election for which it is registered.</li> </ul>



<b>Vic</b> s206 <a href="#">Electoral Act 2006</a>	<p><b>"third party campaigner"</b> means any person or <a href="#">entity</a> other than—</p> <ul style="list-style-type: none"> <li>(a) a <a href="#">registered</a> political party; or</li> <li>(b) a <a href="#">candidate</a> at an election; or</li> <li>(c) a <a href="#">group</a>; or</li> <li>(d) an <a href="#">elected member</a>; or</li> <li>(e) an <a href="#">associated entity</a>; or</li> <li>(f) a <a href="#">nominated entity</a> of a <a href="#">registered</a> political party—</li> </ul> <p>that receives <a href="#">political donations</a> or incurs <a href="#">political expenditure</a> which exceeds a total of \$4000 in a financial year;</p>
<b>SA</b> s130A <a href="#">Electoral Act 1985</a>	<p><b>third party</b> means a person, other than-... who—</p> <p>(f) incurs or intends to incur more than \$10 000 in political expenditure during the designated period (year of the election commencing 1 Jan) in relation to an election;</p>
<b>Qld</b> s197 <a href="#">Electoral Act 1992</a>	<p><b>third party</b> means an entity other than a registered political party, an associated entity or a candidate.</p>
<b>WA</b> <a href="#">Electoral Act 1907</a>	<p>Does not define third party</p> <p>Refers to other persons - s.175Q and 175SD</p>
<b>ACT</b> s198 <a href="#">Electoral Act 1992</a>	<p>means a person or entity that incurs \$1000 or more in electoral expenditure in the disclosure period for an election; but does not include ....candidates etc.</p>
<b>NT</b> s3 <a href="#">ELECTORAL-ACT-2004</a>	<p><b>third party campaigner</b> means a person who or entity that incurs or expects to incur more than \$1 000 of political expenditure during the capped expenditure period (1 January to 30 days after election day), but does not include a candidate, a registered party or an associated entity.</p> <p>Political expenditure is defined as ‘expenditure incurred in promoting or opposing a candidate or a registered party’.</p> <p>The definition of political expenditure is narrower than ‘electoral expenditure’ and does not capture communications or advertisements on election issues only (i.e. issues which are intended to raise awareness, education or encourage public debate)</p>





#### Definitions of third parties in other jurisdictions

	Cwlth	NSW	Vic.	SA	Qld	WA	ACT	NT
Amount	\$14,300 (to June 2021)	\$2000	\$4160	\$10,000	\$6000 – threshold for requirement to <u>register</u> as a third party	\$500	\$1000	\$1000
Period	Financial year	Capped State expenditure period (from 1 Oct of year prior to election to election day) – (or Issue of writs to election day)	Financial year	Designated period (year of the election commencing 1 Jan)	During the capped expenditure period for an election  first business day after the last Saturday in the preceding March until polling day - (or issue of writs to election day)	Unlimited except expenditure must relate to an election	Period since 31st day after polling day for the last previous election.	During the capped expenditure period (1 January to 30 days after election day)
Reporting of donations					Unregistered third parties need to report political donations received of at least \$1000.	When a person incurs expenditure for a political purpose, they should lodge a return within 15 weeks of polling day with details of donations received in the period since the last election.		



## Definition of electoral expenditure/electoral matter



## Summary of jurisdictional approaches

<u>Narrow</u>	<p>Vic - expenditure for the <u>dominant purpose of directing how a person votes at an election, by promoting or opposing a candidate or party</u> but does not include expenditure incurred by an associated entity or third party campaigner on any material ..disseminated outside of the election campaigning period unless the material refers to— a candidate or a registered political party; and how a person should vote at an election;</p> <p>NT - ‘expenditure incurred in promoting or opposing a candidate or a registered party’</p>
<u>Moderate</u>	<p>Cwlth - matter communicated or intended to be communicated for the dominant purpose of influencing the way electors vote in an election ...including by promoting or opposing... a political entity...(Note <i>Communications whose dominant purpose is to educate their audience on a public policy issue, or to raise awareness of, or encourage debate on, a public policy issue, are not for the dominant purpose of influencing the way electors vote in an election (as there can be only one dominant purpose for any given communication).</i></p> <p>NSW - expenditure for or in connection with promoting or opposing, directly or indirectly, a party or the election of a candidate or candidates or for the purpose of influencing, directly or indirectly, the voting at an election - does not include expenditure ...if the expenditure is not incurred for the dominant purpose of promoting or opposing a party or the election of a candidate or candidates or <u>influencing the voting at an election</u>.</p> <p>Qld - if the <u>dominant purpose</u> for which the expenditure is incurred is a campaign purpose. However, expenditure incurred by a third party is not electoral expenditure if the dominant purpose for which the expenditure is incurred is another purpose, even if the expenditure is also incurred for, or achieves, a campaign purpose. Example of other purposes for incurring expenditure— to educate or raise awareness about an issue of public policy</p>
<u>Broad</u>	<p>SA - public expression of views <u>on an issue in an election</u> by any means</p> <p>WA – matter that is intended, calculated <u>or likely to affect voting in an election</u></p> <p>ACT – matter is <u>taken to be intended or likely to affect voting at an election if it contains an express or implicit reference to, or comment on the election; or ... an issue submitted to, or otherwise before, the electors in relation to the election</u></p>



## Registration process for third parties

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Summary of jurisdictional approaches

	Cwlth	NSW	Vic.	SA	Qld	WA	ACT	NT
Registration	<p><u>Third parties</u> are not required to register with the AEC.</p> <p>Registration as a <u>political campaigner</u> is required when electoral expenditure:  is \$500,000 or more during that financial year, or any one of the previous three financial years; or  is \$100,000 or more during that financial year, and electoral expenditure during the previous financial year was at least two-thirds of the revenue of the person or entity for that year.</p>	A third-party campaigner must be registered for an election before making payments of more than \$2,000 for electoral expenditure incurred during the capped State expenditure period.	NA	NA	<p>A third party must register with the ECQ if they spend, or someone they authorise spends, cumulatively, more than \$6,000 in electoral expenditure, during the capped expenditure period for an election.</p> <p>Applications for registration must be submitted before the polling day for an election</p>	NA	NA	Third-party campaigners need to register for each election. s175B - registration must be received at least five days before the election.

## Timeframes for reporting for third parties



	Cwth	NSW	Vic.	SA	Qld	WA	ACT	NT
Annual and half year Returns	<u>Third parties:</u> Annual returns for donations and expenditure.  <u>Political campaigners:</u> Annual Returns for donations and expenditure.	An annual disclosure of <u>electoral expenditure</u> on or before 22 September	Annual return including income and expenditure	If a third party incurs political expenditure over the legislated threshold (10,000 indexed) during a financial year, they must lodge an <u>annual political expenditure return</u> .  Lodge half-yearly returns within 30 days of the end of each half-yearly period	Nil	Nil	Nil	Nil
Year-round reporting	As above	All political <u>donations</u> must be disclosed every six months within 4 weeks after the end of the half-year	Must disclose all political donations of over \$1,000 within 21 days.		Disclosure of donations within 7 business days of its first use.	Generally when a person incurs expenditure for a political purpose, they should lodge a return within 15 weeks of polling day with details of donations received in the period since the last election.		



	Cwlth	NSW	Vic.	SA	Qld	WA	ACT	NT
Pre-election	Nil	political donations of \$1,000 or more, made or received between 1 October in the year before the election and election day, must be disclosed within 21 days	As above	If a third party incurs more than \$5,000 (indexed) of political expenditure during the capped expenditure period, they must lodge a capped expenditure period return. This return must be lodged within 60 days after polling day.	A return no more than 15 weeks after polling day for donations received of over \$1000 (for Registered third parties).  Registered third parties must disclose their electoral expenditure in an election summary return within 15 weeks after the election	Where a person (not being a political party, an associated entity a candidate or a group) exceeds \$500 on electoral expenditure - details of expenditure to be lodged within 15 weeks of polling day.	If a third party receives gifts of \$1000 or more during the disclosure period (period since the last election) then they must provide a return within 60 days after polling day  If a third party campaigner incurs electoral expenditure in the capped expenditure period, they need to provide a return within 60 days after polling day	Reporting from third-party campaigners is required for the election period only ie Election year.  Reporting of donations for political expenditure received during election period: 6 reports in total over year preceding the election see <a href="#">Financial-Disclosure-Handbook</a> for details.  Expenditure report due 60 days after election.  A person (as distinct from a third party campaigner) spends more than \$200 in electoral expenditure then they need to provide a report within 60 days of the election.







**From:** [Lethborg, Tania](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: unhelpful table  
**Date:** Monday, 1 March 2021 4:03:23 PM  
**Attachments:** [image001.jpg](#)



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**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Monday, 1 March 2021 3:59 PM  
**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** unhelpful table

185.

Hi Tania

Find below my unhelpful table in response to your request

You can see that there is no clear answer

Some jurisdictions run from the previous election until polling day (a very comprehensive approach!) ie see WA and NT

Vic doesn't appear to need an election period as they have a consistent 21 days donation reporting system and their donation cap runs for the whole election cycle.

The jurisdictions that have caps on electoral expenditure provide somewhat of an example of an election period – however as they act as a capped period, there is a need for them to be relatively contained. IN NSW this is Oct to March and Qld only August to October of an election year. ACT's capped period is January to Oct of an election year.

The Cth doesn't even have election period reporting – just their annual reports, which are then not made public til the following year.

Sorry, this really makes this more complex rather than less

F

WA	<p>Election returns</p> <p>Political parties are required to disclose expenditure incurred in an election.</p> <p>Candidates and groups are required to disclose all gifts received and expenditure incurred during the disclosure period for the election. This ends 30 days after polling day, and for previous candidates, commences 30 days after polling day in the previous election, or for new candidates from one year prior to the day of nomination in the present election. For groups, it commences from the hour of nomination.</p>	



	<p>Persons other than political parties, associated entities, candidates and groups who incur expenditure for political purposes are required to disclose all gifts received and expenditure incurred during the disclosure period for the election. This is the same period as for previous candidates described above. If the total amount of expenditure does not exceed \$500, a return is not required.</p> <p>Annual return</p> <p>Election return – disclosure period finishes 30 days after polling day. Return must be submitted within 15 weeks of polling day. It is made available to the public 19 weeks after polling day. Must be provided to EC a party's election return doesn't need to contain gifts as they are included in the annual return?</p>	
NSW	<p>NSW has a system of regular;</p> <ul style="list-style-type: none"> <li>- Half yearly donation disclosure</li> <li>- Annual electoral expenditure disclosure</li> <li>- Annual major political donor disclosure</li> <li>- Plus a pre-election period donation disclosure</li> </ul> <p>Electoral expenditure must be disclosed to the NSW Electoral Commission annually by:</p> <p>political parties elected members candidates groups of candidates associated entities third-party campaigners.</p> <p>The annual period starts on 1 July and ends on 30 June. All electoral expenditure incurred must be disclosed within 12 weeks after the end of the annual period, by 22 September. Disclosures must be submitted even if no electoral expenditure was incurred in the annual period.</p> <p>In the lead up to an election there is a "capped expenditure period" which runs from 1 October until polling day (end of march)</p>	
Qld	<p>In addition to the previously mentioned reporting of gifts and loans in real-time, election summary returns, are required. The election summary return is a summary of electoral expenditure incurred for the purposes of an election and must include an audit certificate and a bank statement of the party's state campaign account. This must be submitted within 15 weeks of the election.</p> <p>Summary returns must include the electoral expenditure of the associated entity for the political party as they are considered part of the political party's expenditure for calculations towards the cap.</p> <p>The statements provided to the ECQ must cover the period that:</p> <ul style="list-style-type: none"> <li>• starts when the first item of electoral expenditure is incurred for the election or the start of the capped expenditure period, whichever is the earlier date, and</li> <li>• ends on the day before the election summary return is lodged with the ECQ.</li> </ul> <p>Caps (limits) on the amount of electoral expenditure which may be incurred by candidates, registered political parties and third parties during an expenditure cap period for an election will apply for the 2020 State general election. For the 2020 State General Election, the capped expenditure period will be from 1 August 2020 until 6pm on 31 October 2020.</p>	
SA	<p>During an election (elections are in late-ish march)</p> <p>During a general election, there are additional return lodgement obligations. In</p>	



	<p>the year of a general election, registered political parties and third parties must lodge a return for the month of January by 5 February. Following this are the high-frequency lodgements: returns must be lodged for every 7 day period until 30 days after polling day. These returns must be lodged within 5 days of the end of each 7 day period.</p> <p>Information required</p> <hr/> <p>Returns must set out the following information:</p> <ul style="list-style-type: none"> <li>• Total amount received by the entity during the period (total receipts).</li> <li>• Details of amounts received of more than \$5,000 (indexed).</li> <li>• Total outstanding debt as at the end of the period.</li> <li>• Details of each debt of more than \$5,000 (indexed).</li> </ul> <p>Refer to sections 130ZN (political party returns) and 130ZP (third party returns) for more information.</p>	
Vic		
NT	<p><b>Election returns</b></p> <p><b>Candidates at NT Legislative Assembly (LA) elections and by-elections must lodge an election return stating details of all electoral expenditure incurred. A return MUST be completed and lodged even if the candidate has nothing to disclose (i.e. Nil return).</b></p> <p><b>What is reported?</b></p> <ul style="list-style-type: none"> <li>• <b>Total gifts with details of each person or organisation donating \$200 or more.</b></li> <li>• <b>Total number of persons and organisations who made gifts.</b></li> <li>• <b>In-kind gifting of goods, assets and services that were free or below true market value – except volunteer work.</b></li> <li>• <b>Details of loans of \$1500 or more.</b></li> <li>• <b>Details of all expenditure according to categories (broadcasting, publishing, display advertising, campaign material, direct mailing, opinion polling/research).</b></li> </ul> <p><b>Reporting period commences:</b></p> <ul style="list-style-type: none"> <li>• For an <i>independent</i> candidate – on the day candidature is announced or the day nominated, whichever is earlier.</li> <li>• For a <i>newly endorsed party candidate</i> – from the date of endorsement.</li> <li>• For a <i>candidate from the previous election nominating again</i> – 30 days after the previous election day.</li> </ul> <p><b>For all candidates:</b></p> <ul style="list-style-type: none"> <li>• Reporting period ends 30 days after election day.</li> <li>• Return must be lodged within 15 weeks of election day.</li> <li>• Returns are available for inspection on this website from the start of the twenty-fifth week after election day.</li> </ul> <p><b>NOTE:</b></p> <ul style="list-style-type: none"> <li>• Candidates must appoint a reporting agent.</li> <li>• The onus is on the person disclosing to get it right.</li> <li>• If endorsed by a registered political party, donations and expenditure made to the party are reported by the party and not by the candidate.</li> <li>• It is illegal to accept donations of \$200 or more anonymously.</li> <li>• Disclosure amounts are inclusive of GST.</li> <li>• There is no limit on donations or expenditure.</li> <li>• A nil return is required even if there is nothing to disclose.</li> </ul>	



ACT	<p>Elections held in Sept/Oct (the 2024 election is in October)</p> <p>The legislation states that the capped expenditure period runs from January until election day (therefore approx. 9 months)</p> <p>The following info is provided re a candidates obligations to report during an election year</p> <p>The return must be submitted:</p> <ul style="list-style-type: none"> <li>▪ In <b>an election year</b>, if the value of the gift or gifts received from a person reaches \$1,000 in the financial year <b>between 1 April and 30 June</b>, the declaration must be made to the Electoral Commissioner by <b>7 July</b>;</li> <li>▪ In <b>an election year</b>, when the capped electoral expenditure period is applicable, if the value of the gift or gifts received from a person reaches \$1,000 in the financial year <b>after 30 June and before the end of polling day</b>, the declaration must be made to the Electoral Commissioner <b>7 days</b> after the total amount received from the person reaches \$1,000; and</li> <li>▪ In <b>a non-election year</b>, or in <b>the first quarter (1 January until 31 March) of an election year</b>, if the value of the gift or gifts received from a person reaches \$1,000 in the financial year, the declaration must be made to the Electoral Commissioner <b>within 30 days of the end of the financial quarter</b> in which the total amount received from the person reached \$1,000.</li> </ul>	

**From:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Sent:** Monday, 1 March 2021 3:09 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Cab Minute info

186.

Yes I tried to look myself and found it wasn't very straightforward. I think maybe we could just go with a couple of examples and see if Brooke's happy with that



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy  
Department of Justice

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**e** [Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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Work hours – Mondays to Thursdays

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**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Monday, 1 March 2021 3:07 PM  
**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** RE: Cab Minute info

187.



Hi Tania

Sorry I didn't mean to miss your first email on this

Unfortunately I don't think there is an easy table

If you can give me 30-60 mins I should be able to pull something together?

F

---

**From:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>

**Sent:** Monday, 1 March 2021 2:41 PM

**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** FW: Cab Minute info

**Importance:** High

188.

Hi Felicity

Sorry to be a pain but do you have any information on the below (what the election periods are in the other jurisdictions)? Can you point me to a table or something if there is one?

Cheers

Tania



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy

Department of Justice

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**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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---

**From:** Lethborg, Tania

**Sent:** Monday, 1 March 2021 12:48 PM

**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** Cab Minute info

**Importance:** High

189.

Hi Felicity

Sorry to send yet another email asking for info (I can't guarantee there won't be more!). [REDACTED]

[REDACTED] Would you happen to have anything on hand that I can copy in?

Cheers,

Tania



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy

Department of Justice

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**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)



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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Cc:** [Lethborg, Tania](#)  
**Subject:** Admin public funding IDC Paper - DPAC  
**Date:** Tuesday, 2 March 2021 11:35:53 AM

---

Hi Fliss

[REDACTED]

[REDACTED]

[REDACTED]

Is there any chance you could forward Martin the contacts we have in other jurisdictions so far and my original email request to MAG contacts incase this helps him and just remind him Treasury's paper is in the SC papers from last time and just let him know we're happy to chat along the way as needed?

Cheers  
Brooke

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926



**From:** [Lethborg, Tania](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Electoral Act Review Legislation TOR 1.docx  
**Date:** Tuesday, 2 March 2021 10:41:25 AM  
**Attachments:** [REDACTED]

---

191.1

Hi Felicity

Here is my table which I am really just using to keep track of what we need to look at further. I may do something similar in relation to the instructions (I hadn't really decided yet).

Cheers,  
T



**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Cc:** [Lethborg, Tania](#)  
**Subject:** Public funding contacts  
**Date:** Tuesday, 2 March 2021 1:25:43 PM  
**Attachments:** [Document1.docx](#)  
[image001.png](#)  
[image002.png](#)  
[image003.jpg](#)  
**Importance:** High

---

192.1

Hi Fliss

Does this look ok to you – any changes before I send?

Cheers

B

Hi Martin

Please see attached the contacts we have to date in other jurisdictions for the public funding/ admin funding aspect of electoral policy to date. I will forward through the other emails where we are still waiting on confirmation of the contacts.

Thanks very much for taking the lead on this aspect/IDC Paper, we are more than happy to chat and look at drafts and help where we can along the way.

Let me know if you need any more info other than what Alice and I talked about this morning, in the meantime.

- [REDACTED]
- [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]

[REDACTED]

Thanks again for all your help with this, and please let me know if there is anything we can send to



Treasury in terms of modelling and further information requests from them. I'm sure they would be happy to help out with the research if needed.

Cheers  
Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

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e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Gibson, Martin \(DPaC\)](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** Public funding contacts/ follow up  
**Date:** Tuesday, 2 March 2021 1:38:02 PM  
**Attachments:** [image001.png](#)  
[image005.jpg](#)  
[Document1.docx](#)  
[image002.png](#)

193.1

---

Hi Martin

Please see attached the contacts we have to date in other jurisdictions for the public funding/ admin funding aspect of electoral policy to date. I will forward through the other emails where we are still waiting on confirmation of the contacts.

Thanks very much for taking the lead on this aspect/IDC Paper, we are more than happy to chat and look at drafts and help where we can along the way.

Let me know if you need any more info other than what Alice and I talked about this morning, in the meantime.

We think it will likely need to cover –

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

Thanks again for all your help with this, and please let me know if there is anything we can send to Treasury in terms of modelling and further information requests from them as this progresses. I'm sure they would be happy to help out with the research if needed.

Cheers  
Brooke





**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

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**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Cc:** [Lethborg, Tania](#)  
**Subject:** RE: Public funding contacts  
**Date:** Tuesday, 2 March 2021 1:33:45 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

Good point, thanks 😊

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Tuesday, 2 March 2021 1:33 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** RE: Public funding contacts

195.

This looks good – [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Tuesday, 2 March 2021 1:24 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Cc:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** Public funding contacts  
**Importance:** High

196.

Hi Fliss

Does this look ok to you – any changes before I send?

Cheers  
B

Hi Martin

Please see attached the contacts we have to date in other jurisdictions for the public funding/ admin funding aspect of electoral policy to date. I will forward through the other emails where we are still waiting on confirmation of the contacts.

Thanks very much for taking the lead on this aspect/IDC Paper, we are more than happy to chat and look at drafts and help where we can along the way.

Let me know if you need any more info other than what Alice and I talked about this morning, in the meantime.

We think it will likely need to cover –

- [REDACTED]



- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

Thanks again for all your help with this, and please let me know if there is anything we can send to Treasury in terms of modelling and further information requests from them. I'm sure they would be happy to help out with the research if needed.

Cheers  
Brooke



**Brooke Craven** | Director  
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Department of Justice  
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**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: public funding contacts  
**Date:** Tuesday, 2 March 2021 1:10:52 PM

---

Great, thanks 😊

---

**From:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Sent:** Tuesday, 2 March 2021 12:31 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Subject:** public funding contacts

198.

Hi Brooke

Here is a cut and paste doc including all the contacts I could see so far

We appear to still be waiting on NSW (although we have received a couple of emails re handballing to other areas), WA, SA and ACT

F



**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#)  
**Subject:** Confidential internal deliberative - initial feedback on draft Cab Minute for Electoral  
**Date:** Wednesday, 3 March 2021 4:23:52 PM  
**Attachments:** [image001.png](#)  
[image004.jpg](#)  
[image003.png](#)  
**Importance:** High

---

Hi both

Felicity -

- 
- 
- 

I am chasing some other bits and pieces for the AGO and will keep you both updated as this keeps progressing.

I will update the draft Cabinet Minute front end (drafting instructions/draft decision) in track changes, save onto G drive and send you the link.

I expect this feedback will continue to come back in tranches over the next couple of days at least.

Cheers

Brooke



**Brooke Craven | Director**  
 Strategic Legislation and Policy  
 Department of Justice

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 e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
 w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** FW: Confidential internal deliberative - initial feedback on draft Cab Minute for Electoral  
**Date:** Wednesday, 3 March 2021 6:15:23 PM  
**Attachments:** [image003.jpg](#)  
[image006.png](#)  
[image007.png](#)  
[image009.jpg](#)  
[image001.png](#)  
[image002.png](#)

FYI re my quick update to Ginna – following another discussion with Row on timeframes etc.

And a big thank you from Robyn, and me too, for all your fantastic work on this!

Cheers  
 Brooke

---

**From:** Pearce, Robyn <[Robyn.Pearce@justice.tas.gov.au](mailto:Robyn.Pearce@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 6:12 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** RE: Confidential internal deliberative - initial feedback on draft Cab Minute for Electoral

201.

Thanks for the update Brooke. There is clearly a lot of work going on in this space at very short notice.

My thanks to you and your team for pushing this through so quickly

Cheers  
 Robyn



**Robyn Pearce**  
**Deputy Secretary, Corporate, Strategy and Policy [Acting]**  
 Department of Justice

**p** (03) 6165 4943 | **m** 0438 605 276  
**e** [Robyn.Pearce@justice.tas.gov.au](mailto:Robyn.Pearce@justice.tas.gov.au)  
**w** [justice.tas.gov.au](http://justice.tas.gov.au) | [worksafe.tas.gov.au](http://worksafe.tas.gov.au)  
 Level 14 110 Collins St Hobart TAS 7018 | GPO Box 825 Hobart TAS 7001

*I acknowledge the traditional owners of the land on which we work and live, and respect their ongoing custodianship of the land. I pay my respect to Tasmanian Aboriginal people, and Elders past and present.*



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---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>

202.



**Sent:** Wednesday, 3 March 2021 6:06 PM

**To:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>

**Cc:** Pearce, Robyn <[Robyn.Pearce@justice.tas.gov.au](mailto:Robyn.Pearce@justice.tas.gov.au)>

**Subject:** Confidential internal deliberative - initial feedback on draft Cab Minute for Electoral

**Importance:** High

Hi Ginna

As you might expect I've been back and forth with the AGO a fair bit today with feedback from Attorney/Premier's office on changes to be included in the final draft Cabinet Minute which Row would like us to send down as an updated version sometime tomorrow, unless we hear otherwise.

Ideally we would see the signed Minute from the Attorney first but what Row has asked for is that we send down an updated version which essentially clarifies how this will apply to Legislative Council and I gather the AGO will fill in the final thresholds and figures at that end [our yellow highlights] and send the Department a copy of the final Cabinet Minute, given timing. Row indicated for now, there are not likely to be any further substantive policy changes re scope etc to what is in the draft Cab Minute we provided. I just wanted to let you know the proposed approach, and please let me know if you have any concerns or would like to talk to Sean etc first. Otherwise I will put an updated version on CM in the morning and workflow to you.

I am updating the draft Cab Minute now, to reflect feedback from the Premier/AGO that –

- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]

[REDACTED]

Happy to chat, let me know if you need anything else from me.

Cheers  
Brooke

**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

p (03) 6165 4926  
e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)





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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#)  
**Subject:** RE: Confidential internal deliberative - initial feedback on draft Cab Minute for Electoral  
**Date:** Wednesday, 3 March 2021 6:16:44 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image004.jpg](#)

---

You are amazing, thank you!

I will cc you when I send to Treasury and Gavin/Richard.

Cheers

B

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 5:02 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** RE: Confidential internal deliberative - initial feedback on draft Cab Minute for Electoral  
**Importance:** High

204.

Hi Brooke

[REDACTED]

[REDACTED]

Hope this helps

F

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 4:24 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** Confidential internal deliberative - initial feedback on draft Cab Minute for Electoral  
**Importance:** High

205.

Hi both

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I will update the draft Cabinet Minute front end (drafting instructions/draft decision) in track changes, save onto G drive and send you the link.

I expect this feedback will continue to come back in tranches over the next couple of days at least.

Cheers

Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926

**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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[REDACTED]

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[REDACTED]



**From:** [Craven, Brooke](#)  
**To:** [Gibson, Martin \(DPaC\)](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** Re: Public funding contacts/ follow up  
**Date:** Wednesday, 3 March 2021 2:55:21 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image004.jpg](#)

---

Fantastic thanks Martin

And thanks again for all your help with this, very much appreciated.

Cheers  
Brooke

Director, Strategic Legislation and Policy  
 Department of Justice Tasmania  
 03 6165 4926

---

**From:** Gibson, Martin <Martin.Gibson@dpac.tas.gov.au>  
**Sent:** Wednesday, March 3, 2021 2:29:03 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Cc:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Subject:** RE: Public funding contacts/ follow up

207.

Thanks Brooke

I will have a look at this and happy to chat early next week once I have my head around it.

Cheers  
Martin

---

**From:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Sent:** Tuesday, 2 March 2021 1:38 PM  
**To:** Gibson, Martin <Martin.Gibson@dpac.tas.gov.au>  
**Cc:** Poulter, Felicity (DoJ) <Felicity.Poulter@justice.tas.gov.au>  
**Subject:** Public funding contacts/ follow up

208.

Hi Martin

Please see attached the contacts we have to date in other jurisdictions for the public funding/ admin funding aspect of electoral policy to date. I will forward through the other emails where we are still waiting on confirmation of the contacts.

Thanks very much for taking the lead on this aspect/IDC Paper, we are more than happy to chat and look at drafts and help where we can along the way.

Let me know if you need any more info other than what Alice and I talked about this morning, in the meantime.









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**From:** [Craven, Brooke](#)  
**To:** [Patterson, Eleanor \(Treasury\)](#)  
**Cc:** [Faletic, Dana \(Treasury\)](#); [Poulter, Felicity](#); [Gibson, Martin \(DPaC\)](#)  
**Subject:** Re: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Date:** Wednesday, 3 March 2021 7:29:42 PM

---

209

Fantastic, thanks Eleanor

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

**From:** Patterson, Eleanor <Eleanor.Patterson@treasury.tas.gov.au>  
**Sent:** Wednesday, March 3, 2021 7:05:03 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Cc:** Faletic, Dana (Treasury) <dana.faletic@treasury.tas.gov.au>; Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>; Gibson, Martin (DPaC) <Martin.Gibson@dpac.tas.gov.au>  
**Subject:** Re: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral

210.

Hi Brooke  
I'll take a look first thing.  
Cheers  
Eleanor

Sent from my iPhone

On 3 Mar 2021, at 18:23, Craven, Brooke <Brooke.Craven@justice.tas.gov.au> wrote:

211.

Hi Eleanor and Dana

[REDACTED]

[REDACTED]

Martin, I have just copied you in for information as part of the project team but feel free to have a look and comment too if you like.

Best regards  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#)  
**Subject:** RE: Urgent AGO request re AEC returns - disclosure of donations and expenditure  
**Date:** Wednesday, 3 March 2021 4:07:56 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[image003.png](#)  
[image004.jpg](#)

---

Yes, thanks – [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 3:53 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** RE: Urgent AGO request re AEC returns - disclosure of donations and expenditure

[REDACTED]  
[REDACTED]

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 3:42 PM  
**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Urgent AGO request re AEC returns - disclosure of donations and expenditure

Thanks Tania – I wonder if we can take the risk given it is due tomorrow, that she will have enough time?

Felicity I'm really sorry to do this to you but is there any chance you could have a quick look at it and then if it looks like a straightforward task maybe we can get someone else in the team to start to pull the information together – Danielle or Petr should have capacity? Then perhaps Nicole could help them finish it tomorrow? I'm just not sure how much is involved..

Cheers  
Brooke

---

**From:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 3:35 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** FW: Urgent AGO request re AEC returns - disclosure of donations and expenditure  
**Importance:** High

Hi Brooke

Nicole is not at work today but said that she will get onto it tomorrow if that's ok.



Cheers,  
Tania



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4942

**e** [Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>

**Sent:** Wednesday, 3 March 2021 3:21 PM

**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>

**Cc:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity  
<[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** Urgent AGO request re AEC returns - disclosure of donations and expenditure

**Importance:** High

216.

Hi Nicole

[REDACTED]

[REDACTED]

I'm hoping this will be relatively straightforward and can be easily extracted from the AEC published information but if not, please let me know and we can have a look at how we might try to get that information.

<https://www.aec.gov.au/>

[https://www.aec.gov.au/Parties\\_and\\_Representatives/financial\\_disclosure/transparency-register/](https://www.aec.gov.au/Parties_and_Representatives/financial_disclosure/transparency-register/)

Thanks very much, and happy to chat if you need,

Cheers  
Brooke

---

**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice  
**p** (03) 6165 4926





[e brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
[w www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Patterson, Eleanor \(Treasury\)](#); [Faletic, Dana \(Treasury\)](#)  
**Cc:** [Poulter, Felicity](#); [Gibson, Martin \(DPaC\)](#)  
**Subject:** Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Date:** Wednesday, 3 March 2021 6:23:53 PM  
**Attachments:** [image001.png](#)  
[image004.jpg](#)  
  
[image002.png](#)  
**Importance:** High

217.1

217.2

Hi Eleanor and Dana





Martin, I have just copied you in for information as part of the project team but feel free to have a look and comment too if you like.

Best regards

Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926

**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Lugg, Nicole](#)  
**Cc:** [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** Urgent AGO request re AEC returns - disclosure of donations and expenditure  
**Date:** Wednesday, 3 March 2021 3:20:38 PM  
**Attachments:** [image001.png](#)  
[image004.jpg](#)  
[image003.png](#)  
**Importance:** High

---

Hi Nicole

[REDACTED]

[REDACTED]

[REDACTED]

I'm hoping this will be relatively straightforward and can be easily extracted from the AEC published information but if not, please let me know and we can have a look at how we might try to get that information.

<https://www.aec.gov.au/>

[https://www.aec.gov.au/Parties\\_and\\_Representatives/financial\\_disclosure/transparency-register/](https://www.aec.gov.au/Parties_and_Representatives/financial_disclosure/transparency-register/)

Thanks very much, and happy to chat if you need,

Cheers

Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926

**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Gibson, Martin](#)  
**To:** [Craven, Brooke](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** RE: Public funding contacts/ follow up  
**Date:** Wednesday, 3 March 2021 2:29:13 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image004.jpg](#)

Thanks Brooke

I will have a look at this and happy to chat early next week once I have my head around it.

Cheers

Martin

**From:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Sent:** Tuesday, 2 March 2021 1:38 PM  
**To:** Gibson, Martin <Martin.Gibson@dpac.tas.gov.au>  
**Cc:** Poulter, Felicity (DoJ) <Felicity.Poulter@justice.tas.gov.au>  
**Subject:** Public funding contacts/ follow up

Hi Martin

Please see attached the contacts we have to date in other jurisdictions for the public funding/ admin funding aspect of electoral policy to date. I will forward through the other emails where we are still waiting on confirmation of the contacts.

Thanks very much for taking the lead on this aspect/IDC Paper, we are more than happy to chat and look at drafts and help where we can along the way.

Let me know if you need any more info other than what Alice and I talked about this morning, in the meantime.

[illegible]



[REDACTED]

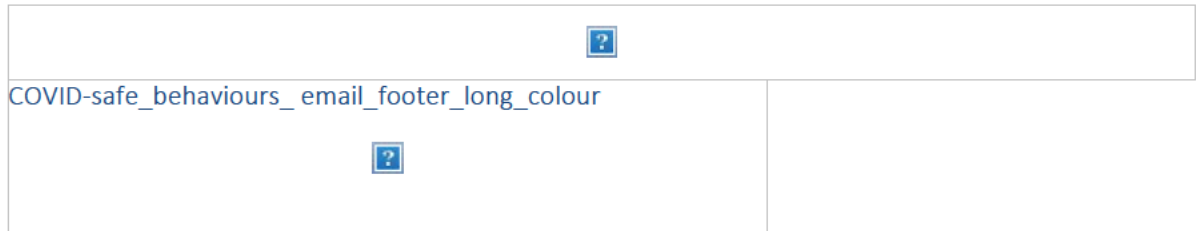
Thanks again for all your help with this, and please let me know if there is anything we can send to Treasury in terms of modelling and further information requests from them as this progresses. I'm sure they would be happy to help out with the research if needed.

Cheers  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice  
**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Wailles, Gavin](#)  
**To:** [Craven, Brooke](#); [Edwards, Richard](#)  
**Cc:** [Webster, Ginna](#); [Poulter, Felicity](#)  
**Subject:** RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Date:** Wednesday, 3 March 2021 10:39:31 PM  
**Attachments:** [image002.jpg](#)  
[image007.png](#)  
[image008.png](#)  
[image011.jpg](#)  
  
[image001.png](#)  
[image003.png](#)

221.1

221.2

Hi Brooke,



Kind regards,

Gavin



**Gavin Wailles | Director Finance**

Finance

Department of Justice

p (03) 6165 4891

e [gavin.wailles@justice.tas.gov.au](mailto:gavin.wailles@justice.tas.gov.au)

w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>

**Sent:** Wednesday, 3 March 2021 6:28 PM

**To:** Wailles, Gavin <[Gavin.Wailles@justice.tas.gov.au](mailto:Gavin.Wailles@justice.tas.gov.au)>; Bennett, Richard <[Richard.Bennett@justice.tas.gov.au](mailto:Richard.Bennett@justice.tas.gov.au)>

**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** FW: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral

**Importance:** High

Hi Gavin and Richard



222.



[REDACTED]

Apologies for the short timeframe, we only received the request this afternoon and the Cabinet Minute is due to be finalised and presumably lodged tomorrow. I will be in the office or on my mobile if that helps.

Cheers  
Brooke

---

**From:** Craven, Brooke  
**Sent:** Wednesday, 3 March 2021 6:24 PM  
**To:** Patterson, Eleanor (Treasury) <[Eleanor.Patterson@treasury.tas.gov.au](mailto:Eleanor.Patterson@treasury.tas.gov.au)>; Faletic, Dana (Treasury) <[dana.faletic@treasury.tas.gov.au](mailto:dana.faletic@treasury.tas.gov.au)>  
**Cc:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Gibson, Martin (DPaC) <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Subject:** Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Importance:** High

223.

Hi Eleanor and Dana

[REDACTED]

[REDACTED]

Martin, I have just copied you in for information as part of the project team but feel free to have a look and comment too if you like.

Best regards  
Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

p (03) 6165 4926  
e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#)  
**Subject:** RE: Urgent AGO request re AEC returns - disclosure of donations and expenditure  
**Date:** Wednesday, 3 March 2021 4:09:03 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[image003.png](#)  
[image004.jpg](#)

Yes, [REDACTED].

Let me know if that doesn't make sense in terms of how it is reported and we can go back and refine the query with them, if for example its only annual returns.

Cheers  
 Brooke

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 4:00 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Subject:** RE: Urgent AGO request re AEC returns - disclosure of donations and expenditure

[REDACTED]

[REDACTED]

225.

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 3:42 PM  
**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Urgent AGO request re AEC returns - disclosure of donations and expenditure

226.

Thanks Tania – I wonder if we can take the risk given it is due tomorrow, that she will have enough time?

Felicity I'm really sorry to do this to you but is there any chance you could have a quick look at it and then if it looks like a straightforward task maybe we can get someone else in the team to start to pull the information together – Danielle or Petr should have capacity? Then perhaps Nicole could help them finish it tomorrow? I'm just not sure how much is involved..

Cheers  
 Brooke

---

**From:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 3:35 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** FW: Urgent AGO request re AEC returns - disclosure of donations and expenditure  
**Importance:** High

227.

Hi Brooke



Nicole is not at work today but said that she will get onto it tomorrow if that's ok.

Cheers,  
Tania



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4942

**e** [Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>

**Sent:** Wednesday, 3 March 2021 3:21 PM

**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>

**Cc:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity  
<[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** Urgent AGO request re AEC returns - disclosure of donations and expenditure

**Importance:** High

228.

Hi Nicole

[Redacted text block]

[Redacted text block]

I'm hoping this will be relatively straightforward and can be easily extracted from the AEC published information but if not, please let me know and we can have a look at how we might try to get that information.

<https://www.aec.gov.au/>

[https://www.aec.gov.au/Parties\\_and\\_Representatives/financial\\_disclosure/transparency-register/](https://www.aec.gov.au/Parties_and_Representatives/financial_disclosure/transparency-register/)

Thanks very much, and happy to chat if you need,

Cheers  
Brooke

---

**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice





p (03) 6165 4926  
e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** RE: Urgent AGO request re AEC returns - disclosure of donations and expenditure  
**Date:** Wednesday, 3 March 2021 3:42:14 PM  
**Attachments:** [image002.jpg](#)  
[image003.png](#)  
[image005.png](#)  
[image006.jpg](#)

Thanks Tania – I wonder if we can take the risk given it is due tomorrow, that she will have enough time?

Felicity I'm really sorry to do this to you but is there any chance you could have a quick look at it and then if it looks like a straightforward task maybe we can get someone else in the team to start to pull the information together – Danielle or Petr should have capacity? Then perhaps Nicole could help them finish it tomorrow? I'm just not sure how much is involved..

Cheers  
 Brooke

**From:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 3:35 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** FW: Urgent AGO request re AEC returns - disclosure of donations and expenditure  
**Importance:** High

Hi Brooke

Nicole is not at work today but said that she will get onto it tomorrow if that's ok.

Cheers,  
 Tania



**Tania Lethborg | Principal Legislative and Policy Officer**

Strategic Legislation and Policy  
 Department of Justice

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**e** [Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 3:21 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Cc:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Urgent AGO request re AEC returns - disclosure of donations and expenditure  
**Importance:** High



Hi Nicole

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]

I'm hoping this will be relatively straightforward and can be easily extracted from the AEC published information but if not, please let me know and we can have a look at how we might try to get that information.

<https://www.aec.gov.au/>

[https://www.aec.gov.au/Parties\\_and\\_Representatives/financial\\_disclosure/transparency-register/](https://www.aec.gov.au/Parties_and_Representatives/financial_disclosure/transparency-register/)

Thanks very much, and happy to chat if you need,

Cheers

Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926

**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

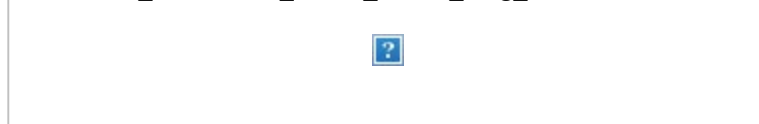
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Wailes, Gavin](#)  
**To:** [Craven, Brooke](#); [Poulter, Felicity](#)  
**Cc:** [Webster, Ginna](#)  
**Subject:** FW: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Date:** Thursday, 4 March 2021 1:55:30 PM  
**Attachments:** [image001.jpg](#)  
[image005.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.jpg](#)  
[image002.png](#)  
[image004.png](#)  
**Importance:** High

---

Hi Brooke,

[REDACTED]

[REDACTED]

Kind regards,

Gavin



**Gavin Wailes | Director Finance**

Finance

Department of Justice

**p** (03) 6165 4891

**e** [gavin.wailes@justice.tas.gov.au](mailto:gavin.wailes@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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---

**From:** Wailes, Gavin

**Sent:** Thursday, 4 March 2021 1:44 PM

**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Edwards, Richard <[Richard.Edwards@justice.tas.gov.au](mailto:Richard.Edwards@justice.tas.gov.au)>

**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for



Electoral

**Importance:** High

Hi Brooke,

You're on the phone, so haven't been able to catch you.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Happy to discuss.

Kind regards,

Gavin



**Gavin Wailes | Director Finance**

Finance  
Department of Justice

**p** (03) 6165 4891

**e** [gavin.wailes@justice.tas.gov.au](mailto:gavin.wailes@justice.tas.gov.au)

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---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Thursday, 4 March 2021 8:17 AM  
**To:** Edwards, Richard <[Richard.Edwards@justice.tas.gov.au](mailto:Richard.Edwards@justice.tas.gov.au)>; Wailes, Gavin <[Gavin.Wailes@justice.tas.gov.au](mailto:Gavin.Wailes@justice.tas.gov.au)>  
**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Re: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral

234.

Fantastic, thanks Richard - and we will include these notes in the paper.

Really appreciate you looking at this so quickly for us, and building such a helpful model too..

Cheers  
Brooke

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

**From:** Edwards, Richard <[Richard.Edwards@justice.tas.gov.au](mailto:Richard.Edwards@justice.tas.gov.au)>  
**Sent:** Thursday, March 4, 2021 8:09:08 AM  
**To:** Wailes, Gavin <[Gavin.Wailes@justice.tas.gov.au](mailto:Gavin.Wailes@justice.tas.gov.au)>; Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral

235.

Hi Brooke, the numbers in the note look correct when I have plugged in the same variables in the model.

[REDACTED]

Thanks  
Richard

---

**From:** Wailes, Gavin <[Gavin.Wailes@justice.tas.gov.au](mailto:Gavin.Wailes@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 10:39 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Edwards, Richard <[Richard.Edwards@justice.tas.gov.au](mailto:Richard.Edwards@justice.tas.gov.au)>

236.



**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral

Hi Brooke,

[REDACTED]

Kind regards,

Gavin



**Gavin Wailes | Director Finance**

Finance

Department of Justice

**p** (03) 6165 4891

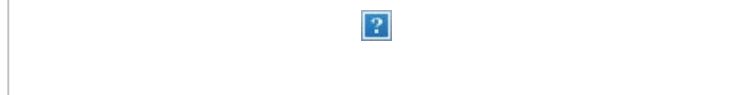
**e** [gavin.wailes@justice.tas.gov.au](mailto:gavin.wailes@justice.tas.gov.au)

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---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>

**Sent:** Wednesday, 3 March 2021 6:28 PM

**To:** Wailes, Gavin <[Gavin.Wailes@justice.tas.gov.au](mailto:Gavin.Wailes@justice.tas.gov.au)>; Bennett, Richard <[Richard.Bennett@justice.tas.gov.au](mailto:Richard.Bennett@justice.tas.gov.au)>

**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** FW: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral

**Importance:** High

Hi Gavin and Richard

[REDACTED]

[REDACTED]

237.



[REDACTED]

Apologies for the short timeframe, we only received the request this afternoon and the Cabinet Minute is due to be finalised and presumably lodged tomorrow. I will be in the office or on my mobile if that helps.

Cheers  
Brooke

---

**From:** Craven, Brooke  
**Sent:** Wednesday, 3 March 2021 6:24 PM  
**To:** Patterson, Eleanor (Treasury) <[Eleanor.Patterson@treasury.tas.gov.au](mailto:Eleanor.Patterson@treasury.tas.gov.au)>; Faletic, Dana (Treasury) <[dana.faletic@treasury.tas.gov.au](mailto:dana.faletic@treasury.tas.gov.au)>  
**Cc:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Gibson, Martin (DPaC) <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Subject:** Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Importance:** High

238.

Hi Eleanor and Dana

[REDACTED]

[REDACTED]

Martin, I have just copied you in for information as part of the project team but feel free to have a look and comment too if you like.

Best regards  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

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239.

**From:** [Craven, Brooke](#)  
**To:** [Gilbertson, Rowena \(DPaC\)](#)  
**Cc:** [Hollick, Sean \(DPaC\)](#); [Webster, Ginna](#); [Poulter, Felicity](#)  
**Subject:** Public Funding - further modelling request  
**Date:** Thursday, 4 March 2021 10:37:39 AM  
**Attachments:** [REDACTED]  
[image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

239.1

---

Hi Row

[REDACTED]

Let me know if you need me to send through the XL spreadsheet model again.

Thanks

Brooke



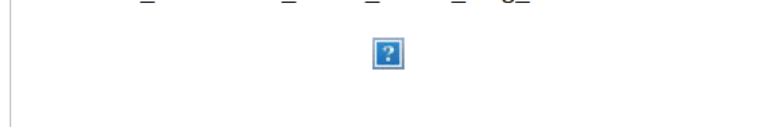
**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Public Funding Modelling.docx  
**Date:** Thursday, 4 March 2021 10:26:17 AM  
**Attachments:**   
[image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

240.

240.1

---

Hi Fliss

Do these additional words look ok?

Thanks

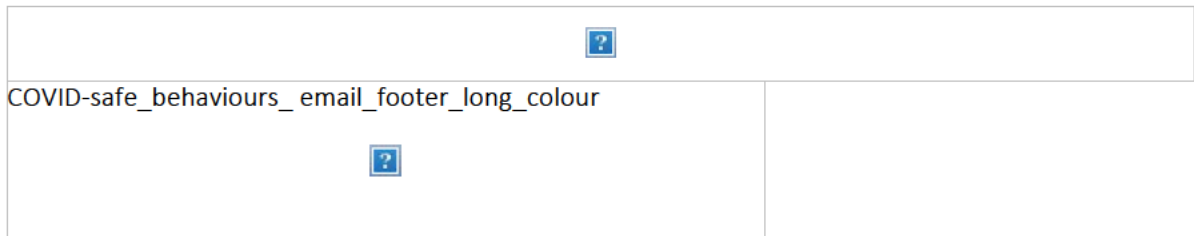
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

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**From:** [Craven, Brooke](#)  
**To:** [Gilbertson, Rowena \(DPaC\)](#)  
**Cc:** [Hollick, Sean \(DPaC\)](#); [Webster, Ginna](#); [Poulter, Felicity](#)  
**Subject:** RE: Public Funding - further modelling request  
**Date:** Thursday, 4 March 2021 3:44:42 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)  
[REDACTED]

241.

241.1

---

Hi Row

[REDACTED]

[REDACTED]

Cheers  
Brooke

---

**From:** Gilbertson, Rowena <[Rowena.Gilbertson@dpac.tas.gov.au](mailto:Rowena.Gilbertson@dpac.tas.gov.au)>  
**Sent:** Thursday, 4 March 2021 3:08 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Hollick, Sean (DPaC) <[Sean.Hollick@dpac.tas.gov.au](mailto:Sean.Hollick@dpac.tas.gov.au)>; Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Public Funding - further modelling request

242.

Thanks Brooke.

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Thursday, 4 March 2021 2:12 PM  
**To:** Gilbertson, Rowena <[Rowena.Gilbertson@dpac.tas.gov.au](mailto:Rowena.Gilbertson@dpac.tas.gov.au)>  
**Cc:** Hollick, Sean <[Sean.Hollick@dpac.tas.gov.au](mailto:Sean.Hollick@dpac.tas.gov.au)>; Webster, Ginna (DoJ) <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity (DoJ) <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Public Funding - further modelling request  
**Importance:** High

243.

Hi Row

[REDACTED]

[REDACTED]

Cheers  
Brooke

---

**From:** Craven, Brooke  
**Sent:** Thursday, 4 March 2021 10:37 AM  
**To:** Gilbertson, Rowena (DPaC) <[Rowena.Gilbertson@dpac.tas.gov.au](mailto:Rowena.Gilbertson@dpac.tas.gov.au)>  
**Cc:** Hollick, Sean (DPaC) <[Sean.Hollick@dpac.tas.gov.au](mailto:Sean.Hollick@dpac.tas.gov.au)>; Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Public Funding - further modelling request

244.

Hi Row



[REDACTED]

We had our Treasury IDC contact check the figures as well.  
Let me know if you need me to send through the XL spreadsheet model again.

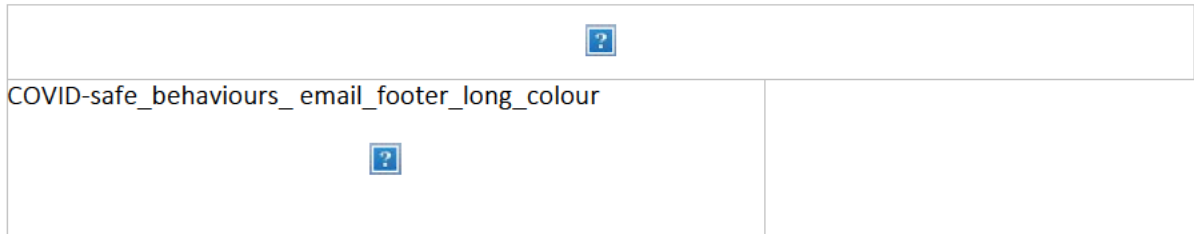
Thanks  
Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: Public Funding Modelling.docx  
**Date:** Thursday, 4 March 2021 10:31:48 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

Great thanks I will send it off now..

B

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Thursday, 4 March 2021 10:31 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Subject:** RE: Public Funding Modelling.docx

Thanks Brooke – I have read through and this looks fine to me  
 Cheers

F

---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Thursday, 4 March 2021 10:26 AM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Public Funding Modelling.docx

Hi Fliss

Do these additional words look ok?

Thanks  
 Brooke



**Brooke Craven | Director**  
 Strategic Legislation and Policy  
 Department of Justice

**p** (03) 6165 4926

**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Patterson, Eleanor](#)  
**To:** [Craven, Brooke](#); [Faletic, Dana](#) (Treasury)  
**Cc:** [Poulter, Felicity](#); [Gibson, Martin](#) (DPaC)  
**Subject:** RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Date:** Thursday, 4 March 2021 7:40:48 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image004.jpg](#)

Hi Brooke

The calculations look fine based on the model that was developed by Justice.

Cheers  
 Eleanor

---

**From:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Sent:** Wednesday, 3 March 2021 6:24 PM  
**To:** Patterson, Eleanor <Eleanor.Patterson@treasury.tas.gov.au>; Faletic, Dana <Dana.Faletic@treasury.tas.gov.au>  
**Cc:** Poulter, Felicity (DoJ) <Felicity.Poulter@justice.tas.gov.au>; Gibson, Martin (DPaC) <Martin.Gibson@dpac.tas.gov.au>  
**Subject:** Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Importance:** High

249.

Hi Eleanor and Dana

[REDACTED]

[REDACTED]

Martin, I have just copied you in for information as part of the project team but feel free to have a look and comment too if you like.

Best regards  
 Brooke



**Brooke Craven** | Director  
 Strategic Legislation and Policy  
 Department of Justice  
 p (03) 6165 4926  
 e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
 w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** TEC Public Funding Modelling.docx  
**Date:** Thursday, 4 March 2021 3:21:47 PM  
**Attachments:** [REDACTED]  
[image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

250.1

250.2

---

Hi Fliss

[REDACTED]

[REDACTED]

You can see the workings in the attached spreadsheet if you need (I won't send these on as AGO won't need them).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I have some urgent VAD stuff coming through from Parli so not 100% sure if I can meet at 4 still but will try!

Cheers  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

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 e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
 w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Edwards, Richard](#)  
**To:** [Wailles, Gavin](#); [Craven, Brooke](#)  
**Cc:** [Webster, Ginna](#); [Poulter, Felicity](#)  
**Subject:** RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Date:** Thursday, 4 March 2021 8:09:10 AM  
**Attachments:** [image002.jpg](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.jpg](#)

Hi Brooke, the numbers in the note look correct when I have plugged in the same variables in the model.

[REDACTED]

[REDACTED]

Thanks  
Richard

**From:** Wailles, Gavin <Gavin.Wailles@justice.tas.gov.au>  
**Sent:** Wednesday, 3 March 2021 10:39 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>; Edwards, Richard <Richard.Edwards@justice.tas.gov.au>  
**Cc:** Webster, Ginna <Ginna.Webster@justice.tas.gov.au>; Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Subject:** RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral

252.

Hi Brooke,

[REDACTED]

Kind regards,

Gavin



**Gavin Wailles | Director Finance**

Finance

Department of Justice

p (03) 6165 4891

e [gavin.wailles@justice.tas.gov.au](mailto:gavin.wailles@justice.tas.gov.au)

w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 6:28 PM  
**To:** Wailes, Gavin <[Gavin.Wailes@justice.tas.gov.au](mailto:Gavin.Wailes@justice.tas.gov.au)>; Bennett, Richard <[Richard.Bennett@justice.tas.gov.au](mailto:Richard.Bennett@justice.tas.gov.au)>  
**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** FW: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Importance:** High

253.

Hi Gavin and Richard

[REDACTED]

[REDACTED]

Apologies for the short timeframe, we only received the request this afternoon and the Cabinet Minute is due to be finalised and presumably lodged tomorrow. I will be in the office or on my mobile if that helps.

Cheers  
Brooke

---

**From:** Craven, Brooke  
**Sent:** Wednesday, 3 March 2021 6:24 PM  
**To:** Patterson, Eleanor (Treasury) <[Eleanor.Patterson@treasury.tas.gov.au](mailto:Eleanor.Patterson@treasury.tas.gov.au)>; Faletic, Dana (Treasury) <[dana.faletic@treasury.tas.gov.au](mailto:dana.faletic@treasury.tas.gov.au)>  
**Cc:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Gibson, Martin (DPaC) <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Subject:** Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Importance:** High

254.

Hi Eleanor and Dana



[REDACTED]

[REDACTED]



Martin, I have just copied you in for information as part of the project team but feel free to have a look and comment too if you like.

Best regards  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice  
**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Wailles, Gavin](#); [Edwards, Richard](#)  
**Cc:** [Webster, Ginna](#); [Poulter, Felicity](#)  
**Subject:** Re: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Date:** Thursday, 4 March 2021 8:15:14 AM  
**Attachments:** [image002.jpg](#)  
[image007.png](#)  
[image008.png](#)  
[image011.jpg](#)  
[image001.png](#)  
[image003.png](#)

---

Hi Gavin

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Hope this helps, and no issues if you want to talk directly to Andrew too.

Cheers  
Brooke

Director, Strategic Legislation and Policy  
 Department of Justice Tasmania  
 03 6165 4926

From: Wailles, Gavin  
 Sent: Wednesday, 3 March, 10:39 pm  
 Subject: RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
 To: Craven, Brooke, Edwards, Richard  
 Cc: Webster, Ginna, Poulter, Felicity

256.

Hi Brooke,

[REDACTED]



[REDACTED]

Kind regards,

Gavin

[REDACTED]

**Gavin Wailes**

|

**Director Finance**

Finance

Department of Justice

**p**

(03) 6165 4891

**e**

[gavin.wailes@justice.tas.gov.au](mailto:gavin.wailes@justice.tas.gov.au)

**w**

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**From:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>

**Sent:** Wednesday, 3 March 2021 6:28 PM

**To:** Wailes, Gavin <Gavin.Wailes@justice.tas.gov.au>; Bennett, Richard <Richard.Bennett@justice.tas.gov.au>

257.



**Cc:** Webster, Ginna <Ginna.Webster@justice.tas.gov.au>; Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Subject:** FW: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Importance:** High

Hi Gavin and Richard

[REDACTED]

[REDACTED]

Apologies for the short timeframe, we only received the request this afternoon and the Cabinet Minute is due to be finalised and presumably lodged tomorrow. I will be in the office or on my mobile if that helps.

Cheers  
Brooke

**From:** Craven, Brooke  
**Sent:** Wednesday, 3 March 2021 6:24 PM  
**To:** Patterson, Eleanor (Treasury) <[Eleanor.Patterson@treasury.tas.gov.au](mailto:Eleanor.Patterson@treasury.tas.gov.au)>; Faletic, Dana (Treasury) <[dana.faletic@treasury.tas.gov.au](mailto:dana.faletic@treasury.tas.gov.au)>  
**Cc:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Gibson, Martin (DPaC) <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Subject:** Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Importance:** High

258.

Hi Eleanor and Dana

[REDACTED]

[REDACTED]



[REDACTED]

Martin, I have just copied you in for information as part of the project team but feel free to have a look and comment too if you like.

Best regards  
Brooke

[REDACTED]

**Brooke Craven**

|  
**Director**

Strategic Legislation and Policy

Department of Justice

**p**

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[REDACTED]







**From:** [Craven, Brooke](#)  
**To:** [Edwards, Richard](#); [Wailles, Gavin](#)  
**Cc:** [Webster, Ginna](#); [Poulter, Felicity](#)  
**Subject:** Re: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Date:** Thursday, 4 March 2021 8:16:34 AM  
**Attachments:** [image002.jpg](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.jpg](#)

---

Fantastic, thanks Richard - and we will include these notes in the paper.

Really appreciate you looking at this so quickly for us, and building such a helpful model too..

Cheers  
 Brooke

Director, Strategic Legislation and Policy  
 Department of Justice Tasmania  
 03 6165 4926

---

**From:** Edwards, Richard <Richard.Edwards@justice.tas.gov.au>  
**Sent:** Thursday, March 4, 2021 8:09:08 AM  
**To:** Wailles, Gavin <Gavin.Wailles@justice.tas.gov.au>; Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Cc:** Webster, Ginna <Ginna.Webster@justice.tas.gov.au>; Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Subject:** RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral

260.

Hi Brooke, the numbers in the note look correct when I have plugged in the same variables in the model.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks  
 Richard

---

**From:** Wailles, Gavin <Gavin.Wailles@justice.tas.gov.au>  
**Sent:** Wednesday, 3 March 2021 10:39 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>; Edwards, Richard <Richard.Edwards@justice.tas.gov.au>  
**Cc:** Webster, Ginna <Ginna.Webster@justice.tas.gov.au>; Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>

261.



**Subject:** RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral

Hi Brooke,

[REDACTED]

Kind regards,

Gavin



**Gavin Wailes | Director Finance**

Finance  
Department of Justice

**p** (03) 6165 4891

**e** [gavin.wailes@justice.tas.gov.au](mailto:gavin.wailes@justice.tas.gov.au)

**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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---

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>

**Sent:** Wednesday, 3 March 2021 6:28 PM

**To:** Wailes, Gavin <[Gavin.Wailes@justice.tas.gov.au](mailto:Gavin.Wailes@justice.tas.gov.au)>; Bennett, Richard <[Richard.Bennett@justice.tas.gov.au](mailto:Richard.Bennett@justice.tas.gov.au)>

**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** FW: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral

**Importance:** High

Hi Gavin and Richard

[REDACTED]

[REDACTED]

262.



Apologies for the short timeframe, we only received the request this afternoon and the Cabinet Minute is due to be finalised and presumably lodged tomorrow. I will be in the office or on my mobile if that helps.

Cheers  
Brooke

---

**From:** Craven, Brooke  
**Sent:** Wednesday, 3 March 2021 6:24 PM  
**To:** Patterson, Eleanor (Treasury) <[Eleanor.Patterson@treasury.tas.gov.au](mailto:Eleanor.Patterson@treasury.tas.gov.au)>; Faletic, Dana (Treasury) <[dana.faletic@treasury.tas.gov.au](mailto:dana.faletic@treasury.tas.gov.au)>  
**Cc:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Gibson, Martin (DPaC) <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Subject:** Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Importance:** High

263.

Hi Eleanor and Dana

[REDACTED]

[REDACTED]

Martin, I have just copied you in for information as part of the project team but feel free to have a look and comment too if you like.

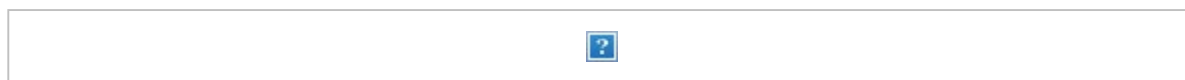
Best regards  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
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**From:** [Wailles, Gavin](#)  
**To:** [Craven, Brooke](#); [Edwards, Richard](#)  
**Cc:** [Webster, Ginna](#); [Poulter, Felicity](#)  
**Subject:** RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Date:** Thursday, 4 March 2021 1:44:11 PM  
**Attachments:** [image001.jpg](#)  
[image005.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.jpg](#)  
[image002.png](#)  
**Importance:** High

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Hi Brooke,

You're on the phone, so haven't been able to catch you.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Happy to discuss.

Kind regards,

Gavin



**Gavin Wailles | Director Finance**

Finance

Department of Justice

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265.

266.

[illegible]



Thanks  
Richard

---

**From:** Wailes, Gavin <[Gavin.Wailes@justice.tas.gov.au](mailto:Gavin.Wailes@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 10:39 PM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>; Edwards, Richard <[Richard.Edwards@justice.tas.gov.au](mailto:Richard.Edwards@justice.tas.gov.au)>  
**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral

267.

Hi Brooke,

[REDACTED]

Kind regards,

Gavin



**Gavin Wailes | Director Finance**

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**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Wednesday, 3 March 2021 6:28 PM  
**To:** Wailes, Gavin <[Gavin.Wailes@justice.tas.gov.au](mailto:Gavin.Wailes@justice.tas.gov.au)>; Bennett, Richard <[Richard.Bennett@justice.tas.gov.au](mailto:Richard.Bennett@justice.tas.gov.au)>  
**Cc:** Webster, Ginna <[Ginna.Webster@justice.tas.gov.au](mailto:Ginna.Webster@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** FW: Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Importance:** High

268.

Hi Gavin and Richard



[REDACTED]

[REDACTED]

Apologies for the short timeframe, we only received the request this afternoon and the Cabinet Minute is due to be finalised and presumably lodged tomorrow. I will be in the office or on my mobile if that helps.

Cheers  
Brooke

---

**From:** Craven, Brooke  
**Sent:** Wednesday, 3 March 2021 6:24 PM  
**To:** Patterson, Eleanor (Treasury) <[Eleanor.Patterson@treasury.tas.gov.au](mailto:Eleanor.Patterson@treasury.tas.gov.au)>; Faletic, Dana (Treasury) <[dana.faletic@treasury.tas.gov.au](mailto:dana.faletic@treasury.tas.gov.au)>  
**Cc:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>; Gibson, Martin (DPaC) <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Subject:** Urgent - Internal deliberative - public funding request for draft Cabinet Minute for Electoral  
**Importance:** High

269.

Hi Eleanor and Dana

[REDACTED]

[REDACTED]

Martin, I have just copied you in for information as part of the project team but feel free to have a look and comment too if you like.

Best regards  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Cc:** [Lethborg, Tania](#)  
**Subject:** IDC paper - anonymous gifts - internal deliberative for IDC  
**Date:** Friday, 5 March 2021 11:22:46 AM  
**Attachments:**   
[image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

Hi Felicity

This looks great, thanks! Can we have a quick chat on Tuesday before we finalise this? I still have a few questions – apologies my track changes/comments are very rushed so I may have missed the point on some of this!

Also saved on G so feel free to work on the version there.

Cheers

Brooke



**Brooke Craven | Director**  
 Strategic Legislation and Policy  
 Department of Justice

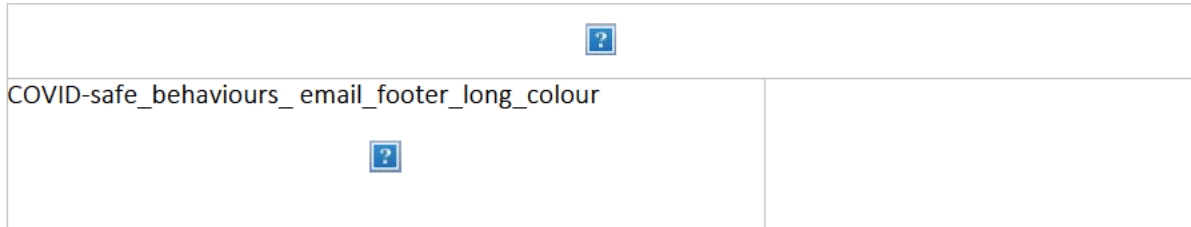
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w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Cc:** [Lethborg, Tania](#)  
**Subject:** RE: IDC paper - anonymous gifts - internal deliberative for IDC  
**Date:** Friday, 5 March 2021 11:41:58 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

PS – [REDACTED]

Looks like another one where a comparative table might be handy if its quicker/easier than writing it all out in words?

Cheers

B

---

**From:** Craven, Brooke  
**Sent:** Friday, 5 March 2021 11:22 AM  
**To:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Cc:** Lethborg, Tania <Tania.Lethborg@justice.tas.gov.au>  
**Subject:** IDC paper - anonymous gifts - internal deliberative for IDC

Hi Felicity

This looks great, thanks! Can we have a quick chat on Tuesday before we finalise this? I still have a few questions – apologies my track changes/comments are very rushed so I may have missed the point on some of this!

Also saved on G so feel free to work on the version there.

Cheers

Brooke



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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** NSW provisions - donations and expenditure  
**Date:** Wednesday, 10 March 2021 2:59:50 PM  
**Attachments:** [image001.png](#)  
[image004.jpg](#)  
[image002.png](#)

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Hi Fliss

[REDACTED]

Cheers  
Brooke

## NSW

### Thresholds/timeframes for political donations and electoral expenditure reporting

Electoral expenditure and donations reporting sits together in the Act – re who is responsible for reporting for parties, members, candidates etc

12 month financial year \$1,000 aggregated threshold ending 30 June

Reporting of donations during pre-election period within 21 days of donation being received or made (or shorter period prescribed in Regs)

Reporting of donations at other times within 4 weeks after the 6-month (half year) period in which the donation was received or made (or longer period prescribed in Regs)

For House of Assembly 1 October before year of election, for others from day of issue of writ to election day

Disclosure of electoral expenditure within 12 weeks of each relevant disclosure period

Disclosure is a declaration lodged with EC in manner or form prescribed in Regulations or approval by EC and EC may approve electronic or internet based lodgement – including nil return

Regulations may allow for a single declaration in a relevant period of disclosures if person or entity qualifies as more than one of associated entity, 3P campaigner, political donor

Regulations may allow for a single declaration in a relevant period of disclosures if party agent of a registered party in relation to – party, elected members, candidates, groups, associated entities – but must separately ID each

Electoral expenditure disclosure by a party to include as far as possible details of electoral expenditure incurred substantially for a particular electoral district

Reportable political donations – details to be included set out

Disclosure of political donations that are not reportable (small donations) to include total amount of donations and total number of persons who donated (doesn't apply to 3P campaigners and political donors)

Disclosure of political donations by party to include total amount of annual or other subscriptions, each subscription rate, number of members who paid – if not a reportable political donation

Disclosure of fundraising ventures or functions to include net or gross proceeds of each and brief details but not any amount that is separately disclosed as a political donation

Disclosure is to include loans (details provided)

Electoral expenditure to be disclosed – obligation of a party can be complied with by lodging a copy of the AEC return in respect of that period

NOTE – Caps on donations not reproduced here



## **Management requirements and campaign accounts**

Management requirements for parties – unlawful for donations to a party to be used other than for objects and activities of the party including administration of party and community activities and electoral expenditure. Unlawful for parties to make payments for electoral expenditure unless made from a State campaign account

Campaign accounts of parties – are to be separate accounts in an authorised deposit taking institution denominated in Australian dollars. Political donations to party, or party agent on behalf of elected member, candidate, group, contributions by candidates to finance own election campaigns, public funding by State, money borrowed, money belonging, bequest, proceeds of investment or disposal of property, money of a kind prescribed by Regulations

Defines what cannot be paid into a campaign account including administrative funding, party subscriptions that are not political donations, money of a kind prescribed by Regulations

Does not prevent payments from State campaign account that are for other than electoral expenditure

If donation to party agent on behalf of elected member, group or candidate then to be accounted for separately

Regulations may make provision for or with respect to campaign accounts

Management requirements for elected members, groups and candidates – if a party agent is responsible for making disclosure – unlawful for political donations to be accepted unless paid to party agent. Unlawful to be used to incur electoral expenditure unless were paid by party agent into campaign account of party. Unlawful for party agents to make payment for electoral expenditure unless made from the campaign account. And candidate or group must be registered under the Act. The guidelines of the EC can exclude minor payments from this section.

Management requirements for elected members, groups and candidates – independents – unless to accept political donations unless group or candidate is registered under the Act, unlawful for political donations to be used to incur electoral expenditure unless paid into campaign account and payment made from that campaign account and candidate or group is registered under the Act. Subject to Regulations an individual may be appointed in writing by an elected member, candidate or group to accept political donations or make payments on their behalf.

Unlawful for political donations to elected member, group or candidate to be used otherwise than to incur electoral expenditure or reimburse a person for incurring electoral expenditure or for any other purpose authorised by this Act.

Not unlawful to accept donations and incur electoral expenditure without a campaign account if political donations are not reportable and total donations and expenditure is <\$1,000 etc.

Note – also separate provisions for Campaign accounts of elected members, groups or candidates

Management requirements for 3P campaigners – unlawful to pay electoral expenditure for a State election or accept political donations for purpose of that expenditure unless – registered under this Act in State Register of 3P campaigners, has an official agent, and payments made by and donations to, that agent. Unlawful for electoral expenditure or use political donations for any purpose unless made by official agent from campaign account kept in accordance with this Division. Subject to Regulations an individual may be appointed in writing by official agent to accept political donations or make payments on their behalf.

Management requirements for associated entities – unlawful to pay electoral expenditure for a State election or accept political donations for purpose of that expenditure unless – registered under this Act in Register of Associated Entities, has official agent, and payments made by and donations to, that



agent. Unlawful for electoral expenditure or use political donations for any purpose unless made by official agent from campaign account kept in accordance with this Division. Subject to Regulations an individual may be appointed in writing by official agent to accept political donations or make payments on their behalf.

Campaign accounts of 3P campaigners and associated entities to be separate accounts in an authorised deposit taking institution denominated in Australian dollars. Any amount of a kind prescribed by Regulations cannot be paid into 3P campaign account. Does not prevent payments from State campaign account that are for other than electoral expenditure.

General – unlawful for person to accept a reportable political donation required to be disclosed under this Part unless make a record of the details and provide a receipt. Does not apply if not a reportable donation at the time it is received.

### **Prohibition on certain political donations**

Identification of persons – unlawful for political donation to party, elected member, group, candidate, associated entity or 3P to be accepted unless donor is an individual who is enrolled or has supplied to EC identification acceptable to EC with full name and Australian residential address or an entity with relevant business number or principle or executive officer has supplied to EC identification acceptable to EC showing principle or executive officer's full name and Australian residential address. Regulations may make provision as to what identification is acceptable for the purposes of this section.

Prohibition on certain indirect campaign contributions – unlawful to make indirect campaign contributions to a party, elected member, group or candidate – provision of office accommodation, vehicles, computers or other equipment for no consideration or inadequate consideration for use solely or substantially for election campaign purposes; full or part payment by a person other than (the above) of electoral expenditure for advertising or other purposes incurred or to be incurred by (the above) or an agreement to make such a payment; waiving of all or part of payment to the person by (the above) of electoral expenditure for advertising incurred or to be incurred by (the above); any other goods or services of a kind prohibited by the Regulations. Electoral expenditure for advertising is taken to be incurred if authorised by (the above). Unlawful for any person to accept any such indirect campaign contribution.

An indirect campaign contribution does not include – [volunteer labour, incidental or ancillary use of vehicles, equipment, volunteers, or other things authorised by guidelines of EC; anything done or provided by a party for the candidates endorsed by the party, or for the benefit of a registered party or group whose value as a gift does not exceed \$6,100 unless total over same financial year exceeds that; similar with \$2,700 threshold for gift in a year for party that is not a registered party, elected member, candidate, payment of public funding, any other thing of a kind permitted by Regulations].

Prohibition on political donations to independent candidates by 3P and associated entities and persons – unlawful for a party, candidate or elected member endorsed by a party or an associated entity to make a political donation to a candidate or group not endorsed by that party or any other party; unlawful for such candidate or group to accept the political donation.

Prohibition on receiving gifts of unknown source – unlawful to accept a reportable political donation required to be disclosed unless – name and address of person is known to person accepting and person gives their name and address and person accepting has not grounds to believe not true.

Prohibition on receiving loans unless details recorded – unlawful to receive a reportable loan (other than from financial institution) unless records terms and conditions, name and address of entity or person making the loan. Separate loans to be aggregated within a relevant disclosure period (financial



year?) and each transaction using credit card is taken to be a separate loan.

Prohibition on political donations in cash that exceed \$100 – unlawful to make or accept political donation > value of \$100

### **Miscellaneous**

Fundraising ventures and functions – political donations <\$50 made by a person at a fundraising venture or function and the only such donation made at that venture or function – aggregation of donations does not apply to making of political donation or acceptance by a party, elected member, group, candidate, associated entity or 3P campaigner of political donations.

Recovery of unlawful donations and expenditure – if a person accepts a political donation, loan or indirect campaign contribution that is unlawful because of this Part, an amount equal to the amount or value of the donation, loan or contribution (or double if person knew it was unlawful) is payable by that person to the State and may be recovered by the EC as a debt due to the State from – the party, the person who received or the official agent.

EC may audit disclosures – EC may audit a declaration of disclosures under this Part other than a declaration by a major political donor. Party, elected member, group, candidate, 3P campaigner or associated entity must assist the EC by giving full and free access at all reasonable times to all accounts and documents of person responsible for lodging declaration, party, elected member, group, candidate, 3P campaigner, associated entity relating directly or indirectly to any matter disclosed and giving EC all information and explanations reasonably asked for re any matter required to be set out in the declaration. EC may appoint an auditor to audit declarations of disclosures on its behalf. Auditor has and may exercise same functions. Audit is to be conducted in the manner specified in Regulations, if any.

Extension of date for making disclosure – person who is required but unable to lodge declaration of disclosures by the due date may before that date request EC to extend due date. EC may if satisfied good cause, extend to a date it considers appropriate in circumstances but cannot be extended or further extended by more than total 8 weeks. EC may as a condition of extension require person to lodge declaration containing disclosures the person is in a position to make at the time.

Amendment of disclosures – person who lodged under this Part (or their successor) may amend the declaration by lodging an amended declaration with the EC; in manner and form approved by EC. Obligations under X extend to both original and amended declaration. This section does not affect the liability for an offence in connection with a declaration that is amended.

### **Public funding of State election campaigns**

Definitions – actual campaign expenditure, period when incurred, the decision of the EC as to whether any expenditure is or is not electoral expenditure in accordance with this Act, the Regulations and EC guidelines determined under section X is final.

Establishment of Election Campaigns Fund – ECF to be kept by EC in respect of state elections. Payments from ECF are to be distributed in accordance with this Part.

Registered parties eligible – parties are subject to and in accordance with this Act eligible for payments from the ECF in respect of a State election if – registered party on election day, endorses candidates who are duly nominated and EC is satisfied candidates claim to be endorsed by the party, satisfies at least one of party eligibility criteria [total no first preference votes by all endorsed candidates at least 4% of total all electoral districts in which candidates duly nominated; at least one



of endorsed candidates is elected].

Amount of public funding for eligible parties – Amount to be distributed from ECF is \$4 per first preference vote by endorsed candidate and \$3 in periodic Council election; or total amount of actual campaign expenditure of party and endorsed candidates, whichever is lesser. Note additional criteria re periodic Council elections [not relevant at this stage].

Candidates eligible for public funding – candidate duly nominated is eligible if – registered in Register of Candidates for election on election day; and [periodic Council elections]; and satisfies at least one of eligibility criteria – Assembly general or by-election – candidate is elected or total no first preference votes >4% in the electoral district in which duly nominated. Note additional criteria re periodic Council elections [not relevant at this stage].

Public funding for eligible independent candidates – candidates eligible for ECF other than endorsed candidates of a party above - \$4 per first preference vote or \$4.50 in periodic Council elections; or total amount actual campaign expenditure, whichever lesser. To be adjusted for inflation as provided by Schedule 1.

No public funding for endorsed candidates of eligible parties – candidates duly nominated for State general election endorsed by a party who is eligible for payments from ECF are not to be paid from ECF in respect of such an election. Party may direct in writing that part of amount to be distributed to the party is to be distributed to any such candidate.

Parties endorsing the same candidate or group – If EC satisfied >2 registered parties endorse the same candidate or group for a State election and candidates claim to be endorsed by those parties – these parties are taken to constitute one registered party and amount payable otherwise to that one registered party is payable to those 2 or more registered parties as shared funding – in equal shares or such other shares as party agents agree and are specified in a direction in writing signed by them and served on EC. If a registered party would otherwise be entitled to be paid 2 or more amounts the party is to be paid only one of those amounts, being the largest.

Advance payments – registered party eligible for advance payment from ECF for electoral expenditure incurred in connection with a general election – equal to 50% of total amount entitled under previous election. May be paid as a lump sum or instalments at any time after commencement of expenditure period. Amount is to be deducted from amount payable under this Part to a party from ECF in respect of that election. If party receives advance payment in excess of amount if any it becomes entitled to under this Part from ECF it must repay excess to EC within 60 days of return of the writs for that election. Any amount received as advance payment must be repaid to EC on demand of EC if party does not contest general election, before election party ceases to operate or be registered, or has or is being dissolved or wound up. Any amount required to be repaid under this section may be recovered by the EC as a debt in any court of competent jurisdiction.

### ***General provisions relating to funding***

EC may audit claims – EC may audit claims under this Part; party agent, party or candidate must assist EC by giving full and free access at all reasonable times to all accounts, records, papers and documents of agent responsible for lodging claim, and of party or candidate, relating directly or indirectly to any expenditure referred to in the claim and giving EC all information and explanations reasonably asked for re any expenditure referred to in the claim. Max penalty 100 penalty units. EC may appoint an auditor to audit declarations of disclosures on its behalf. Auditor has and may exercise same functions. Audit is to be conducted in the manner specified in Regulations, if any.

Expenditure to be vouched for – A claim under this Part not validly lodged with EC unless all expenditure specified in claim is vouched for in manner prescribed by the Regulations.

Making of payments – payment to party or candidate is to be made to the party or party agent as the case requires under this Part. EC may instead if it thinks proper to do so in circumstances direct



whole or part of payment to be made to specified account with a financial institution established for or in trust for a party, members of a party or a candidate. Payments to a candidate are required to be paid into campaign account of the candidate if such an account is required to be kept under Div X. Subject to and in accordance with Regulations the EC may if it thinks fit in circumstances direct whole or part of payment to a person, body or organisation other than party or party agent. Except as prescribed by Regulations, details of such direction to be in EC report for the period. Payments to agent can be subject to reasonable conditions re disbursement as EC determines. Agent must comply with any such condition applicable to the agent or their predecessors. Max penalty 100 penalty units. Defence to prosecution if agent establishes didn't know or couldn't reasonably have known condition applied. If payment made and recipient not entitled to receive whole or part, because of false statement or otherwise, amount may be recovered by EC in any court of competent jurisdiction.

Prepayment on lodgement of claims – If EC cannot finalise claim for payment lodged for party within 14 days must make a preliminary payment within that 14 days – equal to 90% of amount estimated reduced by any advance payments. EC may but need not rely on information in the claim in determining the estimate. If party receives preliminary payment in excess of amount if any it becomes entitled under a claim for payment the excess must be repaid to EC within 60 days after EC notifies the party. Amount may be recovered by EC as a debt in any court of competent jurisdiction.

Payments conditional on disclosure of political donations – party or candidate not eligible for payment (other than advance payments) under this section while any failure to lodge a declaration (political donations and expenditure) or any annual financial statements (registered parties etc) for a past period continues in respect of the party or candidate. If EC authorised under X to recover an amount it may deduct any payment (other than an advance payment) under this Part.

Death of a candidate – if candidate dies and would otherwise have been entitled to a payment under this Part EC may pay the candidate's legal personal rep or otherwise in accordance with section X.

Deductions from payment for debt owed – EC may deduct from any payment due under this Part in respect of a party or candidate any overpayment or excess amount the EC is authorised under this part to recover as a debt.

Special provisions relating to groups – If alteration in composition of a group at periodic Council election and EC satisfied identity of group is substantially unaltered payments may be made as if unaltered.

Public access to claims and related docs – EC must keep a copy of each claim for payment and any docs relating to assessment of claim by EC for at least 6 years after election day for election to which they relate. EC must publish a copy of any claim on its website and may on application provide copies or extracts from any other doc relating to the assessment of the claim by the EC for public inspection.

***Administrative funding [note I haven't included new party policy development funding]***

Administrative payments – defines expenditure for administrative and operating expenses [see Act]. Decision on EC as to whether any expenditure is or is not administrative expenditure in accordance with the Act, Regulations and guidelines determined under section X is final. The Auditor-General or an auditor is for the purposes of this Act entitled to rely on any such decision of the EC.

Administrative Fund to be kept by EC in respect of parties and elected members. Payments distributed in accordance with the Division.

Funding of eligible parties - Parties eligible for quarterly payments from AF.





**Brooke Craven | Director**  
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Department of Justice

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**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Gibson, Martin](#)  
**To:** [Craven, Brooke](#)  
**Cc:** [Poulter, Felicity](#); [Holeywell-Jones, Alice \(DPaC\)](#)  
**Subject:** Draft Administrative funding paper  
**Date:** Friday, 12 March 2021 3:26:46 PM  
**Attachments:** [image001.png](#)

274.1

---

Hi Brooke

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] I will follow p re outstanding issues next week.

Martin

Martin Gibson | Senior Policy Analyst  
Policy Branch | Policy and Intergovernmental Relations Division  
Department of Premier and Cabinet  
Ph 6232 7132  
Level 7, 15 Murray St, Hobart | GPO Box 123, Hobart 7000  
cid:image001.png@01D2DB90.106B0B70



---

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**From:** [Craven, Brooke](#)  
**To:** [Gibson, Martin \(DPaC\)](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** Admin funding - quick note  
**Date:** Monday, 15 March 2021 12:14:07 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

275.

Hi Martin

Thanks again for looking at this – [REDACTED]

[REDACTED]

[REDACTED]

Apologies for the short note, I just thought I'd send this while it was on my mind in case it helps with updating the IDC Paper..

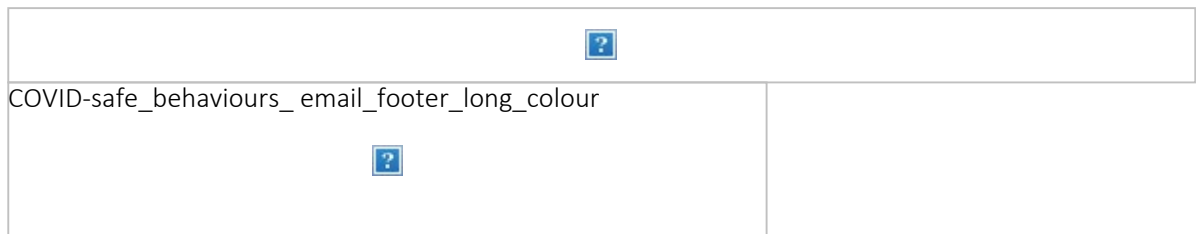
Cheers  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

p (03) 6165 4926  
e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Lugg, Nicole](#); [Lethborg, Tania](#); [Poulter, Felicity](#)  
**Subject:** Electoral Act catch up this morning  
**Date:** Monday, 15 March 2021 9:16:21 AM  
**Attachments:** [image001.png](#)  
[image004.jpg](#)  
[image005.png](#)

---

Hi all

Hope you had a great weekend!

Just a quick note for our catch up at 10 this morning if you can make it – [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Cheers

Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

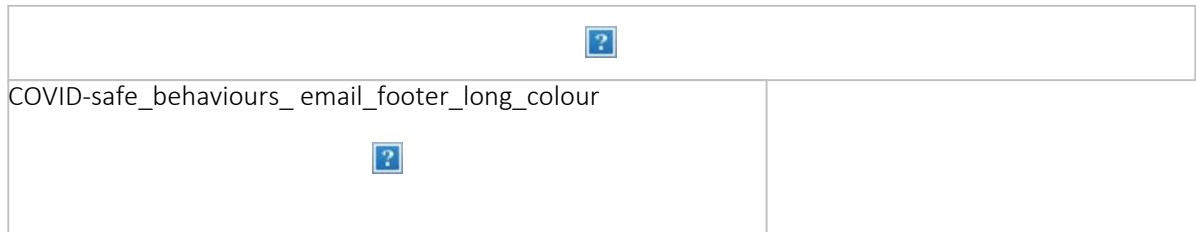
p (03) 6165 4926

e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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From: Lugg, Nicole  
To: Poulter, Felicity  
Subject: FW: campaign accounts table  
Date: Monday, 15 March 2021 1:56:42 PM  
Attachments: State Campaign Account Info Sheet for Registered Political Parties 2018/01/08.pdf  
Importance: High

277.

277.1

Ah my head is spinning!

From: Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
Sent: Monday 15 March 2021 1:55 PM  
To: Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>; Lugg, Nicole <Nicole.Lugg@justice.tas.gov.au>  
Subject: RE: campaign accounts table  
Importance: High

278.

Hi both

[REDACTED]

<https://www.elections.nsw.gov.au/Funding-and-disclosure/Campaign-accounts>

<https://www.ecq.qld.gov.au/election-participants/state-election-participants/candidates/notification-of-state-campaign-bank-account>

<https://www.vec.vic.gov.au/candidates-and-parties/funding>

<https://ntec.nt.gov.au/publications-and-reports/information-sheets>

[https://ntec.nt.gov.au/data/assets/pdf\\_file/0004/775075/Territory-campaign-account.pdf](https://ntec.nt.gov.au/data/assets/pdf_file/0004/775075/Territory-campaign-account.pdf)

SA see attached PDF fact sheet

<https://ecsa.sa.gov.au/component/edocman/parties-and-candidates/funding-and-disclosure/state-campaign-account-info-sheet-for-registered-political-parties-08-01-2018?highlight=WjZdGF0ZSIsInN0YXRJb3MlCiZdGF0ZScilCjYwW1wYWinbIsImFY291bnQlCiZdGF0ZSBIYW1wYWinbIsInN0YXRlIGNhbXBhaWduIGFjY291bnQlCjYwW1wYWinbIhY2NvdW50I0>

Hope this assists. Talk soon

[https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1819/Quick\\_Guides/ElectionFundingStates](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1819/Quick_Guides/ElectionFundingStates)

Cheers  
Brooke

From: Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
Sent: Monday 15 March 2021 12:58 PM  
To: Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
Subject: campaign accounts table  
Importance: High

279.



**From:** [Craven, Brooke](#)  
**To:** [Lethborg, Tania](#); [Lugg, Nicole](#); [Poulter, Felicity](#)  
**Subject:** Nominated entity  
**Date:** Monday, 15 March 2021 12:45:08 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

---

Hi all

Just a quick note –

[REDACTED]

Tania is this something you could look at and perhaps check with TEC unless you're already across it Nicole from your time there? We may need a quick inter-jurisdictional check if we can't get an easy answer. This one is not urgent, just didn't want it to fall through the cracks.

Thanks  
Brooke



**Brooke Craven | Director**  
 Strategic Legislation and Policy  
 Department of Justice

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**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

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**From:** [Gibson, Martin](#)  
**To:** [Craven, Brooke](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** RE: Admin funding - quick note  
**Date:** Monday, 15 March 2021 4:44:37 PM  
**Attachments:** [image001.png](#)  
[image004.png](#)  
[image005.jpg](#)

---

Thanks Brooke

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Cheers  
Martin



**From:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Sent:** Monday, 15 March 2021 12:14 PM  
**To:** Gibson, Martin <Martin.Gibson@dpac.tas.gov.au>  
**Cc:** Poulter, Felicity (DoJ) <Felicity.Poulter@justice.tas.gov.au>  
**Subject:** Admin funding - quick note

282.

Hi Martin

[REDACTED]

[REDACTED]

Apologies for the short note, I just thought I'd send this while it was on my mind in case it helps with updating the IDC Paper..

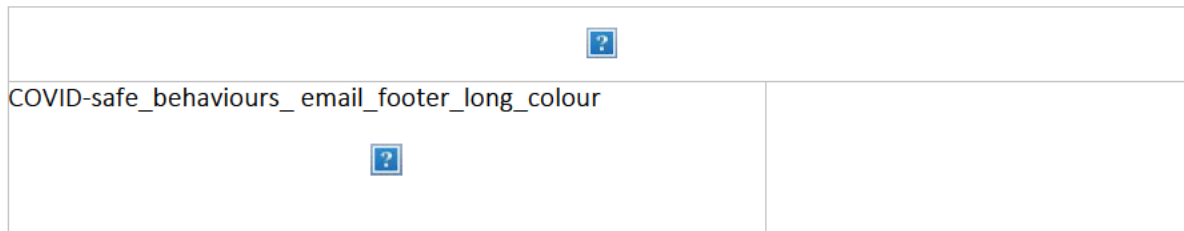
Cheers  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

**p** (03) 6165 4926  
**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#); [Lethborg, Tania](#); [Lugg, Nicole](#)  
**Subject:** RE: Nominated entity  
**Date:** Monday, 15 March 2021 12:58:26 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

**From:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Sent:** Monday, 15 March 2021 12:53 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>; Lethborg, Tania <Tania.Lethborg@justice.tas.gov.au>; Lugg, Nicole <Nicole.Lugg@justice.tas.gov.au>  
**Subject:** RE: Nominated entity

[REDACTED]

F

**From:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Sent:** Monday, 15 March 2021 12:45 PM  
**To:** Lethborg, Tania <[Tania.Lethborg@justice.tas.gov.au](mailto:Tania.Lethborg@justice.tas.gov.au)>; Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Nominated entity

Hi all

Just a quick note – [REDACTED]

[REDACTED]

[REDACTED]

Tania is this something you could look at and perhaps check with TEC unless you're already across it Nicole from your time there? We may need a quick inter-jurisdictional check if we can't get an easy answer. This one is not urgent, just didn't want it to fall through the cracks.

Thanks  
Brooke

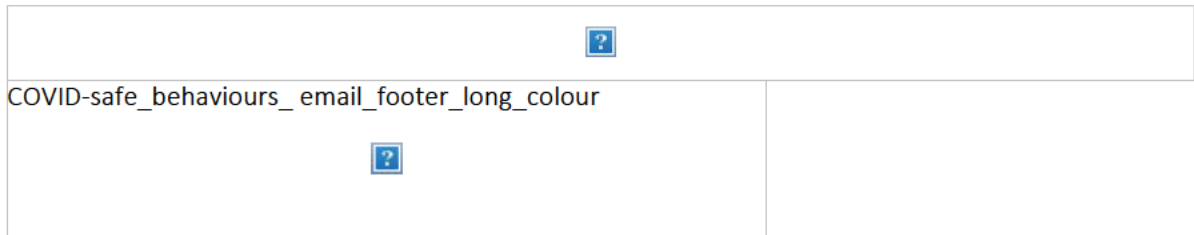




**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

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**e** [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
**w** [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Cc:** [Lugg, Nicole](#)  
**Subject:** State Campaign accounts - quick question  
**Date:** Monday, 15 March 2021 12:22:40 PM  
**Attachments:** [image001.png](#)  
[image004.jpg](#)  
[image005.png](#)  
**Importance:** High

---

Hi Fliss

[REDACTED]

[REDACTED]

Cheers

Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

p (03) 6165 4926

e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)

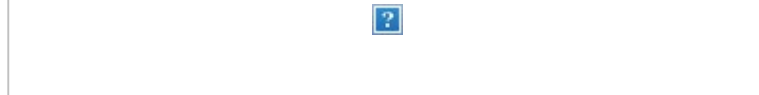
w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: campaign accounts table  
**Date:** Monday, 15 March 2021 1:12:44 PM

---

Hi Fliss

[REDACTED]

[REDACTED]

Cheers

B

---

**From:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Sent:** Monday, 15 March 2021 12:58 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Subject:** campaign accounts table  
**Importance:** High



**From:** [Craven, Brooke](#)  
**To:** [Gibson, Martin \(DPaC\)](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** Re: Revised definition of administrative funding  
**Date:** Tuesday, 16 March 2021 4:32:14 PM  
**Attachments:** [image001.png](#)

---

Thanks Martin

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Cheers  
Brooke

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

**From:** Gibson, Martin <Martin.Gibson@dpac.tas.gov.au>  
**Sent:** Tuesday, March 16, 2021 2:31:56 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Cc:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Subject:** Revised definition of administrative funding

Hi Brooke

Here is a revised definition of electoral funding using the NSW structure.

Happy to discuss.

Cheers

Martin



Martin Gibson | Senior Policy Analyst  
Policy Branch | Policy and Intergovernmental Relations Division  
Department of Premier and Cabinet  
Ph 6232 7132  
Level 7, 15 Murray St, Hobart | GPO Box 123, Hobart 7000

cid:image001.png@01D2DB90.106B0B70



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293.

**From:** [Gibson, Martin](#)  
**To:** [Craven, Brooke](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** Revised definition of administrative funding  
**Date:** Tuesday, 16 March 2021 2:32:50 PM  
**Attachments:** [image001.png](#)

293.1

---

Hi Brooke

Here is a revised definition of electoral funding using the NSW structure.

Happy to discuss.

Cheers

Martin

Martin Gibson | Senior Policy Analyst  
Policy Branch | Policy and Intergovernmental Relations Division  
Department of Premier and Cabinet  
Ph 6232 7132  
Level 7, 15 Murray St, Hobart | GPO Box 123, Hobart 7000  
cid:image001.png@01D2DB90.106B0B70



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**From:** [Craven, Brooke](#)  
**To:** [Gibson, Martin \(DPaC\)](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** Re: Revised definition of administrative funding  
**Date:** Tuesday, 16 March 2021 4:32:14 PM  
**Attachments:** [image001.png](#)

---

Thanks Martin

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Cheers  
Brooke

Director, Strategic Legislation and Policy  
Department of Justice Tasmania  
03 6165 4926

---

**From:** Gibson, Martin <Martin.Gibson@dpac.tas.gov.au>  
**Sent:** Tuesday, March 16, 2021 2:31:56 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Cc:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Subject:** Revised definition of administrative funding

295.

Hi Brooke

Here is a revised definition of electoral funding using the NSW structure.

Happy to discuss.

Cheers

Martin



Martin Gibson | Senior Policy Analyst  
Policy Branch | Policy and Intergovernmental Relations Division  
Department of Premier and Cabinet  
Ph 6232 7132  
Level 7, 15 Murray St, Hobart | GPO Box 123, Hobart 7000

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**From:** [Gibson, Martin](#)  
**To:** [Craven, Brooke](#); [Holeywell-Jones, Alice \(DPaC\)](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** updated administrative funding paper  
**Date:** Wednesday, 17 March 2021 12:20:11 PM  
**Attachments:** [image001.png](#)

296.

296.1

---

Hi Brooke

Here is the updated administrative funding paper for distribution to the IDC.

Please contact me if you would like to discuss.

Cheers

Martin

Martin Gibson | Senior Policy Analyst  
Policy Branch | Policy and Intergovernmental Relations Division  
Department of Premier and Cabinet  
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297.

**From:** [Lugg, Nicole](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** IDC paper and table in relation to Campaign Accounts  
**Date:** Thursday, 18 March 2021 10:06:11 AM  
**Attachments:** [REDACTED]  
[image001.png](#)  
**Importance:** High

---

297.1

[REDACTED]

Nicole Lugg | Senior Policy Analyst, Policy and Projects | Consumer, Building and Occupational Services |  
**Department of Justice**

**p:** (03) 6165 4751

PO Box 56 Rosny Park Tas 7018

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ISSUES PAPER

Is a state campaign account required in Tasmania as part of a donation disclosure and public funding scheme?

ISSUE:

[Redacted]

Background

[Redacted]

[Redacted]

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

[Redacted]



## Other jurisdictions

NSW was the first jurisdiction in Australia to introduce a funding and disclosure scheme in 1981. It introduced the concept of a campaign account as part of legislative amendments in 2010 establishing new rules for the management of campaign finances.

Since then Queensland, South Australia, Victoria and the NT have adopted the use of a campaign account in their electoral legislation. However, as the funding and disclosure system differs within each jurisdiction so does the purpose of the campaign account.

A table has been prepared comparing aspects of the campaign account in each jurisdiction (see Table I).

Neither WA nor ACT require campaign accounts, but both have public funding.

In relation to public funding in WA, the *Electoral Act 1907* simply provides that payment is to be made to a party agent or the representative of the candidate.

Further research was undertaken into the ACT experience as it is the only jurisdiction which uses the Hare-Clark system, and it has both public funding and donation disclosure without caps.

It is noted that campaign accounts, known as “ACT election accounts”, were introduced into the ACT in July 2012. This was part of wider amendments to introducing substantial changes to the funding, expenditure and financial disclosure provisions that included caps on the amount of gifts that could be used for ACT elections, caps on the amount of expenditure that could be incurred on ACT elections, more frequent disclosure of gifts received, and payment to political parties with Assembly representatives for administrative purposes

The explanatory memorandum to the amendment bill noted that introducing election accounts was part of a regime to enforce breaches of caps on electoral expenditure and donations.

After the ACT Territory Election in October 2012, ElectionsACT (the Commission) released the *Report on the ACT Legislative Assembly Election 2012* in which it assessed several of the changes introduced on 1 July 2012.

Of particular note is that the Commission recommended that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Parliament. At page 64 of the Report the Commission reported

*Several of the changes introduced on 1 July 2012 require political entities to maintain an ACT election account held with a financial institution. This requirement caused some concern to some political participants. It was suggested to the Commission that it was unnecessary and could more readily be accommodated through existing accounting methods, such as sub-accounts within the party finances. In some cases, particularly third party campaigners who were not identified as such by the Commission until after they had incurred electoral expenditure, the requirement to establish an ACT election account was not known to them until after the relevant transactions had taken place.*







## Recommendation

[REDACTED]



Appendix- Table I

	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Legislative provisions for campaign account for State elections</b>	S. 37 of the <i>Electoral Funding Act 2018</i> .  Campaign account introduced in NSW in 2010, under s.96B of the <i>Election Funding, Expenditure and Disclosures Act 1981</i> .	s. 130K - 130N of the <i>Electoral Act 1985</i>	s.206(1) & s.207F of the <i>Electoral Act 2002</i>	s.215 of the <i>Electoral Act 1992</i>	s.213A of the <i>Electoral Act 2004</i>  A Territory campaign account.
<b>Campaign account required for</b>	<ul style="list-style-type: none"> <li>political parties;</li> <li>elected members</li> <li>candidates</li> <li>groups</li> <li>third party campaigners</li> </ul>	<ul style="list-style-type: none"> <li>political parties;</li> <li>candidate</li> <li>group</li> </ul>	A “recipient”: <ul style="list-style-type: none"> <li>political parties;</li> <li>candidates;</li> <li>elected members;</li> <li>associated entities operating in Vic;</li> <li>a nominated entity of a party</li> <li>third party campaigners.</li> </ul>	A “participant”: <ul style="list-style-type: none"> <li>A candidate</li> <li>Political party</li> <li>Third party registered for the election.</li> </ul>	A political party or candidate.
<b>Purpose of account</b>	The NSW Electoral Commission advises on their website that a campaign account is “for the purpose of isolating certain income	The South Australian Electoral Commission states in their 2019 <i>State Campaign Account Audit Report</i> (page 6) that “the idea behind a separate	The VEC describes a campaign account as one or more accounts set up to keep money associated with State elections.	The Electoral Commission of Queensland advises in an online fact sheet that the provisions of campaign bank account details	The NT Electoral Commission advises in an online fact sheet that “The purpose of the Territory campaign account is to isolate relevant funds to



	NSW	South Australia	Victoria	Queensland	Northern Territory
	and payments for an election from other income and payments. This means that election campaign finances can be more easily identified when disclosure is audited by the NSW Electoral Commission.”	account it to attain greater transparency of moneys handed/used to fund the party’s election campaign”.	It also separates political donations from funds used for admin, operations, Federal elections or other activities.	“provides the transparency and accountability needed to ensure accurate tracking of financial transactions related to a State election for which caps on electoral expenditure apply.	assist the auditing of disclosures of gifts and political expenditure.
<b>Who maintains account?</b>	For parties – an agent. For an elected member or a candidate (non party) – that individual may operate account themselves.	The agent of a registered political party, third party, candidate or group.	The agent of a recipient.	The agent of a participant.	The agent of a party or candidate.
<b>What can be paid in</b>	s.37(2) – political donations, contributions by candidates to fund their own election campaigns, public funding payments, money borrowed, bequests.	The agent must ensure <b>all monetary gifts</b> received by or on behalf of the party are paid into the State Campaign Account (section 130L of the Act).  The general rule appears to be that gifts deposited in SA account are disclosable.	207F all political donations must be paid into state campaign account	(New requirements relating to amounts permitted to be paid into a State campaign account and donation caps will commence from 1 July 2022.)	Like SA, the general rule is that gifts deposited in campaign account can be disclosed.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>What cannot be paid in</b>	Party subs other than amount that exceeds max subscription, donations exceeding the cap, admin funding...moneys for fed or LG campaigns	The exceptions to this rule are: a) gifts made or received in contravention of Part 13A of the Act, and =ib) gifts the party does not intend to use for State electoral purposes.	Political party subs, affiliation fees paid by associated entity, annual levy paid by elected member to party,		Monies for federal campaigns doesn't go in
<b>What doesn't have to be paid in</b>			The defn of gift excludes donations between a party and its nominated entity and vice versa		Don't have to put money in that isn't intended for "territory electoral purposes" (however this term is not defined)
<b>Electoral expenditure</b>	It is unlawful for a party to make payments for electoral expenditure for a state election campaign unless the payment is made from the state campaign account of the party...	The agent must ensure that all political expenditure is paid from the State Campaign Account (section 130N of the Act). <b>Political expenditure</b> is defined in section 130A(1) of the Electoral Act 1985 ('the Act') as expenditure incurred: a) for the purposes of the public expression of views on a political party, a candidate in	Victoria has <b>political expenditure</b> ; any expenditure with dominant purpose of directing a person how they should vote - this <b>MUST</b> come out of campaign acct	Electoral expenditure incurred by, or for, a participant in an election must be paid for from their dedicated State campaign bank account.	All <b>electoral expenditure</b> must be paid from this account <b>Electoral expenditure</b> is defined under 176A as; expenditure incurred <u>during the capped expenditure period</u> on any of the following: (a) publishing, broadcasting, posting or displaying an electoral advertisement during that period in any form and on any platform



[Type here]

	NSW	South Australia	Victoria	Queensland	Northern Territory
		<p>an election, or a Member of Parliament by any means; or</p> <p>b) for the purposes of the public expression of views on an issue in an election by any means; or</p> <p>c) for the purposes of the production of any political material (not being material referred to in paragraph a) or b)) that is required under sections 112, 115A or 116 of the Act to include the name and address of the author of the material or of the person who takes responsibility for the publication or authorisation of the material (as the case requires); or</p> <p>d) for the purposes of the carrying out of an opinion poll, or other research, relating to an election or the voting intentions of electors; or</p>			<p>or at any venue or place during that period;</p> <p>(b) producing an electoral advertisement that is published, broadcast, posted or displayed as mentioned in paragraph (a);</p> <p>(c) designing or producing any printed electoral matter to which Part 13, Division 1, Subdivision 2 applies that is published, communicated or distributed during that period;</p> <p>(d) producing or distributing electoral matter that is addressed to particular persons or organisations and is distributed during that period;</p> <p>(e) carrying out an opinion poll or other research about the election during that period.</p> <p>(2) For subsection (1), electoral expenditure also includes receiving an item or service specified in that subsection in the form of a gift.</p>



	NSW	South Australia	Victoria	Queensland	Northern Territory
		e) for any other prescribed purpose; or f) of a prescribed kind.			
<b>Other expenditure</b>	37(6) This section does not prevent payments being made out of the State campaign account...of a party that are in addition to the payments for electoral expenditure.	You can use this account to pay for administrative expenditure or transfer money to another admin account	<b>electoral expenditure</b> – expenditure incurred within the election period on...ads, production of materials requiring authorisation, polling etc; this MAY come out of campaign account		You can use this account to pay for administrative expenditure or transfer money to another admin account  But must fall under “territory electoral purposes”
<b>Duration of account</b>	Division 5, Subdivisions 2 of the Act contains provisions outlining what it to be done with any amounts in a campaign account after there is no longer a need for the account to be paid.  Different requirements for parties, groups, non-party candidates.	Not specified	s.207F(8) outlines how money left in the campaign account of an unsuccessful candidate or unelected member is to be distributed.	Campaign account to be kept until each obligation mentioned in s.215(2) that applies to the participant or their agent ends.  Obligations relate to:  A political donation made during a donation cap period for the election; or  Electoral expenditure;	Not specified.



	NSW	South Australia	Victoria	Queensland	Northern Territory
				<p>Repayment of a loan that is paid into the account.</p> <p>Donation of property other than money during a donation cap period for the election – the disposal of the property.</p>	
<b>Public funding of elections</b>	Yes, paid into campaign account.	<p>Yes, but the public funding scheme is optional.</p> <p>If one chooses to participate, then subject to political expenditure caps.</p> <p>Public funding does not appear to have to be paid into the State account.</p>	Yes, paid into campaign account.	Yes, paid into campaign account.	No
<b>Year campaign account introduced &amp; any funding/disclosure introduced at same time</b>	<p>2010</p> <p>Caps on donation and electoral expenditure, as well as public funding.</p>	<p>2016</p> <p>Caps on expenditure if opt in to voluntary public funding scheme.</p> <p>Disclosure of donation above \$5,000.</p>	<p>2018</p> <p>Cap on donations.</p>	<p>2011</p> <p>Caps on donations and electoral expenditure, public funding introduced.</p>	<p>2020</p> <p>Cap on expenditure.</p>
<b>Other observations</b>	s.37(10) regs making power re campaign	SA Act uses the term “state electoral purposes” which is quite broad and		Candidates, registered political parties and	Looking at the materials – there appear to be some



[Type here]

	NSW	South Australia	Victoria	Queensland	Northern Territory
	accounts ie control of accounts, separately accounting for amounts held for elected members ...provision of information to and the audit of accounts by the AEC	covers; “purposes relating to the party’s objective of the promotion of the election to the House of Assembly or Legislative Council of a candidate or candidates endorsed by the party, and associated activities such as administration and operation of the party”		registered third parties who regularly participate in Queensland State elections, may maintain the same bank account for successive elections. A new account does not have to be opened and closed for each election event; however, all disclosure, reporting and audit requirements must be met in full for each election.	comparisons between SA and NT  However in NT the agent can only operate one account – therefore candidates can’t have separate accounts



**From:** [Craven, Brooke](#)  
**To:** [Gibson, Martin \(DPaC\)](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** Member Salary and Allowance info  
**Date:** Thursday, 18 March 2021 9:28:05 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.jpg](#)

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Hi Martin

Just fyi in case it comes up -

[https://www.tic.tas.gov.au/parliamentary\\_salaries\\_and\\_allowances\\_2015](https://www.tic.tas.gov.au/parliamentary_salaries_and_allowances_2015)

Cheers

Brooke



**Brooke Craven** | Director  
Strategic Legislation and Policy  
Department of Justice

p (03) 6165 4926  
e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
Level 14, 110 Collins St, Hobart, TAS 7000 | GPO Box 825, Hobart TAS 7001

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299.

**From:** [Poulter, Felicity](#)  
**To:** [Lugg, Nicole](#)  
**Subject:** RE: End of the week  
**Date:** Thursday, 18 March 2021 4:49:00 PM  
**Attachments:** [image001.png](#)

299.1

---

I'm so sorry I have fallen behind with the campaign account paper!  
Here it is with tracked changes. I am not sure it is finished but maybe we could send this version to Brooke as a draft?  
F

---

**From:** Lugg, Nicole <Nicole.Lugg@justice.tas.gov.au>  
**Sent:** Thursday, 18 March 2021 4:48 PM  
**To:** Lethborg, Tania <Tania.Lethborg@justice.tas.gov.au>; Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Subject:** End of the week

300.

Is there anything urgently needed before I finish for the week?

Nicole Lugg | Senior Policy Analyst, Policy and Projects | Consumer, Building and Occupational Services |

**Department of Justice**

**p:** (03) 6165 4751

PO Box 56 Rosny Park Tas 7018

[www.cbos.tas.gov.au](http://www.cbos.tas.gov.au)

V1.0\_Keep\_on\_top\_of\_COVID\_email\_footer (002)





ISSUES PAPER

Is a state campaign account required in Tasmania as part of a donation disclosure and public funding scheme?

ISSUE:

[Redacted]

Background

[Redacted]

[Redacted]

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

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## Other jurisdictions

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A table has been prepared comparing aspects of the campaign account in each jurisdiction (see Table 1).

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In relation to public funding in WA, the *Electoral Act 1907* simply provides that payment is to be made to a party agent or the representative of the candidate.

Further research was undertaken into the ACT experience as it is the only jurisdiction which uses the Hare-Clark system, and it has both public funding and donation disclosure without caps.

It is noted that campaign accounts, known as “ACT election accounts”, were introduced into the ACT in July 2012. This was part of wider amendments to introducing substantial changes to the funding, expenditure and financial disclosure provisions that included caps on the amount of gifts that could be used for ACT elections, caps on the amount of expenditure that could be incurred on ACT elections, more frequent disclosure of gifts received, and payment to political parties with Assembly representatives for administrative purposes

The explanatory memorandum to the amendment bill noted that introducing election accounts was part of a regime to enforce breaches of caps on electoral expenditure and donations.

After the ACT Territory Election in October 2012, Elections ACT (the Commission) released the *Report on the ACT Legislative Assembly Election 2012* in which it assessed several of the changes introduced on 1 July 2012.

Of particular note is that the Commission recommended that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Parliament. At page 64 of the Report the Commission reported

*Several of the changes introduced on 1 July 2012 require political entities to maintain an ACT election account held with a financial institution. This requirement caused some concern to some political participants. It was suggested to the Commission that it was unnecessary and could more readily be accommodated through existing accounting methods, such as sub-accounts within the party finances. (In some cases, particularly third party campaigners who were not identified as such by the Commission until after they had incurred electoral expenditure, the requirement to establish an ACT election account was not known to them until after the relevant transactions had taken place.)*

Commented [PF1]: This is interesting



*The ACT election account mechanism was adopted to facilitate the management and regulation of the new limits on donations and expenditure. Given the concerns expressed with this mechanism, it may be appropriate to review this requirement to determine whether an alternative approach may be preferable. The Commission recommends that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Assembly.*

Legislative amendments in 2015 removed the requirement for an ACT election account.

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These amendments also lowered the expenditure cap, and removed the limit on donations. The second reading speech for the *Electoral Amendment Act 2015* outlines that

*Removing the limit on donations means there is no longer any need for an ACT election account or another separately identified account or sub-account. Therefore, the bill removes the requirements for a separate ACT election fund.*

Elections ACT advises that election funding payments may be deposited into any account and may be used for any type of expenditure, and that such payments need to be reported on in annual returns by parties as receipts.

## Analysis

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

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*Electoral Act Review – Inter-Departmental Committee*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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## Recommendation

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Appendix- Table I

	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Legislative provisions for campaign account for State elections</b>	S. 37 of the <i>Electoral Funding Act 2018</i> .  Campaign account introduced in NSW in 2010, under s.96B of the <i>Election Funding, Expenditure and Disclosures Act 1981</i> .	s. 130K - 130N of the <i>Electoral Act 1985</i>	s.206(1) & s.207F of the <i>Electoral Act 2002</i>	s.215 of the <i>Electoral Act 1992</i>	s.213A of the <i>Electoral Act 2004</i>  A Territory campaign account.
<b>Campaign account required for</b>	<ul style="list-style-type: none"> <li>political parties;</li> <li>elected members</li> <li>candidates</li> <li>groups</li> <li>third party campaigners</li> </ul>	<ul style="list-style-type: none"> <li>political parties;</li> <li>candidate</li> <li>group</li> </ul>	A “recipient”: <ul style="list-style-type: none"> <li>political parties;</li> <li>candidates;</li> <li>elected members;</li> <li>associated entities operating in Vic;</li> <li>a nominated entity of a party</li> <li>third party campaigners.</li> </ul>	A “participant”: <ul style="list-style-type: none"> <li>A candidate</li> <li>Political party</li> <li>Third party registered for the election.</li> </ul>	A political party or candidate.
<b>Purpose of account</b>	The NSW Electoral Commission advises on their website that a campaign account is “for the purpose of isolating certain income	The South Australian Electoral Commission states in their 2019 <i>State Campaign Account Audit Report</i> (page 6) that “the idea behind a separate	The VEC describes a campaign account as one or more accounts set up to keep money associated with State elections.	The Electoral Commission of Queensland advises in an online fact sheet that the provisions of campaign bank account details	The NT Electoral Commission advises in an online fact sheet that “The purpose of the Territory campaign account is to isolate relevant funds to



	NSW	South Australia	Victoria	Queensland	Northern Territory
	and payments for an election from other income and payments. This means that election campaign finances can be more easily identified when disclosure is audited by the NSW Electoral Commission.”	account it to attain greater transparency of moneys handed/used to fund the party’s election campaign”.	It also separates political donations from funds used for admin, operations, Federal elections or other activities.	“provides the transparency and accountability needed to ensure accurate tracking of financial transactions related to a State election for which caps on electoral expenditure apply.	assist the auditing of disclosures of gifts and political expenditure.
<b>Who maintains account?</b>	For parties – an agent. For an elected member or a candidate (non party) – that individual may operate account themselves.	The agent of a registered political party, third party, candidate or group.	The agent of a recipient.	The agent of a participant.	The agent of a party or candidate.
<b>What can be paid in</b>	s.37(2) – political donations, contributions by candidates to fund their own election campaigns, public funding payments, money borrowed, bequests.	The agent must ensure <b>all monetary gifts</b> received by or on behalf of the party are paid into the State Campaign Account (section 130L of the Act).  The general rule appears to be that gifts deposited in SA account are disclosable.	207F all political donations must be paid into state campaign account	(New requirements relating to amounts permitted to be paid into a State campaign account and donation caps will commence from 1 July 2022.)	Like SA, the general rule is that gifts deposited in campaign account can be disclosed.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>What cannot be paid in</b>	Party subs other than amount that exceeds max subscription, donations exceeding the cap, admin funding...moneys for fed or LG campaigns	The exceptions to this rule are: a) gifts made or received in contravention of Part 13A of the Act, and =ib) gifts the party does not intend to use for State electoral purposes.	Political party subs, affiliation fees paid by associated entity, annual levy paid by elected member to party,		Monies for federal campaigns doesn't go in
<b>What doesn't have to be paid in</b>			The defn of gift excludes donations between a party and its nominated entity and vice versa		Don't have to put money in that isn't intended for "territory electoral purposes" (however this term is not defined)
<b>Electoral expenditure</b>	It is unlawful for a party to make payments for electoral expenditure for a state election campaign unless the payment is made from the state campaign account of the party...	The agent must ensure that all political expenditure is paid from the State Campaign Account (section 130N of the Act). <b>Political expenditure</b> is defined in section 130A(1) of the Electoral Act 1985 ('the Act') as expenditure incurred: a) for the purposes of the public expression of views on a political party, a candidate in	Victoria has <b>political expenditure</b> ; any expenditure with dominant purpose of directing a person how they should vote - this MUST come out of campaign acct	Electoral expenditure incurred by, or for, a participant in an election must be paid for from their dedicated State campaign bank account.	All <b>electoral expenditure</b> must be paid from this account <b>Electoral expenditure</b> is defined under 176A as; expenditure incurred <u>during the capped expenditure period</u> on any of the following: (a) publishing, broadcasting, posting or displaying an electoral advertisement during that period in any form and on any platform



	NSW	South Australia	Victoria	Queensland	Northern Territory
		<p>an election, or a Member of Parliament by any means; or</p> <p>b) for the purposes of the public expression of views on an issue in an election by any means; or</p> <p>c) for the purposes of the production of any political material (not being material referred to in paragraph a) or b)) that is required under sections 112, 115A or 116 of the Act to include the name and address of the author of the material or of the person who takes responsibility for the publication or authorisation of the material (as the case requires); or</p> <p>d) for the purposes of the carrying out of an opinion poll, or other research, relating to an election or the voting intentions of electors; or</p>			<p>or at any venue or place during that period;</p> <p>(b) producing an electoral advertisement that is published, broadcast, posted or displayed as mentioned in paragraph (a);</p> <p>(c) designing or producing any printed electoral matter to which Part 13, Division 1, Subdivision 2 applies that is published, communicated or distributed during that period;</p> <p>(d) producing or distributing electoral matter that is addressed to particular persons or organisations and is distributed during that period;</p> <p>(e) carrying out an opinion poll or other research about the election during that period.</p> <p>(2) For subsection (1), electoral expenditure also includes receiving an item or service specified in that subsection in the form of a gift.</p>



	NSW	South Australia	Victoria	Queensland	Northern Territory
		e) for any other prescribed purpose; or f) of a prescribed kind.			
<b>Other expenditure</b>	37(6) This section does not prevent payments being made out of the State campaign account...of a party that are in addition to the payments for electoral expenditure.	You can use this account to pay for administrative expenditure or transfer money to another admin account	<b>electoral expenditure</b> – expenditure incurred within the election period on...ads, production of materials requiring authorisation, polling etc; this MAY come out of campaign account		You can use this account to pay for administrative expenditure or transfer money to another admin account  But must fall under “territory electoral purposes”
<b>Duration of account</b>	Division 5, Subdivisions 2 of the Act contains provisions outlining what it to be done with any amounts in a campaign account after there is no longer a need for the account to be paid.  Different requirements for parties, groups, non-party candidates.	Not specified	s.207F(8) outlines how money left in the campaign account of an unsuccessful candidate or unelected member is to be distributed.	Campaign account to be kept until each obligation mentioned in s.215(2) that applies to the participant or their agent ends.  Obligations relate to:  A political donation made during a donation cap period for the election; or  Electoral expenditure;	Not specified.



	NSW	South Australia	Victoria	Queensland	Northern Territory
				Repayment of a loan that is paid into the account.  Donation of property other than money during a donation cap period for the election – the disposal of the property.	
<b>Public funding of elections</b>	Yes, paid into campaign account.	Yes, but the public funding scheme is optional.  If one chooses to participate, then subject to political expenditure caps.  Public funding does not appear to have to be paid into the State account.	Yes, paid into campaign account.	Yes, paid into campaign account.	No
<b>Year campaign account introduced &amp; any funding/disclosure introduced at same time</b>	2010  Caps on donation and electoral expenditure, as well as public funding.	2016  Caps on expenditure if opt in to voluntary public funding scheme. Disclosure of donation above \$5,000.	2018  Cap on donations.	2011  Caps on donations and electoral expenditure, public funding introduced.	2020  Cap on expenditure.
<b>Other observations</b>	s.37(10) regs making power re campaign	SA Act uses the term “state electoral purposes” which is quite broad and		Candidates, registered political parties and	Looking at the materials – there appear to be some



[Type here]

	NSW	South Australia	Victoria	Queensland	Northern Territory
	accounts ie control of accounts, separately accounting for amounts held for elected members ...provision of information to and the audit of accounts by the AEC	covers; “purposes relating to the party’s objective of the promotion of the election to the House of Assembly or Legislative Council of a candidate or candidates endorsed by the party, and associated activities such as administration and operation of the party”		registered third parties who regularly participate in Queensland State elections, may maintain the same bank account for successive elections. A new account does not have to be opened and closed for each election event; however, all disclosure, reporting and audit requirements must be met in full for each election.	comparisons between SA and NT  However in NT the agent can only operate one account – therefore candidates can’t have separate accounts



**From:** [Poulter, Felicity](#)  
**To:** [Craven, Brooke](#)  
**Subject:** anon donations  
**Date:** Friday, 19 March 2021 10:29:00 AM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[IDC paper - anonymous gifts.docx](#)  
**Importance:** High

301.

301.1

Hi Brooke

I am just working through the additions you have made to the anon donations paper.

[REDACTED]

Anyway – here is the paper as it currently stands

F



**Felicity Poulter**

Senior Legislation and Policy Officer

Department of Justice

(03) 6165 4943 | [felicity.poulter@justice.tas.gov.au](mailto:felicity.poulter@justice.tas.gov.au)

[www.justice.tas.gov.au](http://www.justice.tas.gov.au)

GPO Box 825 Hobart TAS 7001 | Level 14, 110 Collins Street, Hobart, TAS 7000





**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE Party Agent for reporting - elected members and candidates endorsed by registered political parties  
**Date:** Friday, 19 March 2021 3:20:13 PM  
**Attachments:** [image001.png](#)  
[image004.jpg](#)  
[image005.png](#)

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Hi Fliss

[REDACTED]

[REDACTED]

[REDACTED]

#### Victorian Electoral Act

- 207B(4) - "party agent" is also that candidate or elected member's agent (where candidate or elected member is endorsed by that party)
- 216 Disclosure of political donations – especially 5(d) – requires reporting by 'registered political party', candidate, elected member [etc] within 21 days of receiving a gift above the threshold and also [all] require annual returns. [This may need a closer read, I've only skimmed].
- S217I Annual return required by registered political party. S217M Annual return required by registered agent of candidate, group or elected member.

#### SA Act

- 130E(4) if a registered party has endorsed a candidate or all members of a group of candidates – the agent of party is the agent of the candidate or group
- 130ZF Returns by candidates or groups – the agent of each person must provide a return
- 130ZN Returns by registered political parties – associated entities, third party campaigners, 'others' who are not elected members

#### NT Act

- 184 candidate endorsed by party has reporting agent for the registered party



- 191 reporting agent of registered party (note – which is for an endorsed candidate, the same) candidate, associated entity or third party campaigner must in respect of a general election provide a disclosure return

#### ACT Act

- This looks a bit different and it is a Territory – s203 Appointed Agents – a party, MLA or candidate may appoint a reporting agent. Needs checking, may be covered elsewhere in the Act but note at s205 Registers of Reporting Agents the Commissioner must keep a register of party and MLA agents. If that's equivalent to our upper house it's not a relevant comparison.

#### NSW Act

- S6 for disclosures under the Act by a 'party, elected member, group, candidate, associated entity or third party' – donations made to (any of those) above the threshold. *Note - Does this mean if it's made to a candidate but not the party then the party doesn't need to disclose ie report twice?*
- S7 'electoral expenditure' – directly or indirectly re 'party or the election of a candidate or candidates
- S12 donations and expenditure disclosures required by a party, elected member, candidate, group, associated entity
- S14 person responsible for making disclosure – party agent (in case of endorsed elected member or candidate and for the party) – party agent may consent to be disclosure agent for these – NOTE this does read as though the reporting is for each of candidate, member and party separately. S15 disclosures to be made within 21 days in pre-election period and 4 weeks after every half-year otherwise.
- S16 disclosures of expenditure to be made within 12 weeks after each relevant disclosure period.

#### Commonwealth Act

- S289 Appointment of agents - A candidate can appoint an agent for the election – if they don't, they are their own agent – for groups, if all are members of a registered party then the party is the agent, if not, the first candidate listed is their own agent.
- S304 Disclosure of gifts – the agent of each person who was a candidate shall within 15 weeks of polling day furnish a return to the Electoral Commission with donations etc; same for the agent of each group; [ie candidates and members of groups disclose the gifts, not the registered party overall]
- S305 gifts to political parties – if in a financial year a person or entity makes gifts > threshold to the same registered political party, the same State Branch or the same political campaigner they must provide a return.
- S309 Returns of electoral expenditure – where not incurred by or with authority of a registered political party
- S314AB Annual return required from agent or financial controller of each registered political party, State Branch of each RPP and political campaigner – gifts, expenditure, loans etc

#### Queensland Act

- S206 a registered political party must appoint an agent – s207 a candidate may appoint an agent for the election and for any period they don't, candidate is the agent.
- S261 Disclosure by candidates of gifts – candidates must make return to electoral commission if receive more than the threshold during the 'disclosure period for an election'.
- S265 Gifts to political parties – by an entity during a reporting period – does not apply to gifts made by a registered political party, associated entity or candidate in an election



## WA Act

- S 175B registered political party must appoint an agent, candidate may appoint an agent – where no appointment – where endorsed by registered political party, the agent of the party is the candidate’s agent, otherwise the candidate is their own agent.
- S175N Annual return required for gifts received by political parties.
- S175P Gifts received by candidate in election disclosure period – return required by agent within 15 weeks of polling day. S175P Gifts to group in disclosure period for election – return required (as per candidates).
- [REDACTED]

[REDACTED]

[REDACTED]

Thanks again for all your great work on this, and have a good weekend!

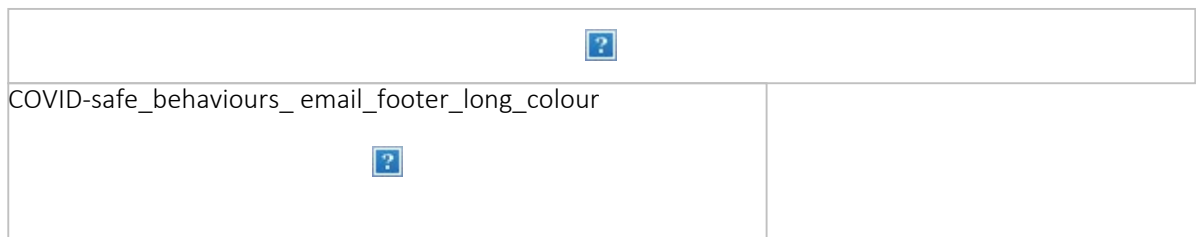
Cheers  
Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

p (03) 6165 4926  
e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
Level 14, 110 Collins St, Hobart, TAS 7000 | GPO Box 825, Hobart TAS 7001

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**From:** [Gibson, Martin](#)  
**To:** [Craven, Brooke](#)  
**Cc:** [Holeywell-Jones, Alice \(DPaC\)](#); [Poulter, Felicity](#)  
**Subject:** Draft IDC Paper - Public Funding Issues  
**Date:** Monday, 22 March 2021 1:05:23 PM  
**Attachments:** [image001.png](#)

303.

303.1

---

Hi Brooke

Here is a draft of the a paper for the IDC addressing public funding for the LegCo and a proposal for administrative funding.

Interested in your comments.

Cheers

Martin

Martin Gibson | Senior Policy Analyst  
Policy Branch | Policy and Intergovernmental Relations Division  
Department of Premier and Cabinet  
Ph 6232 7132  
Level 7, 15 Murray St, Hobart | GPO Box 123, Hobart 7000

cid:image001.png@01D2DB90.106B0B70



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304.

**From:** [Craven, Brooke](#)  
**To:** [Lugg, Nicole](#); [Poulter, Felicity](#)  
**Cc:** [Lethborg, Tania](#)  
**Subject:** FW: Draft IDC Paper - Public Funding Issues  
**Date:** Monday, 22 March 2021 1:14:34 PM  
**Attachments:** [image001.png](#)

304.1

---

FYI

---

**From:** Gibson, Martin <Martin.Gibson@dpac.tas.gov.au>  
**Sent:** Monday, 22 March 2021 1:04 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Cc:** Holeywell-Jones, Alice (DPaC) <Alice.Holeywell-Jones@dpac.tas.gov.au>; Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Subject:** Draft IDC Paper - Public Funding Issues

305.

Hi Brooke

Here is a draft of the a paper for the IDC addressing public funding for the LegCo and a proposal for administrative funding.

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Martin

Martin Gibson | Senior Policy Analyst  
Policy Branch | Policy and Intergovernmental Relations Division  
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cid:image001.png@01D2DB90.106B0B70



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**From:** [Poulter, Felicity](#)  
**To:** [Craven, Brooke](#)  
**Subject:** Emailing: IDC paper State Campaign accounts.docx  
**Date:** Tuesday, 23 March 2021 11:11:00 AM  
**Attachments:** [IDC paper State Campaign accounts.docx](#)

---

Your message is ready to be sent with the following file or link attachments:

IDC paper State Campaign accounts.docx

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



## ISSUES PAPER

### Is a state campaign account required in Tasmania as part of a donation disclosure and public funding scheme?

#### ISSUE:

[REDACTED]

#### Background

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



## Other jurisdictions

NSW was the first jurisdiction in Australia to introduce a funding and disclosure scheme in 1981. It introduced the concept of a campaign account as part of legislative amendments in 2010 establishing new rules for the management of campaign finances.

Since then Queensland, South Australia, Victoria and the NT have adopted the use of a campaign account in their electoral legislation. However, as the funding and disclosure system differs within each jurisdiction so does the purpose of the campaign account.

A table has been prepared comparing aspects of the campaign account in each jurisdiction (see Table 1).

Neither WA nor ACT require campaign accounts, but both have public funding.

In relation to public funding in WA, the *Electoral Act 1907* simply provides that payment is to be made to a party agent or the representative of the candidate.

Further research was undertaken into the ACT experience as it is the only jurisdiction which uses the Hare-Clark system, and it has both public funding and donation disclosure without caps.

It is noted that campaign accounts, known as “ACT election accounts”, were introduced into the ACT in July 2012. This was part of wider amendments to introducing substantial changes to the funding, expenditure and financial disclosure provisions that included caps on the amount of gifts that could be used for ACT elections, caps on the amount of expenditure that could be incurred on ACT elections, more frequent disclosure of gifts received, and payment to political parties with Assembly representatives for administrative purposes

The explanatory memorandum to the amendment bill noted that introducing election accounts was part of a regime to enforce breaches of caps on electoral expenditure and donations.

After the ACT Territory Election in October 2012, Elections ACT (the Commission) released the *Report on the ACT Legislative Assembly Election 2012* in which it assessed several of the changes introduced on 1 July 2012.

Of particular note is that the Commission recommended that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Parliament. At page 64 of the Report the Commission reported

*Several of the changes introduced on 1 July 2012 require political entities to maintain an ACT election account held with a financial institution. This requirement caused some concern to some political participants. It was suggested to the Commission that it was unnecessary and could more readily be accommodated through existing accounting methods, such as sub-accounts within the party finances. In some cases, particularly third party campaigners who were not identified as such by the Commission until after they had incurred electoral expenditure, the requirement to establish an ACT election account was not known to them until after the relevant transactions had taken place.*



*The ACT election account mechanism was adopted to facilitate the management and regulation of the new limits on donations and expenditure. Given the concerns expressed with this mechanism, it may be appropriate to review this requirement to determine whether an alternative approach may be preferable. The Commission recommends that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Assembly.*

Legislative amendments in 2015 removed the requirement for an ACT election account.

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These amendments also lowered the expenditure cap, and removed the limit on donations. The second reading speech for the *Electoral Amendment Act 2015* outlines that

*Removing the limit on donations means there is no longer any need for an ACT election account or another separately identified account or sub-account. Therefore, the bill removes the requirements for a separate ACT election fund.*

Elections ACT advises that election funding payments may be deposited into any account and may be used for any type of expenditure, and that such payments need to be reported on in annual returns by parties as receipts.

## Analysis

[REDACTED]

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## Recommendation

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Appendix- Table I

	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Legislative provisions for campaign account for State elections</b>	S. 37 of the <i>Electoral Funding Act 2018</i> .  Campaign account introduced in NSW in 2010, under s.96B of the <i>Election Funding, Expenditure and Disclosures Act 1981</i> .	s. 130K - 130N of the <i>Electoral Act 1985</i>	s.206(1) & s.207F of the <i>Electoral Act 2002</i>	s.215 of the <i>Electoral Act 1992</i>	s.213A of the <i>Electoral Act 2004</i>  A Territory campaign account.
<b>Campaign account required for</b>	<ul style="list-style-type: none"> <li>political parties;</li> <li>elected members</li> <li>candidates</li> <li>groups</li> <li>third party campaigners</li> </ul>	<ul style="list-style-type: none"> <li>political parties;</li> <li>candidate</li> <li>group</li> </ul>	A “recipient”: <ul style="list-style-type: none"> <li>political parties;</li> <li>candidates;</li> <li>elected members;</li> <li>associated entities operating in Vic;</li> <li>a nominated entity of a party</li> <li>third party campaigners.</li> </ul>	A “participant”: <ul style="list-style-type: none"> <li>A candidate</li> <li>Political party</li> <li>Third party registered for the election.</li> </ul>	A political party or candidate.
<b><u>(if third parties have accounts – what/when do they report))</u></b>	<ul style="list-style-type: none"> <li><u>Third parties are required to disclose donations year round</u></li> <li><u>Third parties are required to report on electoral expenditure</u></li> </ul>	<ul style="list-style-type: none"> <li><u>NA</u></li> </ul>		<u>“disclosure period” runs from 30 days after last election to 30 days after this election</u>	<u>NA</u>



	NSW	South Australia	Victoria	Queensland	Northern Territory
	<u>during the capped expenditure period</u>			<u>3Ps become “participants” if they expend over the threshold on expenditure for political purposes at any point in the electoral cycle.</u> <u>“electoral expenditure” re 3ps has a dominant purpose test</u>	
<b>Purpose of account</b>	The NSW Electoral Commission advises on their website that a campaign account is “for the purpose of isolating certain income and payments for an election from other income and payments. This means that election campaign finances can be more easily identified when disclosure is audited by the NSW Electoral Commission.”	The South Australian Electoral Commission states in their 2019 <i>State Campaign Account Audit Report</i> (page 6) that “the idea behind a separate account it to attain greater transparency of moneys handed/used to fund the party’s election campaign”.	The VEC describes a campaign account as one or more accounts set up to keep money associated with State elections. It also separates political donations from funds used for admin, operations, Federal elections or other activities.	The Electoral Commission of Queensland advises in an online fact sheet that the provisions of campaign bank account details “provides the transparency and accountability needed to ensure accurate tracking of financial transactions related to a State election for which caps on electoral expenditure apply.	The NT Electoral Commission advises in an online fact sheet that “The purpose of the Territory campaign account is to isolate relevant funds to assist the auditing of disclosures of gifts and political expenditure.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Who maintains account?</b>	For parties – an agent. For an elected member or a candidate (non party) – that individual may operate account themselves.	The agent of a registered political party, third party, candidate or group.	The agent of a recipient.	The agent of a participant.	The agent of a party or candidate.
<b>What can be paid in</b>	s.37(2) – political donations, contributions by candidates to fund their own election campaigns, public funding payments, money borrowed, bequests.	The agent must ensure <b>all monetary gifts</b> received by or on behalf of the party are paid into the State Campaign Account (section 130L of the Act).  The general rule appears to be that gifts deposited in SA account are disclosable.	207F all political donations must be paid into state campaign account	<a href="#"><u>s.216-219</u></a>  (New requirements relating to amounts permitted to be paid into a State campaign account and donation caps will commence from 1 July 2022.)	Like SA, the general rule is that gifts deposited in campaign account can be disclosed.
<b>What cannot be paid in</b>	Party subs other than amount that exceeds max subscription, donations exceeding the cap, admin funding...moneys for fed or LG campaigns	The exceptions to this rule are: a) gifts made or received in contravention of Part 13A of the Act, and =ib) gifts the party does not intend to use for State electoral purposes.	Political party subs, affiliation fees paid by associated entity, annual levy paid by elected member to party,		Monies for federal campaigns doesn't go in



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>What doesn't have to be paid in</b>			The defn of gift excludes donations between a party and its nominated entity and vice versa		Don't have to put money in that isn't intended for "territory electoral purposes" (however this term is not defined)
<b>Electoral expenditure</b>	It is unlawful for a party to make payments for electoral expenditure for a state election campaign unless the payment is made from the state campaign account of the party...	The agent must ensure that all political expenditure is paid from the State Campaign Account (section 130N of the Act). <b>Political expenditure</b> is defined in section 130A(1) of the Electoral Act 1985 ('the Act') as expenditure incurred: a) for the purposes of the public expression of views on a political party, a candidate in an election, or a Member of Parliament by any means; or b) for the purposes of the public expression of views on an issue in an election by any means; or c) for the purposes of the production of any political	Victoria has <b>political expenditure</b> ; any expenditure with dominant purpose of directing a person how they should vote - this MUST come out of campaign acct	Electoral expenditure incurred by, or for, a participant in an election must be paid for from their dedicated State campaign bank account.	All <b>electoral expenditure</b> must be paid from this account <b>Electoral expenditure</b> is defined under 176A as; expenditure incurred <u>during the capped expenditure period</u> on any of the following: (a) publishing, broadcasting, posting or displaying an electoral advertisement during that period in any form and on any platform or at any venue or place during that period; (b) producing an electoral advertisement that is published, broadcast, posted or displayed as mentioned in paragraph (a); (c) designing or producing any printed electoral matter to which Part 13, Division 1, Subdivision 2 applies that



	NSW	South Australia	Victoria	Queensland	Northern Territory
		material (not being material referred to in paragraph a) or b)) that is required under sections 112, 115A or 116 of the Act to include the name and address of the author of the material or of the person who takes responsibility for the publication or authorisation of the material (as the case requires); or d) for the purposes of the carrying out of an opinion poll, or other research, relating to an election or the voting intentions of electors; or e) for any other prescribed purpose; or f) of a prescribed kind.			is published, communicated or distributed during that period; (d) producing or distributing electoral matter that is addressed to particular persons or organisations and is distributed during that period; (e) carrying out an opinion poll or other research about the election during that period. (2) For subsection (1), electoral expenditure also includes receiving an item or service specified in that subsection in the form of a gift.
<b>Other expenditure</b>	37(6) This section does not prevent payments being made out of the State campaign account...of a party that are in addition to the	You can use this account to pay for administrative expenditure or transfer money to another admin account	<b>electoral expenditure</b> – expenditure incurred within the election period on...ads, production of materials requiring authorisation, polling etc;		You can use this account to pay for administrative expenditure or transfer money to another admin account



	NSW	South Australia	Victoria	Queensland	Northern Territory
	payments for electoral expenditure.		this MAY come out of campaign account		But must fall under “territory electoral purposes”
<b>Duration of account</b>	<p>Division 5, Subdivisions 2 of the Act contains provisions outlining what it to be done with any amounts in a campaign account after there is no longer a need for the account to be paid.</p> <p>Different requirements for parties, groups, non-party candidates.</p>	Not specified	s.207F(8) outlines how money left in the campaign account of an unsuccessful candidate or unelected member is to be distributed.	<p>Campaign account to be kept until each obligation mentioned in s.215(2) that applies to the participant or their agent ends.</p> <p>Obligations relate to:</p> <p>A political donation made during a donation cap period for the election; or</p> <p>Electoral expenditure;</p> <p>Repayment of a loan that is paid into the account.</p> <p>Donation of property other than money during a donation cap period for the election – the disposal of the property.</p>	Not specified.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Public funding of elections</b>	Yes, paid into campaign account.	Yes, but the public funding scheme is optional.  If one chooses to participate, then subject to political expenditure caps.  Public funding does not appear to have to be paid into the State account.	Yes, paid into campaign account.	Yes, paid into campaign account.	No
<b>Year campaign account introduced &amp; any funding/disclosure introduced at same time</b>	2010  Caps on donation and electoral expenditure, as well as public funding.	2016  Caps on expenditure if opt in to voluntary public funding scheme.  Disclosure of donation above \$5,000.	2018  Cap on donations.	2011  Caps on donations and electoral expenditure, public funding introduced.	2020  Cap on expenditure.
<b>Other observations</b>	s.37(10) regs making power re campaign accounts ie control of accounts, separately accounting for amounts held for elected members ...provision of information to and the audit of accounts by the AEC	SA Act uses the term “state electoral purposes” which is quite broad and covers; “purposes relating to the party’s objective of the promotion of the election to the House of Assembly or Legislative Council of a candidate or candidates endorsed by the party, and associated activities such as		Candidates, registered political parties and registered third parties who regularly participate in Queensland State elections, may maintain the same bank account for successive elections. A new account does not have to be opened and	Looking at the materials – there appear to be some comparisons between SA and NT  However in NT the agent can only operate one account – therefore candidates can’t have separate accounts




*Electoral Act Review – Inter-Departmental Committee*

[Type here]

	NSW	South Australia	Victoria	Queensland	Northern Territory
		administration and operation of the party”		closed for each election event; however, all disclosure, reporting and audit requirements must be met in full for each election.	



307.

**From:** [Poulter, Felicity](#)  
**To:** [Lugg, Nicole](#)  
**Subject:** RE: Andrew's paper?  
**Date:** Tuesday, 23 March 2021 9:30:00 AM  
**Attachments:** [image001.png](#)  


307.1

Sorry Nicole I am still working on the campaign account paper – I am finding it tricky to keep on top of what exactly I am trying to put in there and not getting side tracked!  
I will send you where I am currently at  
At the moment I am just in the process of adding in an extra row in the table – not sure if this is exactly where it should be – but thought it was a start (I just have vic to add)  
Have also added some stuff at the end re options  
See what you think

---

**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Sent:** Tuesday, 23 March 2021 9:05 AM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Andrew's paper?

308.

Lol!

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Monday, 22 March 2021 7:48 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** RE: Andrew's paper?

309.

I will never complain about HR's noisy talking since trying to work while a 5.5 year old defies sleep in the bed beside me.....

---

**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Sent:** Monday, 22 March 2021 2:36 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Andrew's paper?

310.

But is that leaving you in the lurch....if that's the expression?

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Monday, 22 March 2021 2:35 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** RE: Andrew's paper?

311.

How about holding off doing anything with campaign accounts today. I will try to add stuff later this arvo and will send through to see what you think.  
Am more than happy for you to focus on your stuff with Tania this arvo  
☺

---

**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>

312.



ISSUES PAPER

Is a state campaign account required in Tasmania as part of a donation disclosure and public funding scheme?

ISSUE:

[Redacted]

Background

[Redacted]

[Redacted]

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

[Redacted]



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Of particular note is that the Commission recommended that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Parliament. At page 64 of the Report the Commission reported

*Several of the changes introduced on 1 July 2012 require political entities to maintain an ACT election account held with a financial institution. This requirement caused some concern to some political participants. It was suggested to the Commission that it was unnecessary and could more readily be accommodated through existing accounting methods, such as sub-accounts within the party finances. (In some cases, particularly third party campaigners who were not identified as such by the Commission until after they had incurred electoral expenditure, the requirement to establish an ACT election account was not known to them until after the relevant transactions had taken place.)*

Commented [PF1]: This is interesting –



*The ACT election account mechanism was adopted to facilitate the management and regulation of the new limits on donations and expenditure. Given the concerns expressed with this mechanism, it may be appropriate to review this requirement to determine whether an alternative approach may be preferable. The Commission recommends that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Assembly.*

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These amendments also lowered the expenditure cap, and removed the limit on donations. The second reading speech for the *Electoral Amendment Act 2015* outlines that

*Removing the limit on donations means there is no longer any need for an ACT election account or another separately identified account or sub-account. Therefore, the bill removes the requirements for a separate ACT election fund.*

Elections ACT advises that election funding payments may be deposited into any account and may be used for any type of expenditure, and that such payments need to be reported on in annual returns by parties as receipts.

## Analysis

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## Recommendation

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Appendix- Table I

	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Legislative provisions for campaign account for State elections</b>	S. 37 of the <i>Electoral Funding Act 2018</i> .  Campaign account introduced in NSW in 2010, under s.96B of the <i>Election Funding, Expenditure and Disclosures Act 1981</i> .	s. 130K - 130N of the <i>Electoral Act 1985</i>	s.206(1) & s.207F of the <i>Electoral Act 2002</i>	s.215 of the <i>Electoral Act 1992</i>	s.213A of the <i>Electoral Act 2004</i>  A Territory campaign account.
<b>Campaign account required for</b>	<ul style="list-style-type: none"> <li>political parties;</li> <li>elected members</li> <li>candidates</li> <li>groups</li> <li>third party campaigners</li> </ul>	<ul style="list-style-type: none"> <li>political parties;</li> <li>candidate</li> <li>group</li> </ul>	<p>A “recipient”:</p> <ul style="list-style-type: none"> <li>political parties;</li> <li>candidates;</li> <li>elected members;</li> <li>associated entities operating in Vic;</li> <li>a nominated entity of a party</li> <li>third party campaigners.</li> </ul>	<p>A “participant”:</p> <ul style="list-style-type: none"> <li>A candidate</li> <li>Political party</li> <li>Third party registered for the election.</li> </ul>	A political party or candidate.
<b><u>(if third parties have accounts – what/when do they report))</u></b>	<ul style="list-style-type: none"> <li><u>Third parties are required to disclose donations year round</u></li> <li><u>Third parties are required to report on electoral expenditure</u></li> </ul>	<ul style="list-style-type: none"> <li><u>NA</u></li> </ul>		<u>“disclosure period” runs from 30 days after last election to 30 days after this election</u>	<u>NA</u>



	NSW	South Australia	Victoria	Queensland	Northern Territory
	<u>during the capped expenditure period</u>			<u>3Ps become “participants” if they expend over the threshold on expenditure for political purposes</u> <u>“electoral expenditure” re 3ps has a dominant purpose test</u>	
<b>Purpose of account</b>	The NSW Electoral Commission advises on their website that a campaign account is “for the purpose of isolating certain income and payments for an election from other income and payments. This means that election campaign finances can be more easily identified when disclosure is audited by the NSW Electoral Commission.”	The South Australian Electoral Commission states in their 2019 <i>State Campaign Account Audit Report</i> (page 6) that “the idea behind a separate account it to attain greater transparency of moneys handed/used to fund the party’s election campaign”.	The VEC describes a campaign account as one or more accounts set up to keep money associated with State elections. It also separates political donations from funds used for admin, operations, Federal elections or other activities.	The Electoral Commission of Queensland advises in an online fact sheet that the provisions of campaign bank account details “provides the transparency and accountability needed to ensure accurate tracking of financial transactions related to a State election for which caps on electoral expenditure apply.	The NT Electoral Commission advises in an online fact sheet that “The purpose of the Territory campaign account is to isolate relevant funds to assist the auditing of disclosures of gifts and political expenditure.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Who maintains account?</b>	For parties – an agent. For an elected member or a candidate (non party) – that individual may operate account themselves.	The agent of a registered political party, third party, candidate or group.	The agent of a recipient.	The agent of a participant.	The agent of a party or candidate.
<b>What can be paid in</b>	s.37(2) – political donations, contributions by candidates to fund their own election campaigns, public funding payments, money borrowed, bequests.	The agent must ensure <b>all monetary gifts</b> received by or on behalf of the party are paid into the State Campaign Account (section 130L of the Act).  The general rule appears to be that gifts deposited in SA account are disclosable.	207F all political donations must be paid into state campaign account	<a href="#"><u>s.216-219</u></a>  (New requirements relating to amounts permitted to be paid into a State campaign account and donation caps will commence from 1 July 2022.)	Like SA, the general rule is that gifts deposited in campaign account can be disclosed.
<b>What cannot be paid in</b>	Party subs other than amount that exceeds max subscription, donations exceeding the cap, admin funding...moneys for fed or LG campaigns	The exceptions to this rule are: a) gifts made or received in contravention of Part 13A of the Act, and =ib) gifts the party does not intend to use for State electoral purposes.	Political party subs, affiliation fees paid by associated entity, annual levy paid by elected member to party,		Monies for federal campaigns doesn't go in



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>What doesn't have to be paid in</b>			The defn of gift excludes donations between a party and its nominated entity and vice versa		Don't have to put money in that isn't intended for "territory electoral purposes" (however this term is not defined)
<b>Electoral expenditure</b>	It is unlawful for a party to make payments for electoral expenditure for a state election campaign unless the payment is made from the state campaign account of the party...	The agent must ensure that all political expenditure is paid from the State Campaign Account (section 130N of the Act). <b>Political expenditure</b> is defined in section 130A(1) of the Electoral Act 1985 ('the Act') as expenditure incurred: a) for the purposes of the public expression of views on a political party, a candidate in an election, or a Member of Parliament by any means; or b) for the purposes of the public expression of views on an issue in an election by any means; or c) for the purposes of the production of any political	Victoria has <b>political expenditure</b> ; any expenditure with dominant purpose of directing a person how they should vote - this <b>MUST</b> come out of campaign acct	Electoral expenditure incurred by, or for, a participant in an election must be paid for from their dedicated State campaign bank account.	All <b>electoral expenditure</b> must be paid from this account <b>Electoral expenditure</b> is defined under 176A as; expenditure incurred <u>during the capped expenditure period</u> on any of the following: (a) publishing, broadcasting, posting or displaying an electoral advertisement during that period in any form and on any platform or at any venue or place during that period; (b) producing an electoral advertisement that is published, broadcast, posted or displayed as mentioned in paragraph (a); (c) designing or producing any printed electoral matter to which Part 13, Division 1, Subdivision 2 applies that



	NSW	South Australia	Victoria	Queensland	Northern Territory
		material (not being material referred to in paragraph a) or b)) that is required under sections 112, 115A or 116 of the Act to include the name and address of the author of the material or of the person who takes responsibility for the publication or authorisation of the material (as the case requires); or d) for the purposes of the carrying out of an opinion poll, or other research, relating to an election or the voting intentions of electors; or e) for any other prescribed purpose; or f) of a prescribed kind.			is published, communicated or distributed during that period; (d) producing or distributing electoral matter that is addressed to particular persons or organisations and is distributed during that period; (e) carrying out an opinion poll or other research about the election during that period. (2) For subsection (1), electoral expenditure also includes receiving an item or service specified in that subsection in the form of a gift.
<b>Other expenditure</b>	37(6) This section does not prevent payments being made out of the State campaign account...of a party that are in addition to the	You can use this account to pay for administrative expenditure or transfer money to another admin account	<b>electoral expenditure</b> – expenditure incurred within the election period on...ads, production of materials requiring authorisation, polling etc;		You can use this account to pay for administrative expenditure or transfer money to another admin account



[Type here]

	NSW	South Australia	Victoria	Queensland	Northern Territory
	payments for electoral expenditure.		this MAY come out of campaign account		But must fall under “territory electoral purposes”
<b>Duration of account</b>	<p>Division 5, Subdivisions 2 of the Act contains provisions outlining what it to be done with any amounts in a campaign account after there is no longer a need for the account to be paid.</p> <p>Different requirements for parties, groups, non-party candidates.</p>	Not specified	s.207F(8) outlines how money left in the campaign account of an unsuccessful candidate or unelected member is to be distributed.	<p>Campaign account to be kept until each obligation mentioned in s.215(2) that applies to the participant or their agent ends.</p> <p>Obligations relate to:</p> <p>A political donation made during a donation cap period for the election; or</p> <p>Electoral expenditure;</p> <p>Repayment of a loan that is paid into the account.</p> <p>Donation of property other than money during a donation cap period for the election – the disposal of the property.</p>	Not specified.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Public funding of elections</b>	Yes, paid into campaign account.	Yes, but the public funding scheme is optional.  If one chooses to participate, then subject to political expenditure caps.  Public funding does not appear to have to be paid into the State account.	Yes, paid into campaign account.	Yes, paid into campaign account.	No
<b>Year campaign account introduced &amp; any funding/disclosure introduced at same time</b>	2010  Caps on donation and electoral expenditure, as well as public funding.	2016  Caps on expenditure if opt in to voluntary public funding scheme.  Disclosure of donation above \$5,000.	2018  Cap on donations.	2011  Caps on donations and electoral expenditure, public funding introduced.	2020  Cap on expenditure.
<b>Other observations</b>	s.37(10) regs making power re campaign accounts ie control of accounts, separately accounting for amounts held for elected members ...provision of information to and the audit of accounts by the AEC	SA Act uses the term “state electoral purposes” which is quite broad and covers; “purposes relating to the party’s objective of the promotion of the election to the House of Assembly or Legislative Council of a candidate or candidates endorsed by the party, and associated activities such as		Candidates, registered political parties and registered third parties who regularly participate in Queensland State elections, may maintain the same bank account for successive elections. A new account does not have to be opened and	Looking at the materials – there appear to be some comparisons between SA and NT  However in NT the agent can only operate one account – therefore candidates can’t have separate accounts



*Electoral Act Review – Inter-Departmental Committee*

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	NSW	South Australia	Victoria	Queensland	Northern Territory
		administration and operation of the party”		closed for each election event; however, all disclosure, reporting and audit requirements must be met in full for each election.	



**Sent:** Monday, 22 March 2021 2:28 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Andrew's paper?

Thanks.

To be honest I am feeling somewhat confused after the meeting with Brooke this morning. I think I understand what she wants.

I'm trying to get back up to speed on authorisation requirements before my meeting with Tania at 4pm, then I will be able to look at the campaign accounts issue and then the Bill.

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Monday, 22 March 2021 1:43 PM  
**To:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** RE: Andrew's paper?

313.

Hi Nicole

As a bit of context – Andrew sent this through very early in the piece – I think a day or two after Brooke was first allowed to speak to him about the government's reforms. With all due respect, it is just a bit of brain dump really. But does provide some insight into issues etc he/the TEC may flag. Haven't even looked at it in a while, just cutting and pasting here for your info  
f

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**From:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Sent:** Monday, 22 March 2021 12:43 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** Andrew's paper?

314.

Can you send me the paper that Brooke is looking at?

Nicole Lugg | Senior Policy Analyst, Policy and Projects | Consumer, Building and Occupational Services |  
**Department of Justice**

**p:** (03) 6165 4751

PO Box 56 Rosny Park Tas 7018

[www.cbos.tas.gov.au](http://www.cbos.tas.gov.au)

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**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Urgent and confidential - IDC paper State Campaign accounts - internal deliberative  
**Date:** Tuesday, 23 March 2021 3:50:09 PM  
**Attachments:** [REDACTED]  
**Importance:** High

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315.1

Hi Fliss

I assume you're still working on this one but given timing I've added some quick rough notes re the proposed model in the current Bill to discuss briefly if we can. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

If so we would need to make various changes to the draft Bill to reflect.

Thanks  
Brooke



## ISSUES PAPER

Is a sState Campaign Accounts required in Tasmania as part of a donation disclosure and public funding scheme?

### ISSUE:

[REDACTED]

### Recommendation

[REDACTED]

[REDACTED]

### Background

[REDACTED]

[REDACTED]

[REDACTED]

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- [REDACTED]
- [REDACTED]
- [REDACTED]



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## Other jurisdictions

NSW was the first jurisdiction in Australia to introduce a funding and disclosure scheme in 1981. It introduced the concept of a campaign account as part of legislative amendments in 2010 establishing new rules for the management of campaign finances.

Since then Queensland, South Australia, Victoria and the NT have adopted the use of a campaign account in their electoral legislation. However, as the funding and disclosure system differs within each jurisdiction so does the purpose of the campaign account.

A table has been prepared comparing aspects of the campaign account in each jurisdiction (see Table 1).

Neither WA nor ACT require campaign accounts, but both have public funding.

In relation to public funding in WA, the *Electoral Act 1907* simply provides that payment is to be made to a party agent or the representative of the candidate.

Further research was undertaken into the ACT experience as it is the only jurisdiction which uses the Hare-Clark system, and it has both public funding and donation disclosure without caps.

It is noted that campaign accounts, known as “ACT election accounts”, were introduced into the ACT in July 2012. This was part of wider amendments to introducing substantial changes to the funding, expenditure and financial disclosure provisions that included caps on the amount of gifts that could be used for ACT elections, caps on the amount of expenditure that could be incurred on ACT elections, more frequent disclosure of gifts received, and payment to political parties with Assembly representatives for administrative purposes

The explanatory memorandum to the amendment bill noted that introducing election accounts was part of a regime to enforce breaches of caps on electoral expenditure and donations.

After the ACT Territory Election in October 2012, Elections ACT (the Commission) released the *Report on the ACT Legislative Assembly Election 2012* in which it assessed several of the changes introduced on 1 July 2012.



Of particular note is that the Commission recommended that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Parliament. At page 64 of the Report the Commission reported

*Several of the changes introduced on 1 July 2012 require political entities to maintain an ACT election account held with a financial institution. This requirement caused some concern to some political participants. It was suggested to the Commission that it was unnecessary and could more readily be accommodated through existing accounting methods, such as sub-accounts within the party finances. In some cases, particularly third party campaigners who were not identified as such by the Commission until after they had incurred electoral expenditure, the requirement to establish an ACT election account was not known to them until after the relevant transactions had taken place.*

*The ACT election account mechanism was adopted to facilitate the management and regulation of the new limits on donations and expenditure. Given the concerns expressed with this mechanism, it may be appropriate to review this requirement to determine whether an alternative approach may be preferable. The Commission recommends that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Assembly.*

Legislative amendments in 2015 removed the requirement for an ACT election account.

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These amendments also lowered the expenditure cap, and removed the limit on donations. The second reading speech for the *Electoral Amendment Act 2015* outlines that

*Removing the limit on donations means there is no longer any need for an ACT election account or another separately identified account or sub-account. Therefore, the bill removes the requirements for a separate ACT election fund.*

Elections ACT advises that election funding payments may be deposited into any account and may be used for any type of expenditure, and that such payments need to be reported on in annual returns by parties as receipts.

## Analysis

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*Electoral Act Review – Inter-Departmental Committee*

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**Recommendation**

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Appendix- Table I

	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Legislative provisions for campaign account for State elections</b>	S. 37 of the <i>Electoral Funding Act 2018</i> .  Campaign account introduced in NSW in 2010, under s.96B of the <i>Election Funding, Expenditure and Disclosures Act 1981</i> .	s. 130K - 130N of the <i>Electoral Act 1985</i>	s.206(1) & s.207F of the <i>Electoral Act 2002</i>	s.215 of the <i>Electoral Act 1992</i>	s.213A of the <i>Electoral Act 2004</i>  A Territory campaign account.
<b>Campaign account required for</b>	<ul style="list-style-type: none"> <li>political parties;</li> <li>elected members</li> <li>candidates</li> <li>groups</li> <li>third party campaigners</li> </ul>	<ul style="list-style-type: none"> <li>political parties;</li> <li>candidate</li> <li>group</li> </ul>	A “recipient”: <ul style="list-style-type: none"> <li>political parties;</li> <li>candidates;</li> <li>elected members;</li> <li>associated entities operating in Vic;</li> <li>a nominated entity of a party</li> <li>third party campaigners.</li> </ul>	A “participant”: <ul style="list-style-type: none"> <li>A candidate</li> <li>Political party</li> <li>Third party registered for the election.</li> </ul>	A political party or candidate.
<b><u>(if third parties have accounts – what/when do they report))</u></b>	<ul style="list-style-type: none"> <li><u>Third parties are required to disclose donations year round</u></li> <li><u>Third parties are required to report on electoral expenditure</u></li> </ul>	<ul style="list-style-type: none"> <li><u>NA</u></li> </ul>		<u>“disclosure period” runs from 30 days after last election to 30 days after this election</u>	<u>NA</u>



	NSW	South Australia	Victoria	Queensland	Northern Territory
	<u>during the capped expenditure period</u>			<u>3Ps become “participants” if they expend over the threshold on expenditure for political purposes at any point in the electoral cycle.</u> <u>“electoral expenditure” re 3ps has a dominant purpose test</u>	
<b>Purpose of account</b>	The NSW Electoral Commission advises on their website that a campaign account is “for the purpose of isolating certain income and payments for an election from other income and payments. This means that election campaign finances can be more easily identified when disclosure is audited by the NSW Electoral Commission.”	The South Australian Electoral Commission states in their 2019 <i>State Campaign Account Audit Report</i> (page 6) that “the idea behind a separate account it to attain greater transparency of moneys handed/used to fund the party’s election campaign”.	The VEC describes a campaign account as one or more accounts set up to keep money associated with State elections. It also separates political donations from funds used for admin, operations, Federal elections or other activities.	The Electoral Commission of Queensland advises in an online fact sheet that the provisions of campaign bank account details “provides the transparency and accountability needed to ensure accurate tracking of financial transactions related to a State election for which caps on electoral expenditure apply.	The NT Electoral Commission advises in an online fact sheet that “The purpose of the Territory campaign account is to isolate relevant funds to assist the auditing of disclosures of gifts and political expenditure.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Who maintains account?</b>	For parties – an agent. For an elected member or a candidate (non party) – that individual may operate account themselves.	The agent of a registered political party, third party, candidate or group.	The agent of a recipient.	The agent of a participant.	The agent of a party or candidate.
<b>What can be paid in</b>	s.37(2) – political donations, contributions by candidates to fund their own election campaigns, public funding payments, money borrowed, bequests.	The agent must ensure <b>all monetary gifts</b> received by or on behalf of the party are paid into the State Campaign Account (section 130L of the Act).  The general rule appears to be that gifts deposited in SA account are disclosable.	207F all political donations must be paid into state campaign account	<a href="#"><u>s.216-219</u></a>  (New requirements relating to amounts permitted to be paid into a State campaign account and donation caps will commence from 1 July 2022.)	Like SA, the general rule is that gifts deposited in campaign account can be disclosed.
<b>What cannot be paid in</b>	Party subs other than amount that exceeds max subscription, donations exceeding the cap, admin funding...moneys for fed or LG campaigns	The exceptions to this rule are: a) gifts made or received in contravention of Part 13A of the Act, and =ib) gifts the party does not intend to use for State electoral purposes.	Political party subs, affiliation fees paid by associated entity, annual levy paid by elected member to party,		Monies for federal campaigns doesn't go in



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>What doesn't have to be paid in</b>			The defn of gift excludes donations between a party and its nominated entity and vice versa		Don't have to put money in that isn't intended for "territory electoral purposes" (however this term is not defined)
<b>Electoral expenditure</b>	It is unlawful for a party to make payments for electoral expenditure for a state election campaign unless the payment is made from the state campaign account of the party...	The agent must ensure that all political expenditure is paid from the State Campaign Account (section 130N of the Act). <b>Political expenditure</b> is defined in section 130A(1) of the Electoral Act 1985 ('the Act') as expenditure incurred: a) for the purposes of the public expression of views on a political party, a candidate in an election, or a Member of Parliament by any means; or b) for the purposes of the public expression of views on an issue in an election by any means; or c) for the purposes of the production of any political	Victoria has <b>political expenditure</b> ; any expenditure with dominant purpose of directing a person how they should vote - this MUST come out of campaign acct	Electoral expenditure incurred by, or for, a participant in an election must be paid for from their dedicated State campaign bank account.	All <b>electoral expenditure</b> must be paid from this account <b>Electoral expenditure</b> is defined under 176A as; expenditure incurred <u>during the capped expenditure period</u> on any of the following: (a) publishing, broadcasting, posting or displaying an electoral advertisement during that period in any form and on any platform or at any venue or place during that period; (b) producing an electoral advertisement that is published, broadcast, posted or displayed as mentioned in paragraph (a); (c) designing or producing any printed electoral matter to which Part 13, Division I, Subdivision 2 applies that



	NSW	South Australia	Victoria	Queensland	Northern Territory
		material (not being material referred to in paragraph a) or b)) that is required under sections 112, 115A or 116 of the Act to include the name and address of the author of the material or of the person who takes responsibility for the publication or authorisation of the material (as the case requires); or d) for the purposes of the carrying out of an opinion poll, or other research, relating to an election or the voting intentions of electors; or e) for any other prescribed purpose; or f) of a prescribed kind.			is published, communicated or distributed during that period; (d) producing or distributing electoral matter that is addressed to particular persons or organisations and is distributed during that period; (e) carrying out an opinion poll or other research about the election during that period. (2) For subsection (1), electoral expenditure also includes receiving an item or service specified in that subsection in the form of a gift.
<b>Other expenditure</b>	37(6) This section does not prevent payments being made out of the State campaign account...of a party that are in addition to the	You can use this account to pay for administrative expenditure or transfer money to another admin account	<b>electoral expenditure</b> – expenditure incurred within the election period on...ads, production of materials requiring authorisation, polling etc;		You can use this account to pay for administrative expenditure or transfer money to another admin account



[Type here]

	NSW	South Australia	Victoria	Queensland	Northern Territory
	payments for electoral expenditure.		this MAY come out of campaign account		But must fall under “territory electoral purposes”
<b>Duration of account</b>	<p>Division 5, Subdivisions 2 of the Act contains provisions outlining what it to be done with any amounts in a campaign account after there is no longer a need for the account to be paid.</p> <p>Different requirements for parties, groups, non-party candidates.</p>	Not specified	s.207F(8) outlines how money left in the campaign account of an unsuccessful candidate or unelected member is to be distributed.	<p>Campaign account to be kept until each obligation mentioned in s.215(2) that applies to the participant or their agent ends.</p> <p>Obligations relate to:</p> <p>A political donation made during a donation cap period for the election; or</p> <p>Electoral expenditure;</p> <p>Repayment of a loan that is paid into the account.</p> <p>Donation of property other than money during a donation cap period for the election – the disposal of the property.</p>	Not specified.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Public funding of elections</b>	Yes, paid into campaign account.	Yes, but the public funding scheme is optional.  If one chooses to participate, then subject to political expenditure caps.  Public funding does not appear to have to be paid into the State account.	Yes, paid into campaign account.	Yes, paid into campaign account.	No
<b>Year campaign account introduced &amp; any funding/disclosure introduced at same time</b>	2010  Caps on donation and electoral expenditure, as well as public funding.	2016  Caps on expenditure if opt in to voluntary public funding scheme.  Disclosure of donation above \$5,000.	2018  Cap on donations.	2011  Caps on donations and electoral expenditure, public funding introduced.	2020  Cap on expenditure.
<b>Other observations</b>	s.37(10) regs making power re campaign accounts ie control of accounts, separately accounting for amounts held for elected members ...provision of information to and the audit of accounts by the AEC	SA Act uses the term “state electoral purposes” which is quite broad and covers; “purposes relating to the party’s objective of the promotion of the election to the House of Assembly or Legislative Council of a candidate or candidates endorsed by the party, and associated activities such as		Candidates, registered political parties and registered third parties who regularly participate in Queensland State elections, may maintain the same bank account for successive elections. A new account does not have to be opened and	Looking at the materials – there appear to be some comparisons between SA and NT  However in NT the agent can only operate one account – therefore candidates can’t have separate accounts



*Electoral Act Review – Inter-Departmental Committee*

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	NSW	South Australia	Victoria	Queensland	Northern Territory
		administration and operation of the party”		closed for each election event; however, all disclosure, reporting and audit requirements must be met in full for each election.	



**From:** [Poulter, Felicity](#)  
**To:** [Craven, Brooke](#)  
**Cc:** [Lugg, Nicole](#)  
**Subject:** IDC paper - anonymous gifts.docx  
**Date:** Wednesday, 24 March 2021 12:09:00 PM  
**Attachments:** [REDACTED]

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I am hoping the anon gifts paper is right to go – I have nothing further to add at this stage



317.

**From:** [Poulter, Felicity](#)  
**To:** [Craven, Brooke](#)  
**Subject:** IDC paper- Public Funding Issues2.docx  
**Date:** Wednesday, 24 March 2021 2:53:00 PM  
**Attachments:** [REDACTED]  
**Importance:** High

---

317.1

Hi Brooke

Here is where I have gotten to with the public funding paper.

Do you want to have a look and if you are ok with it – do you want to send it to Treasury as you mentioned yesterday and see if they want to do some modelling re the level?

I haven't sent it to Martin yet – I wanted your thoughts first. Happy to send to Martin before or after Treasury consider it

F



**From:** [Poulter, Felicity](#)  
**To:** [Craven, Brooke](#)  
**Cc:** [Lugg, Nicole](#)  
**Subject:** IDC paper State Campaign accounts.docx  
**Date:** Wednesday, 24 March 2021 11:50:00 AM  
**Attachments:** [REDACTED]  
**Importance:** High

---

318.

318.1

Thanks Brooke

I have spoken to Nicole and we are both happy with this

I have made a couple of small suggestions but otherwise all happy

Cheers

F



ISSUES PAPER

State Campaign Accounts

ISSUE:

[REDACTED]

Recommendation

[REDACTED]

Background

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Commented [CB1]: [REDACTED]

Commented [PF2]: [REDACTED]

Commented [CB3]: [REDACTED]



[REDACTED]

## Other jurisdictions

NSW was the first jurisdiction in Australia to introduce a funding and disclosure scheme in 1981. It introduced the concept of a campaign account as part of legislative amendments in 2010 establishing new rules for the management of campaign finances.

Since then Queensland, South Australia, Victoria and the NT have adopted the use of a campaign account in their electoral legislation. However, as the funding and disclosure system differs within each jurisdiction so does the purpose of the campaign account.

A table has been prepared comparing aspects of the campaign account in each jurisdiction (see Table 1).

Neither WA nor ACT require campaign accounts, but both have public funding.

In relation to public funding in WA, the *Electoral Act 1907* simply provides that payment is to be made to a party agent or the representative of the candidate.

Further research was undertaken into the ACT experience as it is the only jurisdiction which uses the Hare-Clark system, and it has both public funding and donation disclosure without caps.

It is noted that campaign accounts, known as “ACT election accounts”, were introduced into the ACT in July 2012. This was part of wider amendments to introducing substantial changes to the funding, expenditure and financial disclosure provisions that included caps on the amount of gifts that could be used for ACT elections, caps on the amount of expenditure that could be incurred on ACT elections, more frequent disclosure of gifts received, and payment to political parties with Assembly representatives for administrative purposes

The explanatory memorandum to the amendment bill noted that introducing election accounts was part of a regime to enforce breaches of caps on electoral expenditure and donations.



After the ACT Territory Election in October 2012, Elections ACT (the Commission) released the *Report on the ACT Legislative Assembly Election 2012* in which it assessed several of the changes introduced on 1 July 2012.

Of particular note is that the Commission recommended that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Parliament. At page 64 of the Report the Commission reported

*Several of the changes introduced on 1 July 2012 require political entities to maintain an ACT election account held with a financial institution. This requirement caused some concern to some political participants. It was suggested to the Commission that it was unnecessary and could more readily be accommodated through existing accounting methods, such as sub-accounts within the party finances. In some cases, particularly third party campaigners who were not identified as such by the Commission until after they had incurred electoral expenditure, the requirement to establish an ACT election account was not known to them until after the relevant transactions had taken place.*

*The ACT election account mechanism was adopted to facilitate the management and regulation of the new limits on donations and expenditure. Given the concerns expressed with this mechanism, it may be appropriate to review this requirement to determine whether an alternative approach may be preferable. The Commission recommends that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Assembly.*

Legislative amendments in 2015 removed the requirement for an ACT election account.

These amendments also lowered the expenditure cap, and removed the limit on donations. The second reading speech for the *Electoral Amendment Act 2015* outlines that

*Removing the limit on donations means there is no longer any need for an ACT election account or another separately identified account or sub-account. Therefore, the bill removes the requirements for a separate ACT election fund.*

Elections ACT advises that election funding payments may be deposited into any account and may be used for any type of expenditure, and that such payments need to be reported on in annual returns by parties as receipts.

## Analysis

[REDACTED]



*Electoral Act Review – Inter-Departmental Committee*

[REDACTED]

[REDACTED]

[REDACTED]

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*Electoral Act Review – Inter-Departmental Committee*

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Commented [CB4]  
[REDACTED]



## Electoral Act Review – Inter-Departmental Committee

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Country	Year	Value
United States	2010	1.00
United States	2011	1.00
United States	2012	1.00
United States	2013	1.00
United States	2014	1.00
United States	2015	1.00
United States	2016	1.00
United States	2017	1.00
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United States	2097	1.00
United States	2098	1.00
United States	2099	1.00
United States	2100	1.00



Appendix- Table I

	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Legislative provisions for campaign account for State elections</b>	S. 37 of the <i>Electoral Funding Act 2018</i> .  Campaign account introduced in NSW in 2010, under s.96B of the <i>Election Funding, Expenditure and Disclosures Act 1981</i> .	s. 130K - 130N of the <i>Electoral Act 1985</i>	s.206(1) & s.207F of the <i>Electoral Act 2002</i>	s.215 of the <i>Electoral Act 1992</i>	s.213A of the <i>Electoral Act 2004</i>  A Territory campaign account.
<b>Campaign account required for</b>	<ul style="list-style-type: none"> <li>political parties;</li> <li>elected members</li> <li>candidates</li> <li>groups</li> <li>third party campaigners</li> </ul>	<ul style="list-style-type: none"> <li>political parties;</li> <li>candidate</li> <li>group</li> </ul>	A “recipient”: <ul style="list-style-type: none"> <li>political parties;</li> <li>candidates;</li> <li>elected members;</li> <li>associated entities operating in Vic;</li> <li>a nominated entity of a party</li> <li>third party campaigners.</li> </ul>	A “participant”: <ul style="list-style-type: none"> <li>A candidate</li> <li>Political party</li> <li>Third party registered for the election.</li> </ul>	A political party or candidate.
<b>(if third parties have accounts – what/when do they report))</b>	<ul style="list-style-type: none"> <li>Third parties are required to disclose donations year round</li> <li>Third parties are required to report on electoral expenditure</li> </ul>	<ul style="list-style-type: none"> <li>NA</li> </ul>	s.217K outlines the annual reporting requirements of third party campaigners – including the reporting of a range of details in	“disclosure period” runs from 30 days after last election to 30 days after this election	NA



	NSW	South Australia	Victoria	Queensland	Northern Territory
	during the capped expenditure period		relation to the campaign account	3Ps become “participants” if they expend over the threshold on expenditure for political purposes at any point in the electoral cycle.  “electoral expenditure” re 3ps has a dominant purpose test	
<b>Purpose of account</b>	The NSW Electoral Commission advises on their website that a campaign account is “for the purpose of isolating certain income and payments for an election from other income and payments. This means that election campaign finances can be more easily identified when disclosure is audited by the NSW Electoral Commission.”	The South Australian Electoral Commission states in their 2019 <i>State Campaign Account Audit Report</i> (page 6) that “the idea behind a separate account it to attain greater transparency of moneys handed/used to fund the party’s election campaign”.	The VEC describes a campaign account as one or more accounts set up to keep money associated with State elections. It also separates political donations from funds used for admin, operations, Federal elections or other activities.	The Electoral Commission of Queensland advises in an online fact sheet that the provisions of campaign bank account details “provides the transparency and accountability needed to ensure accurate tracking of financial transactions related to a State election for which caps on electoral expenditure apply.	The NT Electoral Commission advises in an online fact sheet that “The purpose of the Territory campaign account is to isolate relevant funds to assist the auditing of disclosures of gifts and political expenditure.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Who maintains account?</b>	For parties – an agent. For an elected member or a candidate (non party) – that individual may operate account themselves.	The agent of a registered political party, third party, candidate or group.	The agent of a recipient.	The agent of a participant.	The agent of a party or candidate.
<b>What can be paid in</b>	s.37(2) – political donations, contributions by candidates to fund their own election campaigns, public funding payments, money borrowed, bequests.	The agent must ensure <b>all monetary gifts</b> received by or on behalf of the party are paid into the State Campaign Account (section 130L of the Act).  The general rule appears to be that gifts deposited in SA account are disclosable.	207F all political donations must be paid into state campaign account	s.216-219  (New requirements relating to amounts permitted to be paid into a State campaign account and donation caps will commence from 1 July 2022.)	Like SA, the general rule is that gifts deposited in campaign account can be disclosed.
<b>What cannot be paid in</b>	Party subs other than amount that exceeds max subscription, donations exceeding the cap, admin funding...moneys for fed or LG campaigns	The exceptions to this rule are: a) gifts made or received in contravention of Part 13A of the Act, and =ib) gifts the party does not intend to use for State electoral purposes.	Political party subs, affiliation fees paid by associated entity, annual levy paid by elected member to party,		Monies for federal campaigns doesn't go in



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>What doesn't have to be paid in</b>			The defn of gift excludes donations between a party and its nominated entity and vice versa		Don't have to put money in that isn't intended for "territory electoral purposes" (however this term is not defined)
<b>Electoral expenditure</b>	It is unlawful for a party to make payments for electoral expenditure for a state election campaign unless the payment is made from the state campaign account of the party...	The agent must ensure that all political expenditure is paid from the State Campaign Account (section 130N of the Act). <b>Political expenditure</b> is defined in section 130A(1) of the Electoral Act 1985 ('the Act') as expenditure incurred: a) for the purposes of the public expression of views on a political party, a candidate in an election, or a Member of Parliament by any means; or b) for the purposes of the public expression of views on an issue in an election by any means; or c) for the purposes of the production of any political	Victoria has <b>political expenditure</b> ; any expenditure with dominant purpose of directing a person how they should vote - this <b>MUST</b> come out of campaign acct	Electoral expenditure incurred by, or for, a participant in an election must be paid for from their dedicated State campaign bank account.	All <b>electoral expenditure</b> must be paid from this account <b>Electoral expenditure</b> is defined under 176A as; expenditure incurred <u>during the capped expenditure period</u> on any of the following: (a) publishing, broadcasting, posting or displaying an electoral advertisement during that period in any form and on any platform or at any venue or place during that period; (b) producing an electoral advertisement that is published, broadcast, posted or displayed as mentioned in paragraph (a); (c) designing or producing any printed electoral matter to which Part 13, Division 1, Subdivision 2 applies that



[Type here]

	NSW	South Australia	Victoria	Queensland	Northern Territory
		material (not being material referred to in paragraph a) or b)) that is required under sections 112, 115A or 116 of the Act to include the name and address of the author of the material or of the person who takes responsibility for the publication or authorisation of the material (as the case requires); or d) for the purposes of the carrying out of an opinion poll, or other research, relating to an election or the voting intentions of electors; or e) for any other prescribed purpose; or f) of a prescribed kind.			is published, communicated or distributed during that period; (d) producing or distributing electoral matter that is addressed to particular persons or organisations and is distributed during that period; (e) carrying out an opinion poll or other research about the election during that period. (2) For subsection (1), electoral expenditure also includes receiving an item or service specified in that subsection in the form of a gift.
<b>Other expenditure</b>	37(6) This section does not prevent payments being made out of the State campaign account...of a party that are in addition to the	You can use this account to pay for administrative expenditure or transfer money to another admin account	<b>electoral expenditure</b> – expenditure incurred within the election period on...ads, production of materials requiring authorisation, polling etc;		You can use this account to pay for administrative expenditure or transfer money to another admin account



[Type here]

	NSW	South Australia	Victoria	Queensland	Northern Territory
	payments for electoral expenditure.		this MAY come out of campaign account		But must fall under “territory electoral purposes”
<b>Duration of account</b>	<p>Division 5, Subdivisions 2 of the Act contains provisions outlining what it to be done with any amounts in a campaign account after there is no longer a need for the account to be paid.</p> <p>Different requirements for parties, groups, non-party candidates.</p>	Not specified	s.207F(8) outlines how money left in the campaign account of an unsuccessful candidate or unelected member is to be distributed.	<p>Campaign account to be kept until each obligation mentioned in s.215(2) that applies to the participant or their agent ends.</p> <p>Obligations relate to:</p> <p>A political donation made during a donation cap period for the election; or</p> <p>Electoral expenditure;</p> <p>Repayment of a loan that is paid into the account.</p> <p>Donation of property other than money during a donation cap period for the election – the disposal of the property.</p>	Not specified.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Public funding of elections</b>	Yes, paid into campaign account.	Yes, but the public funding scheme is optional.  If one chooses to participate, then subject to political expenditure caps.  Public funding does not appear to have to be paid into the State account.	Yes, paid into campaign account.	Yes, paid into campaign account.	No
<b>Year campaign account introduced &amp; any funding/disclosure introduced at same time</b>	2010  Caps on donation and electoral expenditure, as well as public funding.	2016  Caps on expenditure if opt in to voluntary public funding scheme.  Disclosure of donation above \$5,000.	2018  Cap on donations.	2011  Caps on donations and electoral expenditure, public funding introduced.	2020  Cap on expenditure.
<b>Other observations</b>	s.37(10) regs making power re campaign accounts ie control of accounts, separately accounting for amounts held for elected members ...provision of information to and the audit of accounts by the AEC	SA Act uses the term “state electoral purposes” which is quite broad and covers; “purposes relating to the party’s objective of the promotion of the election to the House of Assembly or Legislative Council of a candidate or candidates endorsed by the party, and associated activities such as		Candidates, registered political parties and registered third parties who regularly participate in Queensland State elections, may maintain the same bank account for successive elections. A new account does not have to be opened and	Looking at the materials – there appear to be some comparisons between SA and NT  However in NT the agent can only operate one account – therefore candidates can’t have separate accounts



*Electoral Act Review – Inter-Departmental Committee*

[Type here]

	NSW	South Australia	Victoria	Queensland	Northern Territory
		administration and operation of the party”		closed for each election event; however, all disclosure, reporting and audit requirements must be met in full for each election.	



**From:** [Poulter, Felicity](#)  
**To:** [Craven, Brooke](#); [Lugg, Nicole](#)  
**Subject:** IDC paper State Campaign accounts3.docx  
**Date:** Wednesday, 24 March 2021 9:49:00 AM  
**Attachments:** [REDACTED]

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319.

319.1

Good morning

Here is the latest version of the state campaign account paper

I have removed the tracking now so it is easier to read

F



**From:** [Poulter, Felicity](#)  
**To:** [Craven, Brooke](#)  
**Cc:** [Lugg, Nicole](#)  
**Subject:** RE: IDC paper State Campaign accounts.docx  
**Date:** Wednesday, 24 March 2021 12:10:00 PM

---

I have just sent through the anon gifts paper which I hope is ready  
 I am now just working on some reworks in Martin's paper following our discussion re this the other day. When I have finished those I will send that through – and you might want to send to Treasury for their view on levels etc?  
 F

---

**From:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Sent:** Wednesday, 24 March 2021 11:59 AM  
**To:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Cc:** Lugg, Nicole <Nicole.Lugg@justice.tas.gov.au>  
**Subject:** RE: IDC paper State Campaign accounts.docx

321.

Fantastic thank you both for looking at this so quickly –  
 A good point re associated entities, I have reverted to the previous position on this, tracked in the attached.

I might hold off until we have the final 'anonymous donations' paper [which was looking pretty close] before we send to IDC. Do you think we should share this with Treasury and DPAC at officer level first? Not sure if we have time or if it's really necessary..

Cheers  
 B

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Wednesday, 24 March 2021 11:50 AM  
**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>  
**Cc:** Lugg, Nicole <[Nicole.Lugg@justice.tas.gov.au](mailto:Nicole.Lugg@justice.tas.gov.au)>  
**Subject:** IDC paper State Campaign accounts.docx  
**Importance:** High

322.

Thanks Brooke  
 I have spoken to Nicole and we are both happy with this  
 I have made a couple of small suggestions but otherwise all happy  
 Cheers  
 F



323.

**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** Confidential internal deliberative IDC paper- Public Funding Issues2.docx  
**Date:** Thursday, 25 March 2021 12:05:11 PM  
**Attachments:** [REDACTED]  
[image001.png](#)  
[image002.png](#)  
[image003.jpg](#)  
**Importance:** High

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323.1

Hi Fliss

These are the scrappy first cut notes I have been able to make this morning on the DPAC Paper – I think it still has gaps and needs work.

[REDACTED]

[REDACTED]

[REDACTED] me another version before we go back to Martin with a track change doc that would be great.

Please don't share this doc with Martin thanks – just keep to SLP as its very rough notes only.

Cheers  
Brooke

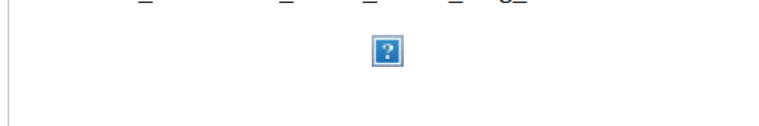


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324.

**From:** [Poulter, Felicity](#)  
**To:** [Craven, Brooke](#)  
**Subject:** IDC paper State Campaign accounts4.docx  
**Date:** Thursday, 25 March 2021 3:10:00 PM  
**Attachments:** [REDACTED]  
**Importance:** High

---

324.1

Hi Brooke

Here is the latest version of the state campaign account following our phone conversation earlier  
I have taken the liberty of removing the tracked changes etc to make it easier to read

Cheers

F



**From:** [Craven, Brooke](#)  
**To:** [Poulter, Felicity](#)  
**Cc:** [Lugg, Nicole](#)  
**Subject:** RE: IDC paper - anonymous gifts.docx  
**Date:** Thursday, 25 March 2021 10:14:57 AM

---

This looks good to me, thanks – I will just take the highlights out and send both papers to Ginna for approval to distribute to IDC.

Will have a look at the public funding one and get back to you as well,.

B

---

**From:** Poulter, Felicity <Felicity.Poulter@justice.tas.gov.au>  
**Sent:** Wednesday, 24 March 2021 12:09 PM  
**To:** Craven, Brooke <Brooke.Craven@justice.tas.gov.au>  
**Cc:** Lugg, Nicole <Nicole.Lugg@justice.tas.gov.au>  
**Subject:** IDC paper - anonymous gifts.docx

326.

I am hoping the anon gifts paper is right to go – I have nothing further to add at this stage



**From:** [Gibson, Martin](#)  
**To:** [Poulter, Felicity](#)  
**Subject:** RE: Draft IDC Paper - Public Funding Issues  
**Date:** Friday, 21 May 2021 3:53:20 PM  
**Attachments:** [image001.png](#)

---

Hi Felicity

Sorry I never to back to you on this, I have been snowed with priority tasks of late.

Yes this was an accounting error ☺ – the previous figure was correct.

Cheers  
 Martin

---

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Sent:** Monday, 3 May 2021 4:15 PM  
**To:** Gibson, Martin <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Subject:** RE: Draft IDC Paper - Public Funding Issues

328.

Hi martin  
 Sooooo, back to looking at electoral!  
 I haven't been looking at this for a while so trying to get my head back around it all again. Can I just follow up this revised table you provided – the current annual entitlement for Vic appears to have doubled since the public funding paper you provided a few days prior to this? Is that right?  
 F

---

**From:** Gibson, Martin <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>  
**Sent:** Thursday, 25 March 2021 4:30 PM  
**To:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>  
**Subject:** RE: Draft IDC Paper - Public Funding Issues

329.

Hi Felicity

Sorry, I have only just been able to get to this.

Here is the updated table. I thought it was clearer just to have the one column with the annual entitlement and the explanation alongside re the payment periods. Hope this works for you.

Cheers  
 Martin

**Table 2 - Administrative Funding Rates by Jurisdiction**

Jurisdiction		Current Annual Entitlement	Claim Process
Cwlth		Nil	
VIC <a href="#">Victorian Electoral Commission</a>	Independent Members	\$432 400 per annum	Paid quarterly based on representation in Parliament. An audited claim is required annually,
	Parties: 1 Member	\$432 400 per annum	



	Parties: 2 Members	1 member rate + \$291 440 for the second member	and any funding received in excess of actual expenditure is to be repaid to VEC.
	Parties: 3+ members	2 member rate + \$145 760 for each subsequent member capped at 45 members	
<b>NSW</b> <a href="#">NSW Electoral Commission</a>	Independent Members	\$235 200 maximum payable per annum	Quarterly claim for actual expenditure up to maximum payable net of any advance payments received. Evidence is required to substantiate any claim made together with a declaration of expenditure form.  Quarterly advance payments are available at 50% of quarterly entitlement.
	Parties: 1 Member	\$364 400 maximum payable per annum	
	Parties: 2 Members	\$624 000 maximum payable per annum	
	Parties: 3 members	\$779 600 maximum payable per annum	
	Parties 4+ members	3 member rate + \$124 800 for each subsequent member capped at 22 members.	
<b>SA</b> <a href="#">Electoral Commission SA</a>	Parties: 5 or less members of Parliament	\$77 128 maximum payable per annum	Payable half yearly. Details of claim process not available.
	Parties: 6+ members of Parliament	\$132 218 maximum payable per annum	
	One- off Special Assistance Funding (available during 2017 - now expired)	Parties 5 or fewer members of Parliament: \$56 000 Parties 6+ members or Parliament: \$96 000	
<b>ACT</b> <a href="#">Administrative Funding</a>		\$23 126 per MLA per annum	Paid by quarterly instalment.
<b>Qld</b>	Registered parties	A policy development funding pool of \$3,000,000 is available.	A registered party's entitlement is calculated from their formal first preference votes of candidates who received more than 6% of the first preference vote
<b>WA</b>		Nil	
<b>NT</b>		Nil	

**From:** Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

330.

**Sent:** Thursday, 25 March 2021 12:46 PM

**To:** Gibson, Martin <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>

**Subject:** RE: Draft IDC Paper - Public Funding Issues

**Importance:** High



Hi martin

Can I be a pest – and ask that you update table 2 so that there is a column showing a standardised per annum amount for each jurisdiction, even if you keep the current column indicating that it is paid quarterly or half yearly. It would just be really useful to be able to easily compare the annual amounts. Feel free just to send the revised table through and we can slot back into the draft paper

Thanks!

F

---

**From:** Gibson, Martin <[Martin.Gibson@dpac.tas.gov.au](mailto:Martin.Gibson@dpac.tas.gov.au)>

331.

**Sent:** Monday, 22 March 2021 1:04 PM

**To:** Craven, Brooke <[Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au)>

**Cc:** Holeywell-Jones, Alice (DPaC) <[Alice.Holeywell-Jones@dpac.tas.gov.au](mailto:Alice.Holeywell-Jones@dpac.tas.gov.au)>; Poulter, Felicity <[Felicity.Poulter@justice.tas.gov.au](mailto:Felicity.Poulter@justice.tas.gov.au)>

**Subject:** Draft IDC Paper - Public Funding Issues

Hi Brooke

Here is a draft of the a paper for the IDC addressing public funding for the LegCo and a proposal for administrative funding.

Interested in your comments.

Cheers

Martin

**Martin Gibson | Senior Policy Analyst**  
**Policy Branch | Policy and Intergovernmental Relations Division**  
**Department of Premier and Cabinet**  
**Ph 6232 7132**  
**Level 7, 15 Murray St, Hobart | GPO Box 123, Hobart 7000**

cid:image001.png@01D2DB90.106B0B70



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**From:** [Poulter, Felicity](#)  
**To:** [Craven, Brooke](#)  
**Subject:** IDC paper - anonymous donations, fundraising contributions and party subscriptions June 21.docx  
**Date:** Thursday, 24 June 2021 9:38:00 AM  
**Attachments:** [REDACTED]  
**Importance:** High

---


332.1

I have basically cut and pasted the former doc to fit this format – I removed the analysis section and just included everything in the background

Cheers


F




**From:** [Craven, Brooke](#)  
**To:** [Gilbertson, Rowena \(DPaC\)](#)  
**Cc:** [Poulter, Felicity](#)  
**Subject:** Electoral reform - anonymous donations fundraising contributions and party subscriptions  
**Date:** Friday, 25 June 2021 5:33:43 PM  
**Attachments:**   
[image001.png](#)  
[image004.jpg](#)  
[image002.png](#)

333.1

Hi Row

Please find attached a Draft Paper we've prepared on a policy issue that we will need to confirm for drafting of the Bill – 

 and the Cabinet Minute proposes any further detail for drafting be by agreement between the Attorney-General and the Premier.

This is the one I tried to call about late yesterday – sorry I missed your call back earlier, happy to chat on Monday if you have some time then.

Have a great weekend, talk soon.

Cheers

Brooke



**Brooke Craven | Director**  
Strategic Legislation and Policy  
Department of Justice

p (03) 6165 4926  
 e [brooke.craven@justice.tas.gov.au](mailto:brooke.craven@justice.tas.gov.au)  
 w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)  
 Level 14, 110 Collins St, Hobart, TAS 7000 | GPO Box 825, Hobart TAS 7001

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**From:** [Poulter, Felicity](#)  
**To:** [Craven, Brooke](#)  
**Subject:** Reporting requirements for the various entities and individuals covered by the Bill.docx  
**Date:** Friday, 2 July 2021 10:02:00 PM  
**Attachments:** [REDACTED]

---

334.1

Hi Brooke


The document attached has a table where I have tried to show reporting requirements for the various entities/individuals

After that there is also a mock up of a fact sheet on third party campaigners – I was just trying to imagine what would be in a fact sheet and see whether we have covered in the bill all the stuff I would expect would need to be covered in a fact sheet. It will no doubt be missing some stuff but thought I would send through for your consideration so I can move onto considering campaign accounts

Cheers

F



**From:** [Secretary](#)  
**To:** [Holeywell-Jones, Alice \(DPaC\)](#); [Patterson, Eleanor \(Treasury\)](#); [Craven, Brooke](#)  
**Cc:** [Webster, Ginna](#); [Mills, Katherine](#); [Poulter, Felicity](#); [Gibson, Martin \(DPaC\)](#); [Faletic, Dana \(Treasury\)](#); [Lethborg, Tania](#)  
**Subject:** Electoral Review IDC update  
**Date:** Tuesday, 10 August 2021 2:15:49 PM  
**Attachments:**   
**Importance:** High

335.1  
335.2  
335.3

Dear IDC Members

Please find attached as flagged last week –

- Final Minute on Administrative Funding – note this now includes an additional section on the issue of auditing of claims for administrative funding
- Covering Minute to the Attorney on the two consultation draft Bills
- Draft Cabinet Brief to provide copies of the consultation draft Bills to Cabinet for noting ahead of their release for consultation on 20 August. Note there are highlighted sections where the Administrative Funding rates are TBC by the Attorney-General and Premier prior to Cabinet.

The Bills are still being finalised and we will provide you with copies as soon as possible, noting there is only minimal QA type changes to the Electoral Disclosure and Funding Bill that was provided to you last week (the other Bill contains the technical amendments arising from TOR1 of the Review). We expect this to be within the next day or two.

If you have any questions or would like to discuss any of this further, please contact Brooke as soon as possible at: [Brooke.Craven@justice.tas.gov.au](mailto:Brooke.Craven@justice.tas.gov.au).

Kind regards  
Ginna



**Office of the Secretary**  
Department of Justice

p (03) 6165 4943  
e [secretary@justice.tas.gov.au](mailto:secretary@justice.tas.gov.au)  
w [www.justice.tas.gov.au](http://www.justice.tas.gov.au)

Level 14, 110 Collins St, Hobart, TAS 7000 | GPO Box 825, Hobart TAS 7000





# ELECTORAL ACT REVIEW – INTERDEPARTMENTAL COMMITTEE

**Monday 22 February 2021, 10.30am-12pm**

**Via Microsoft Teams**

## AGENDA

### Interdepartmental Committee Members

Ginna Webster, Secretary, Department of Justice [Chair]

Alice Holeywell-Jones, Executive Director, DPAC

Brooke Craven, Director, Department of Justice

Eleanor Patterson, Director, Treasury and Finance

### Attendees

Tania Lethborg, Department of Justice

Felicity Poulter, Department of Justice

Martin Gibson, DPAC

Dana Faletic, Treasury

	Item	Agenda Papers or Verbal Update	Lead
1	Welcome and Apologies	Verbal	Chair
2	Terms of Reference	Paper	
3	Draft Cabinet Minute	Paper	DOJ
4	Draft Issues Papers	Gifts and fundraising events	
		Public Funding – Treasury Paper and 2019 Paper for noting	
		Phone canvassing	
6	Next meeting	TBC	Chair



# ELECTORAL ACT REVIEW – INTERDEPARTMENTAL COMMITTEE

Monday 22 February 2021, 10.30am-12pm

Via Microsoft Teams

## DECISIONS AND ACTION ITEMS

### Interdepartmental Committee Members

Ginna Webster, Secretary, Department of Justice [Chair]

Alice Holeywell-Jones, Executive Director, DPAC

Brooke Craven, Director, Department of Justice

Eleanor Patterson, Director, Treasury and Finance

### Attendees

Tania Lethborg, Department of Justice

Felicity Poulter, Department of Justice

Martin Gibson, DPAC

Dana Faletic, Treasury

**Welcome and introductions** – The Chair welcomed members and noted there were no apologies.

**Project overview:** The IDC noted the timeframes for finalizing the draft Cabinet Minute to be provided to the Attorney-General by 1-2 March and this would require the Minute for direction on various policy matters to be provided to the Attorney-General later this week. It was noted that the Attorney-General will discuss these matters with the Premier but that it will not be a joint Cabinet Minute. The IDC will provide advice to the Attorney-General on these matters as outlined in the draft Cabinet Minute and below and reflect the direction from the Attorney-General/ Government in the final draft Cabinet decision.

Item	Decision/Action	Responsibility	Due
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	[REDACTED]	[REDACTED]
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Item	Decision/Action	Responsibility	Due
	<ul style="list-style-type: none"> <li>[REDACTED]</li> </ul>		
[REDACTED]	<ul style="list-style-type: none"> <li>[REDACTED]</li> <li>[REDACTED]</li> <li>[REDACTED]</li> <li>[REDACTED]</li> <li>[REDACTED]</li> </ul>	[REDACTED]	[REDACTED]
[REDACTED]	<ul style="list-style-type: none"> <li>[REDACTED]</li> </ul>	[REDACTED]	[REDACTED]

#### Other Business

It was noted that an Implementation Plan will need to be developed in parallel to address matters including the resourcing requirements for the TEC, the ICT requirements for an online disclosure system and the timing for implementation including any staged commencement and transitional provisions that may be required to be included in the Bill. A further update will be provided on the proposed Implementation Plan out of session or at the next meeting.



Inter-Departmental Committee on Electoral Act Reform – 2021Terms of Reference

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## ISSUES PAPER

## Treatment of anonymous donations, fundraising contributions and party subscriptions

## ISSUE:

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## Background

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## Recommendation

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



## ISSUES PAPER

### Anonymous Donations

#### ISSUE:

[REDACTED]

#### Background

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

#### Other jurisdictions

##### *Minimum and maximum levels of ‘anonymous donations’*

[REDACTED]

[REDACTED]

[REDACTED]

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## Analysis

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## Recommendation

[REDACTED]

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## ISSUES PAPER

### Definition of “gift” – effect on fundraising events

#### ISSUE:

[REDACTED]

#### Background

[REDACTED]

[REDACTED]

[REDACTED]

#### Other jurisdictions

[REDACTED]

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<sup>1</sup> This refers to election funding by the Commonwealth



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<sup>3</sup> Gifts and Loans Guide – Electoral Commission South Australia



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DRAFT



## ISSUES PAPER

### “Phone canvassing” – S.196 and s.197

#### ISSUE:

[REDACTED]

#### Background

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[REDACTED] to

*mislead or deceive an elector in or in relation to the recording of his or her vote.*



[Redacted]

## Analysis

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[REDACTED]

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## ISSUES PAPER

### Role of Electoral Commissions

#### ISSUE:

[REDACTED]

#### Background

[REDACTED]

#### Other jurisdictions

[REDACTED]



## Analysis

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]



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**Appendix A – Links to Electoral Commission webpages on disclosure and legislation for each jurisdiction**

Commonwealth

[https://www.aec.gov.au/Parties\\_and\\_Representatives/financial\\_disclosure/](https://www.aec.gov.au/Parties_and_Representatives/financial_disclosure/)

<https://www.legislation.gov.au/Details/C2020C00400>

New South Wales

<https://www.elections.nsw.gov.au/Funding-and-disclosure>

<https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2018-020>

Victoria

<https://www.vec.vic.gov.au/candidates-and-parties/political-donations>

<https://content.legislation.vic.gov.au/sites/default/files/2020-04/02-23aa062%20authorised.pdf>

South Australia

<https://www.ecsa.sa.gov.au/parties-and-candidates/funding-and-disclosure-for-state-elections>

<https://www.legislation.sa.gov.au/LZ/C/A/ELECTORAL%20ACT%201985.aspx>

Western Australia

<https://www.elections.wa.gov.au/candidates-and-parties/funding-and-disclosure>



[https://www.legislation.wa.gov.au/legislation/statutes.nsf/law\\_a242.html](https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a242.html)

#### Queensland

<https://www.ecq.qld.gov.au/donations-and-expenditure-disclosure/disclosure-of-political-donations-and-electoral-expenditure>

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-1992-028>

#### Australian Capital Territory

[https://www.elections.act.gov.au/funding\\_and\\_disclosure](https://www.elections.act.gov.au/funding_and_disclosure)

<https://www.legislation.act.gov.au/a/1992-71/default.asp>

#### Northern Territory

<https://ntec.nt.gov.au/financial-disclosure>

<https://legislation.nt.gov.au/Legislation/ELECTORAL-ACT-2004#page=110&zoom=auto,88,747>



## ISSUES PAPER

### Inclusion of Legislative Council in Political Donations Disclosure Regime

#### ISSUE:

[REDACTED]

[REDACTED]

[REDACTED]

#### Proposed Recommendation:

[REDACTED]

[REDACTED]

[REDACTED]

#### Background

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

***Recommendation 3:*** *That, subject to further modelling and analysis to inform the final detail of the model, a disclosure system be introduced for political donations that are received by political parties and candidates, with the following elements and informed by models in other jurisdictions:*

- (a) The Tasmanian Act include a definition of “gift” that is generally consistent with the definition in the Commonwealth Electoral Act 1918.*
  - (b) That a threshold be set for disclosure of donations received, informed by approaches in other jurisdictions.*
  - (c) There be a requirement that all donations over the specified disclosure threshold be disclosed to the regulator within a specified time period. This time period could either be a single rolling period of no more than 28 days or alternatively, a less frequent reporting period outside the election period with more frequent reporting during the election period.*
  - (d) Multiple donations received from a single donor during a reporting period be aggregated when determining whether the disclosure threshold has been exceeded.*
  - (e) All candidates and political parties for House of Assembly elections be required to submit a return identifying all electoral expenditure, donations and debt during an identified period and that the return be required to be submitted via the designated electronic system within a set period after polling day.*
  - (f) All disclosure and reporting obligations be managed through an online disclosure system which allows:*
    - (i) easy and secure input of meaningful information by candidates, parties and third parties;*
    - (ii) the public to access and interrogate all appropriate data; and*
    - (iii) effective monitoring, auditing, investigation and enforcement.*
  - (g) It be an offence to receive a donation over the threshold for disclosure without recording the requisite identifying information.*
  - (h) It be an offence for a donor to provide false identifying information when making a political donation*
- [REDACTED]



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### Other jurisdictions

[REDACTED]

[REDACTED]

### Analysis

[REDACTED]

[REDACTED]



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Jurisdiction	Provision
Vic	Any donation to an endorsed candidate is deemed to be a donation to the party
	Annual return of the party appears to cover all endorsed candidates
ACT	s.200 anything received or incurred by an endorsed candidate is deemed to be received or incurred by the party
SA	s.130E deems that a party agent is the agent for a candidate



WA	A party agent is deemed to be a candidate's agent unless the candidate nominates otherwise within a defined timeframe
Qld	s.207 states that a candidate may appoint a person to be their agent. It is open to the candidate, but not mandated, that a candidate endorsed by a political party may wish to appoint an agent from the political party
NT	s.184(2A) the reporting agent for a candidate who is endorsed by a registered party is the reporting agent for that party. s.193 provides for requirements in relation to donations to candidates – and specifically limits the section to donations to candidates not endorsed by a registered party.

[REDACTED]

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## DRAFT ISSUES PAPER

### Public Funding Issues

#### Public Funding for the Legislative Council

Issue:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

#### Recommendation:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Public 'per vote' Funding

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## Administrative Funding Issue

~~Cabinet decided on 22 March 2021~~ It is proposed to introduce a system of public funding for

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jurisdictions, only elected members and parties will be eligible to claim to have their

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Table 1: Administrative funding by Australian jurisdiction:

State	Purpose/ Eligible Claims
CTH	Does not provide administrative funding.
VIC Administration Expenditure Funding	<p>The <a href="#">Electoral Act 2002</a> Division 1C - Administration Funding defines claimable expenditure as follows;</p> <p>(a) the following expenditure is included—</p> <ul style="list-style-type: none"> <li>(i) expenditure for the administration or management of the activities of the eligible party or elected member;</li> <li>(ii) expenditure for conferences, seminars, meetings or similar functions at which the policies of the eligible party or elected member are discussed or formulated;</li> <li>(iii) expenditure in respect of the audit of the financial accounts of, or claims for payment or disclosures under the Act of, the eligible party or elected member;</li> <li>(iv) expenditure on the remuneration of staff engaged in the matters referred to in subparagraphs (i) to (iii) for the eligible party or elected member to the extent that that expenditure relates to the time that the staff are engaged in those matters;</li> <li>(v) expenditure on equipment or vehicles used by staff whilst engaged in the matters referred to in subparagraphs (i) to (iii) for the eligible party or elected member to the extent that that expenditure relates to use of the equipment or vehicles by the staff whilst engaged in those matters; Authorised by the Chief Parliamentary Counsel</li> <li>(vi) expenditure on office accommodation for the staff and equipment referred to in subparagraphs (iv) and (v);</li> <li>(vii) expenditure on interest payments on loans;</li> </ul> <p>(b) the following expenditure is not included—</p> <ul style="list-style-type: none"> <li>(i) political expenditure;</li> <li>(ii) electoral expenditure;</li> <li>(iii) expenditure for which an elected member has claimed a parliamentary allowance as a member; (iv) expenditure that is incurred substantially in respect of operations or activities relating to the election of members of the eligible party to a Parliament other than the Parliament of Victoria;</li> </ul>
NSW Administration Fund	<p>The <a href="#">Electoral Funding Act 2018 No 20</a> defines administrative expenditure as follows:</p> <p>(a) includes a reference to the following—</p> <ul style="list-style-type: none"> <li>(i) expenditure for the administration or management of the activities of the eligible party or elected member,</li> <li>(ii) expenditure for conferences, seminars, meetings or similar functions at which the policies of the eligible party or elected member are discussed or formulated,</li> <li>(iii) expenditure on providing information to the public or a section of the public about the eligible party or elected member,</li> <li>(iv) expenditure on providing information to members and supporters of the eligible party or elected member,</li> <li>(v) expenditure in respect of the audit of the financial accounts of the eligible party or elected member,</li> <li>(vi) expenditure on equipment and training to ensure compliance by the eligible party, elected members or endorsed candidates of the eligible party with the obligations under this Act,</li> </ul>



	<p>(vii) expenditure on the reasonable remuneration of staff engaged in the above activities for the eligible party or elected member (being the proportion of that remuneration that relates to the time spent on those activities),</p> <p>(viii) reasonable expenditure on equipment or vehicles used for the purposes of the above activities (being the proportion of the cost of their acquisition and operation that relates to the use of the equipment or vehicles for those activities),</p> <p>(ix) expenditure on office accommodation for the above staff and equipment,</p> <p>(x) expenditure on interest payments on loans, but</p> <p>(b) does not include a reference to the following—</p> <p>(i) electoral expenditure,</p> <p>(ii) expenditure for which a member may claim a parliamentary allowance as a member,</p> <p>(iii) expenditure incurred substantially in respect of operations or activities that relate to the election of members to a Parliament other than the NSW Parliament,</p> <p>(iv) expenditure prescribed by the regulations.</p>
<b>ACT Administrative Funding</b>	Division 14.3A of the <a href="#">Electoral Act 1992</a> . Available to parties with representation in the Legislative Assembly and non-party MLAs. No definition is provided for acceptable administrative expenditure, however funding is not to be used to incur electoral expenditure.
<b>SA Special Assistance Funding</b>	Division 5 of the <a href="#">Electoral Act 1985</a> . A half yearly entitlement is available to parties who claim a reimbursement for administrative expenditure. <a href="#">Administrative Expenditure</a> is defined under s130A(1) as 'any expenditure related to the administration and operation of a registered political party' however under s130W of the Act the Special Assistance Funding is not to be used for political expenditure. To be eligible a candidate or at least one member of the registered party must have been a member of Parliament for all or part of the period.
<b>One-off Special Assistance funding</b>	A one-off payment was available in 2017 to eligible parties for Administrative expenditure incurred for the purpose of complying with Part 13A that is in excess of administrative expenditure incurred by the party in relation to which the half yearly Special Assistance funding payment had been paid.
<b>QLD Policy Development Funding</b>	Part 11 Division 5 of the <a href="#">Electoral Act 1992</a> . A half yearly payment is available to parties with at least one elected member. There is no definition of the purpose of Policy Development Funding provided.
<b>WA</b>	Does not provide administrative funding.
<b>NT</b>	Does not provide administrative funding.



Table 2 - Administrative Funding Rates by Jurisdiction

Jurisdiction		Current Rates	Claim Process
Cwlth		Nil	
VIC <a href="#">Victorian Electoral Commission</a>	Independent Members	\$208 200 per annum	Paid quarterly based on representation in Parliament. An audited claim is required annually, and any funding received in excess of actual expenditure is to be repaid to VEC.
	Parties: 1 Member	\$208 200 per annum	
	Parties: 2 Members	1 member rate + \$72 860 for the second member	
	Parties: 3+ members	2 member rate + \$36 440 for each subsequent member capped at 45 members	
NSW <a href="#">NSW Electoral Commission</a>	Independent Members	<del>\$235 200 maximum payable per annum</del> <del>\$58 800 maximum payable per quarter</del>	Quarterly claim for actual expenditure up to maximum payable net of any advance payments received. Evidence is required to substantiate any claim made together with a declaration of expenditure form.
	Parties: 1 Member	<del>\$364 400 maximum payable per annum</del> <del>\$91 100 maximum payable per quarter</del>	
	Parties: 2 Members	<del>\$624 000 maximum payable per annum</del> <del>\$156 000 maximum payable per quarter</del>	Quarterly advance payments are available at 50% of quarterly entitlement.
	Parties: 3 members	<del>\$779 600 maximum payable per annum</del> <del>\$194 900 maximum payable per quarter</del>	
	Parties 4+ members	<del>3 member rate + \$124 800 for each subsequent member capped at 22 members</del> <del>3 member rate + \$31 200 for each subsequent member capped at 22 members</del>	
SA <a href="#">Electoral Commission SA</a>	Parties: 5 or less members of Parliament	<del>\$77 128 maximum payable per annum</del> <del>\$38 564 maximum payable per half year</del>	Details of claim process not available.
	Parties: 6+ members of Parliament	<del>\$132 218 maximum payable per annum</del> <del>\$66 109 maximum payable per half year</del>	
	One-off Special Assistance Funding (available during 2017 - now expired)	<del>Parties 5 or fewer members of Parliament: \$56 000</del> <del>Parties 6+ members or Parliament: \$96 000</del> <del>Parties 5</del>	

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Electoral Act Review – Inter-Departmental Committee

		<a href="#">or fewer members of Parliament: \$56 000</a> <a href="#">Parties 6+ members of Parliament: \$96 000</a>	
ACT <a href="#">Administrative Funding</a>		<a href="#">\$23 126 per MLA per annum</a> <a href="#">\$5 781.56 per MLA</a>	Paid by quarterly instalment.
Qld	Registered parties	A policy development funding pool of \$3,000,000 is available.	A registered party's entitlement is calculated from their formal first preference votes of candidates who received more than 6% of the first preference vote
WA		Nil	
NT		Nil	



**Final Report Recommendation 11:**

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## ISSUES PAPER

### State Campaign Accounts

#### ISSUE:

[REDACTED]

#### Recommendation

[REDACTED]

#### Background

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*Electoral Act Review – Inter-Departmental Committee*

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## Other jurisdictions

NSW was the first jurisdiction in Australia to introduce a funding and disclosure scheme in 1981. It introduced the concept of a campaign account as part of legislative amendments in 2010 establishing new rules for the management of campaign finances.

Since then Queensland, South Australia, Victoria and the NT have adopted the use of a campaign account in their electoral legislation. However, as the funding and disclosure system differs within each jurisdiction so does the purpose of the campaign account.

A table has been prepared comparing aspects of the campaign account in each jurisdiction (see Table 1).

Neither WA nor ACT require campaign accounts, but both have public funding.

In relation to public funding in WA, the *Electoral Act 1907* simply provides that payment is to be made to a party agent or the representative of the candidate.

Further research was undertaken into the ACT experience as it is the only jurisdiction which uses the Hare-Clark system, and it has both public funding and donation disclosure without caps.

It is noted that campaign accounts, known as “ACT election accounts”, were introduced into the ACT in July 2012. This was part of wider amendments to introducing substantial changes to the funding, expenditure and financial disclosure provisions that included caps on the amount of gifts that could be used for ACT elections, caps on the amount of expenditure that could be incurred on ACT elections, more frequent disclosure of gifts received, and payment to political parties with Assembly representatives for administrative purposes

The explanatory memorandum to the amendment bill noted that introducing election accounts was part of a regime to enforce breaches of caps on electoral expenditure and donations.

After the ACT Territory Election in October 2012, Elections ACT (the Commission) released the *Report on the ACT Legislative Assembly Election 2012* in which it assessed several of the changes introduced on 1 July 2012.

Of particular note is that the Commission recommended that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Parliament. At page 64 of the Report the Commission reported

*Several of the changes introduced on 1 July 2012 require political entities to maintain an ACT election account held with a financial institution. This requirement caused some concern to some political participants. It was suggested to the Commission that it was unnecessary and could more readily be accommodated*



The ACT election account mechanism was adopted to facilitate the management and regulation of the new limits on donations and expenditure. Given the concerns expressed with this mechanism, it may be appropriate to review this requirement to determine whether an alternative approach may be preferable. The Commission recommends that the need for political participants to hold an ACT election account with a financial institution be re-examined by the Assembly.

These amendments also lowered the expenditure cap, and removed the limit on donations. The second reading speech for the *Electoral Amendment Act 2015* outlines that

*Removing the limit on donations means there is no longer any need for an ACT election account or another separately identified account or sub-account. Therefore, the bill removes the requirements for a separate ACT election fund.*

Elections ACT advises that election funding payments may be deposited into any account and may be used for any type of expenditure, and that such payments need to be reported on in annual returns by parties as receipts.

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Appendix- Table I

	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Legislative provisions for campaign account for State elections</b>	S. 37 of the <i>Electoral Funding Act 2018</i> .  Campaign account introduced in NSW in 2010, under s.96B of the <i>Election Funding, Expenditure and Disclosures Act 1981</i> .	s. 130K -130N of the <i>Electoral Act 1985</i>	s.206(1) & s.207F of the <i>Electoral Act 2002</i>	s.215 of the <i>Electoral Act 1992</i>	s.213A of the <i>Electoral Act 2004</i>  A Territory campaign account.
<b>Campaign account required for</b>	<ul style="list-style-type: none"> <li>political parties;</li> <li>elected members</li> <li>candidates</li> <li>groups</li> <li>third party campaigners</li> </ul>	<ul style="list-style-type: none"> <li>political parties;</li> <li>candidate</li> <li>group</li> </ul>	A “recipient”: <ul style="list-style-type: none"> <li>political parties;</li> <li>candidates;</li> <li>elected members;</li> <li>associated entities operating in Vic;</li> <li>a nominated entity of a party</li> <li>third party campaigners.</li> </ul>	A “participant”: <ul style="list-style-type: none"> <li>A candidate</li> <li>Political party</li> <li>Third party registered for the election.</li> </ul>	A political party or candidate.
<b>(if third parties have accounts – what/when do they report))</b>	<ul style="list-style-type: none"> <li>Third parties are required to disclose donations year round</li> <li>Third parties are required to report on electoral expenditure</li> </ul>	<ul style="list-style-type: none"> <li>NA</li> </ul>	s.217K outlines the annual reporting requirements of third party campaigners – including the reporting of a range of details in	“disclosure period” runs from 30 days after last election to 30 days after this election	NA



	NSW	South Australia	Victoria	Queensland	Northern Territory
	during the capped expenditure period		relation to the campaign account	3Ps become “participants” if they expend over the threshold on expenditure for political purposes at any point in the electoral cycle.  “electoral expenditure” re 3ps has a dominant purpose test	
<b>Purpose of account</b>	The NSW Electoral Commission advises on their website that a campaign account is “for the purpose of isolating certain income and payments for an election from other income and payments. This means that election campaign finances can be more easily identified when disclosure is audited by the NSW Electoral Commission.”	The South Australian Electoral Commission states in their 2019 <i>State Campaign Account Audit Report</i> (page 6) that “the idea behind a separate account it to attain greater transparency of moneys handed/used to fund the party’s election campaign”.	The VEC describes a campaign account as one or more accounts set up to keep money associated with State elections. It also separates political donations from funds used for admin, operations, Federal elections or other activities.	The Electoral Commission of Queensland advises in an online fact sheet that the provisions of campaign bank account details “provides the transparency and accountability needed to ensure accurate tracking of financial transactions related to a State election for which caps on electoral expenditure apply.	The NT Electoral Commission advises in an online fact sheet that “The purpose of the Territory campaign account is to isolate relevant funds to assist the auditing of disclosures of gifts and political expenditure.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Who maintains account?</b>	For parties – an agent. For an elected member or a candidate (non party) – that individual may operate account themselves.	The agent of a registered political party, third party, candidate or group.	The agent of a recipient.	The agent of a participant.	The agent of a party or candidate.
<b>What can be paid in</b>	s.37(2) – political donations, contributions by candidates to fund their own election campaigns, public funding payments, money borrowed, bequests.	The agent must ensure <b>all monetary gifts</b> received by or on behalf of the party are paid into the State Campaign Account (section 130L of the Act).  The general rule appears to be that gifts deposited in SA account are disclosable.	207F all political donations must be paid into state campaign account	s.216-219  (New requirements relating to amounts permitted to be paid into a State campaign account and donation caps will commence from 1 July 2022.)	Like SA, the general rule is that gifts deposited in campaign account can be disclosed.
<b>What cannot be paid in</b>	Party subs other than amount that exceeds max subscription, donations exceeding the cap, admin funding...moneys for fed or LG campaigns	The exceptions to this rule are: a) gifts made or received in contravention of Part 13A of the Act, and =ib) gifts the party does not intend to use for State electoral purposes.	Political party subs, affiliation fees paid by associated entity, annual levy paid by elected member to party,		Monies for federal campaigns doesn't go in



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>What doesn't have to be paid in</b>			The defn of gift excludes donations between a party and its nominated entity and vice versa		Don't have to put money in that isn't intended for "territory electoral purposes" (however this term is not defined)
<b>Electoral expenditure</b>	It is unlawful for a party to make payments for electoral expenditure for a state election campaign unless the payment is made from the state campaign account of the party...	The agent must ensure that all political expenditure is paid from the State Campaign Account (section 130N of the Act). <b>Political expenditure</b> is defined in section 130A(1) of the Electoral Act 1985 ('the Act') as expenditure incurred: a) for the purposes of the public expression of views on a political party, a candidate in an election, or a Member of Parliament by any means; or b) for the purposes of the public expression of views on an issue in an election by any means; or c) for the purposes of the production of any political	Victoria has <b>political expenditure</b> ; any expenditure with dominant purpose of directing a person how they should vote - this <b>MUST</b> come out of campaign acct	Electoral expenditure incurred by, or for, a participant in an election must be paid for from their dedicated State campaign bank account.	All <b>electoral expenditure</b> must be paid from this account <b>Electoral expenditure</b> is defined under 176A as; expenditure incurred <u>during the capped expenditure period</u> on any of the following: (a) publishing, broadcasting, posting or displaying an electoral advertisement during that period in any form and on any platform or at any venue or place during that period; (b) producing an electoral advertisement that is published, broadcast, posted or displayed as mentioned in paragraph (a); (c) designing or producing any printed electoral matter to which Part 13, Division I, Subdivision 2 applies that



	NSW	South Australia	Victoria	Queensland	Northern Territory
		material (not being material referred to in paragraph a) or b)) that is required under sections 112, 115A or 116 of the Act to include the name and address of the author of the material or of the person who takes responsibility for the publication or authorisation of the material (as the case requires); or d) for the purposes of the carrying out of an opinion poll, or other research, relating to an election or the voting intentions of electors; or e) for any other prescribed purpose; or f) of a prescribed kind.			is published, communicated or distributed during that period; (d) producing or distributing electoral matter that is addressed to particular persons or organisations and is distributed during that period; (e) carrying out an opinion poll or other research about the election during that period. (2) For subsection (1), electoral expenditure also includes receiving an item or service specified in that subsection in the form of a gift.
<b>Other expenditure</b>	37(6) This section does not prevent payments being made out of the State campaign account...of a party that are in addition to the	You can use this account to pay for administrative expenditure or transfer money to another admin account	<b>electoral expenditure</b> – expenditure incurred within the election period on...ads, production of materials requiring authorisation, polling etc;		You can use this account to pay for administrative expenditure or transfer money to another admin account



	NSW	South Australia	Victoria	Queensland	Northern Territory
	payments for electoral expenditure.		this MAY come out of campaign account		But must fall under “territory electoral purposes”
<b>Duration of account</b>	<p>Division 5, Subdivisions 2 of the Act contains provisions outlining what it to be done with any amounts in a campaign account after there is no longer a need for the account to be paid.</p> <p>Different requirements for parties, groups, non-party candidates.</p>	Not specified	s.207F(8) outlines how money left in the campaign account of an unsuccessful candidate or unelected member is to be distributed.	<p>Campaign account to be kept until each obligation mentioned in s.215(2) that applies to the participant or their agent ends.</p> <p>Obligations relate to:</p> <p>A political donation made during a donation cap period for the election; or</p> <p>Electoral expenditure;</p> <p>Repayment of a loan that is paid into the account.</p> <p>Donation of property other than money during a donation cap period for the election – the disposal of the property.</p>	Not specified.



	NSW	South Australia	Victoria	Queensland	Northern Territory
<b>Public funding of elections</b>	Yes, paid into campaign account.	Yes, but the public funding scheme is optional.  If one chooses to participate, then subject to political expenditure caps.  Public funding does not appear to have to be paid into the State account.	Yes, paid into campaign account.	Yes, paid into campaign account.	No
<b>Year campaign account introduced &amp; any funding/disclosure introduced at same time</b>	2010  Caps on donation and electoral expenditure, as well as public funding.	2016  Caps on expenditure if opt in to voluntary public funding scheme.  Disclosure of donation above \$5,000.	2018  Cap on donations.	2011  Caps on donations and electoral expenditure, public funding introduced.	2020  Cap on expenditure.
<b>Other observations</b>	s.37(10) regs making power re campaign accounts ie control of accounts, separately accounting for amounts held for elected members ...provision of information to and the audit of accounts by the AEC	SA Act uses the term “state electoral purposes” which is quite broad and covers; “purposes relating to the party’s objective of the promotion of the election to the House of Assembly or Legislative Council of a candidate or candidates endorsed by the party, and associated activities such as		Candidates, registered political parties and registered third parties who regularly participate in Queensland State elections, may maintain the same bank account for successive elections. A new account does not have to be opened and	Looking at the materials – there appear to be some comparisons between SA and NT  However in NT the agent can only operate one account – therefore candidates can’t have separate accounts



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	NSW	South Australia	Victoria	Queensland	Northern Territory
		administration and operation of the party”		closed for each election event; however, all disclosure, reporting and audit requirements must be met in full for each election.	



## ISSUES PAPER 2019 – FOR NOTING ONLY

### PUBLIC FUNDING

#### Consultation Issue 14:

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#### Background

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## Other jurisdictions

*This section has been updated to reflect the action from the last Steering Committee meeting.*

There are two general types of public electoral funding currently made available in Australian jurisdictions:

- 'Election funding' defined by Muller as 'post-election payments of an amount based on the number of votes received, possibly capped to the amount of expenditure incurred at the election'.
- 'Administrative funding' or 'policy development funding' is 'money paid to political parties or candidates outside the election period to support parties' routine operation'<sup>1</sup>.

In all jurisdictions with public funding there is a threshold percentage of first preference votes that must be received by a candidate prior to being eligible for public funding. This is 4 per cent in all jurisdictions apart from Queensland, where it is 6 per cent.

The Commonwealth and the Australian Capital Territory (ACT) calculate and pay entitlements based solely on the votes received by the candidate. The remaining jurisdictions with public funding now cap public electoral funding to actual expenditure.

The cost of a public funding regime to Tasmania, if introduced, would depend primarily on the amount provided per vote. Western Australia (WA) has the lowest rate of public funding at \$1.93 per first preference vote and the ACT, the highest, at \$8.43 per first preference vote.

New South Wales and Victoria allocate less per vote funding for upper house elections, while the remaining jurisdictions with upper houses, the Commonwealth, South Australia and WA all have the same funding for both houses.

Five of the remaining eight jurisdictions provide administrative funding and the amounts provided vary widely from a maximum of just over \$64,000 in South Australia, to around \$3.4 million in NSW.

### Per vote public funding by electorate

		Commonwealth	NSW	Vic	SA	Qld	WA	ACT	NT
Per vote public funding	Lower House	\$2.77	\$4.66	\$6.12	\$3.23*	\$3.14**	\$1.93	\$8.43	-
	Upper House	\$2.77	\$3.50	\$3.06	\$3.23	NA	\$1.93	NA	NA
Administrative funding (max)		-	~\$3.4m	~\$1.8m	\$64,568	\$3m	-	~\$533k	-

\* A tapered scheme applies to parties, groups and candidates, without or who are not a member of Parliament

\*\*\$1.57 for independent candidates

Attachment I reflects a summary of the approaches in other jurisdictions, as reflected in the Interim Report.

<sup>1</sup> Muller, D, 2018, 'Election Funding and disclosure in Australian states and territories: a quick guide', p 5.



## Analysis

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## Attachment I – Public Funding Jurisdictional Comparison

	Federal	NSW	Vic.	SA	Qld	Tas.	WA	ACT	NT
<b>Legislation</b>	<i>Commonwealth Electoral Act 1918</i>	<i>Electoral Funding Act 2018</i>	<i>Electoral Act 2002</i>	<i>Electoral Act 1985</i>	<i>Electoral Act 1992</i>	<i>Electoral Act 2004</i>	<i>Electoral Act 1907</i>	<i>Electoral Act 1992</i>	<i>Northern Territory Electoral Act</i>
<b>Public funding of election campaigns</b>	Indexed amount per first preference vote. Threshold of 4% of primary votes needed. First \$10,000 of public funding paid automatically, with claim of expenditure required for any additional funding.	Indexed amount per first preference vote up to actual election expenditure incurred. Threshold of 4% of primary votes needed.	Indexed amount per first preference vote up to actual election expenditure incurred. Threshold of 4% of primary votes needed.	Opt-in public funding on a per vote basis. Candidates must receive at least 4% of the primary vote to be eligible for public funding. Those who opt-in to receive public funding are subject to an indexed expenditure cap.	Indexed amount of public funding per first preference vote up to the claimed electoral expenditure. Threshold of 6% of primary votes needed.	No public funding.	Indexed amount per first preference vote up to actual election expenditure incurred. Threshold of 4% of primary votes needed.	Indexed amount per first preference vote paid automatically to candidate. There is no claims process. Threshold of 4% of primary votes needed.	No public funding of election campaigns.
<b>Public funding of parties' or candidates' activity</b>	No public funding for administration or other organisational or policy development purposes.	Administration Fund based on the number of elected members, from \$87,500 (indexed annually) for one to \$187,500 for three plus \$30,000 for each of up to 22 additional members. Parties not eligible for Administration Funding may be eligible for New Parties Funding of the greater of \$0.63 per vote or \$12,000.	Administrative funding paid annually at \$204,100 for the first party member, \$71,430 for third to forty-fifth member. Cannot be used for electoral expenditure.	Political parties who have a Member of Parliament are eligible for up to \$7,000 or \$12,000 (indexed) half yearly, administrative funding, depending on the number of MPs, which cannot be used for political expenditure.	A policy development funding pool of \$3,000,000 is available. A registered party's entitlement is calculated from their formal first preference votes of candidates who received more than 6% of the first preference vote.	No public funding for administration or other organisational or policy development purposes.	No public funding for administration or other organisational or policy development purposes.	Parties represented by an MLA and non-party MLAs are entitled to administrative funding of \$21,322.64 (from 2015, indexed each year) per calendar year for each MLA, paid quarterly.	No public funding for administration or other organisational or policy development purposes.



## Public and Administrative Funding: State by State

States provide eligible parties and independent members with two types of public funding; election funding, which is usually on a dollar per first preference vote to be used for electoral expenditure such as advertising material, costs associated with opinion polls etc. Some states provide administrative funding in addition to the election funding. Eligibility differs between the states and is detailed below.

Tasmania and Northern Territory do not currently provide public funding for electoral or administrative purposes.

Tasmania's [Electoral Act Review Interim Report \(pdf, 5622KB\)](#) (2018) summarises the funding between States, with further detail below regarding updated indexed amounts and details of claimable expenditure by funding type.

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### Administration Funding

All states providing administration funding stipulate that it is not to be used for electoral or political expenditure.

Most jurisdictions will pay the lesser of a maximum entitlement or actual expenditure. All states require application via a claim form. Some states require a declaration of expenditure, and some require an audit statement to accompany the declaration. Frequency of payment differs between States. Most States will pay retrospectively, however Victorian candidates are able to receive the payment in advance and rollover excess payments to the next period. NSW will pay an advance payment on application of 50% of the estimated claim to be deducted from the claim at the end of the period.

NSW has published a detailed procedure for administration funding which can be found [here](#).

State	Title	Purpose/ Eligible Claims
VIC	Administration Expenditure Funding	<p>The <a href="#">Electoral Act 2002</a> Division 1C - Administration Funding defines claimable expenditure as follows;</p> <p>(a) the following expenditure is included—</p> <ul style="list-style-type: none"> <li>(i) expenditure for the administration or management of the activities of the eligible party or elected member;</li> <li>(ii) expenditure for conferences, seminars, meetings or similar functions at which the policies of the eligible party or elected member are discussed or formulated;</li> <li>(iii) expenditure in respect of the audit of the financial accounts of, or claims for payment or disclosures under the Act of, the eligible party or elected member;</li> <li>(iv) expenditure on the remuneration of staff engaged in the matters referred to in subparagraphs (i) to (iii) for the eligible party or elected member to the extent that that expenditure relates to the time that the staff are engaged in those matters;</li> <li>(v) expenditure on equipment or vehicles used by staff whilst engaged in the matters referred to in subparagraphs (i) to (iii) for the eligible party or elected member to the extent that that expenditure relates to use of the equipment or vehicles by the staff whilst engaged in those matters; Authorised by the Chief Parliamentary Counsel</li> <li>(vi) expenditure on office accommodation for the staff and equipment referred to in subparagraphs (iv) and (v);</li> <li>(vii) expenditure on interest payments on loans;</li> </ul> <p>(b) the following expenditure is not included—</p> <ul style="list-style-type: none"> <li>(i) political expenditure;</li> <li>(ii) electoral expenditure;</li> <li>(iii) expenditure for which an elected member has claimed a parliamentary allowance as a member; (iv) expenditure that is incurred substantially in respect of operations or activities relating to the election of members of the eligible party to a Parliament other than the Parliament of Victoria;</li> </ul>



NSW	Administration Fund	<p>The <a href="#">Electoral Funding Act 2018 No 20</a> defines administrative expenditure as follows:</p> <p>(a) includes a reference to the following—</p> <ul style="list-style-type: none"> <li>(i) expenditure for the administration or management of the activities of the eligible party or elected member,</li> <li>(ii) expenditure for conferences, seminars, meetings or similar functions at which the policies of the eligible party or elected member are discussed or formulated,</li> <li>(iii) expenditure on providing information to the public or a section of the public about the eligible party or elected member,</li> <li>(iv) expenditure on providing information to members and supporters of the eligible party or elected member,</li> <li>(v) expenditure in respect of the audit of the financial accounts of the eligible party or elected member,</li> <li>(vi) expenditure on equipment and training to ensure compliance by the eligible party, elected members or endorsed candidates of the eligible party with the obligations under this Act,</li> <li>(vii) expenditure on the reasonable remuneration of staff engaged in the above activities for the eligible party or elected member (being the proportion of that remuneration that relates to the time spent on those activities),</li> <li>(viii) reasonable expenditure on equipment or vehicles used for the purposes of the above activities (being the proportion of the cost of their acquisition and operation that relates to the use of the equipment or vehicles for those activities),</li> <li>(ix) expenditure on office accommodation for the above staff and equipment,</li> <li>(x) expenditure on interest payments on loans, but</li> </ul> <p>(b) does not include a reference to the following—</p> <ul style="list-style-type: none"> <li>(i) electoral expenditure,</li> <li>(ii) expenditure for which a member may claim a parliamentary allowance as a member,</li> <li>(iii) expenditure incurred substantially in respect of operations or activities that relate to the election of members to a Parliament other than the NSW Parliament,</li> <li>(iv) expenditure prescribed by the regulations.</li> </ul>
ACT	<a href="#">Administrative Funding</a>	Division 14.3A of the <a href="#">Electoral Act 1992</a> . Available to parties with representation in the Legislative Assembly and non-party MLAs. No definition is provided for acceptable administrative expenditure, however funding is not to be used to incur electoral expenditure.
SA	<a href="#">Special Assistance Funding</a>  <b>One-off Special Assistance funding</b>	<p>Division 5 of the <a href="#">Electoral Act 1985</a>. A half yearly entitlement is available to parties who claim a reimbursement for administrative expenditure. <a href="#">Administrative Expenditure</a> is defined under s 130A(1) as 'any expenditure related to the administration and operation of a registered political party' however under s 130W of the Act the Special Assistance Funding is not to be used for political expenditure. To be eligible a candidate or at least one member of the registered party must have been a member of Parliament for all or part of the period.</p> <p>A one-off payment was available in 2017 to eligible parties for Administrative expenditure incurred for the purpose of complying with Part 13A that is in excess of administrative expenditure incurred by the party in relation to which the half yearly Special Assistance funding payment had been paid.</p>
QLD	Incorporated in 'Policy Development Funding'. Limited information available through the Electoral Commission website.	
WA	None	
NT	None	

### Administrative Funding Rates by State

State	Title	Current Rates	Claim Process	Link to Rates
VIC	Independent Members	\$208 200 per annum	Paid quarterly based on representation in Parliament. An audited claim is required annually, and any funding received in excess of actual expenditure is to be repaid to VEC.	<a href="#">Victorian Electoral Commission</a>
	Parties: 1 Member	\$208 200 per annum		
	Parties: 2 Members	1 member rate + \$72 860 for the second member		
	Parties: 3+ members	2 member rate + \$36 440 for each subsequent member capped at 45 members		
NSW	Independent Members	\$58 800 maximum payable per quarter	Quarterly Claim for actual expenditure up to maximum payable net of any advance payments received. Evidence is required to substantiate any claim made	<a href="#">NSW Electoral Commission</a>
	Parties: 1 Member	\$91 100 maximum payable per quarter		



	Parties: 2 Members	\$156 000 maximum payable per quarter	together with a declaration of expenditure form.	
	Parties: 3 members	\$194 900 maximum payable per quarter	Quarterly advance payments are available at 50% of quarterly entitlement.	
	Parties 4+ members	3 member rate + \$31 200 for each subsequent member capped at 22 members.		
SA	Parties: 5 or less members of Parliament	\$38 564 maximum payable per half year	Details of claim process not available.	<a href="#">Electoral Commission SA</a>
	Parties: 6+ members of Parliament	\$66 109 maximum payable per half year		
	One-off Special Assistance Funding (available during 2017 - now expired)	Parties 5 or fewer members of Parliament: \$56 000 Parties 6+ members or Parliament: \$96 000		
ACT	<a href="#">Administrative Funding</a>	\$5 781.56 per MLA	Paid by quarterly instalment.	<a href="#">Administrative Funding</a>
QLD	Incorporated in 'Policy Development Funding'. Limited information available through the Electoral Commission website.			

## Other Public Funding

State	Title	Purpose/ Eligible Claims	2020-21 Rate	Claim Process
VIC	Public Funding	<u>Public Funding's</u> purpose is to cover costs associated with running a State election campaign, and must be paid into the 'State Campaign Account' (dedicated bank account for income from other public funding, income from donations and all campaign expenditure). Rate is paid per first preference vote.	\$6.25 Legislative Assembly Candidates / \$3.12 Legislative Council Candidates per first preference vote.	
	Policy Development Funding	<u>Policy Development funding</u> may be available to eligible registered political parties who are not eligible for public or administrative funding. Requires submission of statements of expenditure and an audit certificate. The rate is paid per first preference vote.	\$1.04 per first preference vote.	
NSW	<a href="#">Election Campaigns Fund</a>	This funding is a reimbursement of certain electoral expenditure for State elections or by-elections. Rates paid are based on preference votes or actual amount of total expenditure.	Dollar per vote is based on a four year period, with separate rates for Legislative Assembly and Legislative Council candidates based on no. of members within the party or individual candidates. Rates are available <a href="#">here</a> and range from \$3.50 - \$5.25.	A claim for payment must be lodged with the NSW Electoral Commission within 120 days of the day for the return of the writ for the election. Quarterly advance payments are available to eligible parties/ candidates at 50% of quarterly entitlement.
NSW	<a href="#">New Parties Fund</a>	An annual payment is available to registered parties who are not eligible for payments from the Administration fund.	\$0.68 per first preference vote,	Claim must be lodged by the party agent within



		Its purpose is for expenditure relating to policy development. Rates are based on first preference votes by any candidate in the party at a rate of	up to a threshold of \$12 900.	the six month period after the end of calendar year. Evidence and a declaration of expenditure required.
SA	Election Funding	A state campaign account is to be kept for State electoral purposes including political expenditure. Special Assistance Funding may not be deposited to this account. The tapered entitlement scheme applies to: Endorsed candidates where the party has no Member of Parliament, Endorsed groups where the party has no Member of Parliament, Unendorsed candidates who are not a Member of Parliament, Unendorsed groups.	<p><i>Standard entitlement:</i> \$3.31 for each eligible vote.</p> <p><i>Tapered entitlement:</i> \$3.86 for each eligible vote received that falls within the first 10% of the total primary vote; and</p> <p>\$3.31 for each eligible vote received in excess of the total primary vote</p>	Lodgement of a certificate to opt into public fundingscheme. A capped expenditure return and audit certificate is lodged to determine amount payable.
WA	Electoral Reimbursement	Application can be made by any candidate in receipt of more than 4% of first preference votes, with informal votes excluded. Eligible expenditure is electoral in nature, e.g. election related advertising, campaign material, costs of opinion polls. Any claim accompanied by an audit statement will be processed faster. Evidence may be required to substantiate unaudited claims.	Maximum entitlement: \$1.96699 per valid first preference vote. Amount paid will be the lesser amount of declared expenditure or the entitled amount.	Reimbursed following lodgement of a successful claim within 20 weeks of polling day. Claims for more than one candidate within a party are to be lodged as one claim. This claim is in addition to election related disclosures.
QLD	<p>Election Funding</p> <p>Policy Development Funding</p>	<p>Candidates and parties must receive at least 6% of formal first preference votes to be eligible. Eligible expenditure is electoral in nature, e.g. election related advertising, campaign material, costs of opinion polls. Supporting documentation is required, including copies of advertisements or election material to claim reimbursement.</p> <p>Registered parties are eligible if registered at the last general State election and has at least one elected member of Parliament.</p>	<p>Maximum entitlement: \$1.651 candidates \$3.304 parties per eligible vote. Amount paid will be the lesser amount of declared expenditure or the entitled amount.</p> <p>?? <a href="#">Election funding and disclosure in Australian states and territories: a quick guide</a> states that a \$3m pool is available to share on a dollar per first</p>	Reimbursed following lodgement of a successful claim within 20 weeks of polling day.



			preference vote basis.	
<b>ACT</b>	<b>Election Funding</b>	Candidates and parties must receive at least 4% of formal first preference votes to be eligible. Eligible expenditure is electoral in nature, e.g. election related advertising, campaign material, costs of opinion polls. Supporting documentation is required, including copies of advertisements or election material to claim reimbursement.	862.105 cents per eligible vote.	A claim is not required, Electoral Commission will automatically pay the entitlement once voting figures are finalised. No party or candidate is obliged to accept public funding.
<b>NT</b>	There is no provision in the <a href="#">Electoral Act 2004</a> for public funding.			

## References

- VIC** [Victorian Electoral Commission](#)  
[Electoral Act 2002](#)
- NSW** [Public Funding](#)  
[Administration Fund Procedures](#)
- SA** [Special Assistance Funding](#)  
[Public Funding Guide](#)
- QLD** [Election Funding](#)  
[Fact sheet 20 - Election funding claims PDF \(0.17 MB\)](#)  
[Fact sheet 5 - Definition of electoral expenditure PDF \(0.23 MB\)](#)
- ACT** [Electoral Act 1992](#)  
[Administrative Funding](#)  
[Election Funding](#)
- NT** [Electoral Act 2004](#)  
Northern Territory Electoral Commission <https://ntec.nt.gov.au/>



Key items for Bill – Terms of Reference 3

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]







## Proposed definition of associated entity:

There is substantial commonality among jurisdictions in definitions of associated entities, with two states opting for definitions very similar to the Commonwealth definition. It is proposed that Tasmania adopt the Cwlth definition:

<b>Cwlth</b> s287 <a href="#">Commonwealth Electoral Act 1918</a>	<b>associated entity</b> means: (a) an entity that is controlled by one or more registered political parties; or (b) an entity that operates wholly, or to a significant extent, for the benefit of one or more registered political parties; or (c) an entity that is a financial member of a registered political party; or (d) an entity on whose behalf another person is a financial member of a registered political party; or (e) an entity that has voting rights in a registered political party; or (f) an entity on whose behalf another person has voting rights in a registered political party.
<b>NSW</b> s4 <a href="#">Electoral Funding Act 2018</a>	<b>associated entity</b> means a corporation or another entity that operates solely for the benefit of one or more registered parties or elected members
<b>Vic</b> s206 <a href="#">Electoral Act 2006</a> (amended 2018)	<b>associated entity</b> means— (a) an entity that is controlled by one or more registered political parties; or (b) an entity that operates wholly, or to a significant extent, for the benefit of one or more registered political parties; or (c) an entity that is a financial member of a registered political party; or (d) an entity on whose behalf another person is a financial member of a registered political party; or (e) an entity that has voting rights in a registered political party; (f) an entity on whose behalf another person has voting rights in a registered political party— but does not include a nominated entity of a registered political party;
<b>SA</b> s130A <a href="#">Electoral Act 1985</a>	<b>associated entity</b> means— (a) an entity that is controlled by 1 or more registered political parties; or (b) an entity that operates wholly, or to a significant extent, for the benefit of 1 or more registered political parties; or (c) an entity that is a financial member of a registered political party; or (d) an entity on whose behalf another person is a financial member of a registered political party; or (e) an entity that has voting rights in a registered political party; or (f) an entity on whose behalf another person has voting rights in a registered political party;



<p><b>Qld</b> S204 <a href="#">Electoral Act 1992</a></p>	<p>(2) An entity is an <b>associated entity</b> of a registered political party if the entity</p> <p>(a) is controlled by the party or a group of endorsed candidates of the party; or</p> <p>(b) operates wholly, or to a significant extent, for the benefit of the party or a group of endorsed candidates of the party; or</p> <p>(c) operates for the dominant purpose of— (i) promoting the party in elections; or (ii) promoting a group of endorsed candidates of the party in an election.</p> <p>(3) However, an associated entity of a registered political party does not include—</p> <p>(a) a candidate endorsed by the party for an election; or</p> <p>(b) another political party that is a related political party of the party; or</p> <p>(c) if the party is part of another entity—a federal or interstate branch or division of the other entity.</p>
<p><b>WA</b> S175 <a href="#">WA Electoral Act 1907</a></p>	<p><b>associated entity</b> means an entity that —</p> <p>(a) is controlled by one or more political parties; or</p> <p>(b) operates for the benefit of one or more political parties</p>
<p><b>ACT</b> s198 <a href="#">Electoral Act 1992</a></p>	<p><b>associated entity</b> means an entity that—</p> <p>(a) is controlled by 1 or more parties or MLAs; or</p> <p>(b) operates, completely or to a significant extent, for the benefit of 1 or more registered parties or MLAs.</p>
<p><b>NT</b> s3 <a href="#">ELECTORAL-ACT-2004</a></p>	<p><b>associated entity</b> means an entity that:</p> <p>(a) is controlled by one or more registered parties; or</p> <p>(b) operates wholly or to a significant extent for the benefit of one or more registered parties</p>



## Third parties – definition, threshold, time periods

### Proposed Definition

### Notes

### Definitions of third parties in other jurisdictions

<b>Cwlth</b> s287 <a href="#">Commonwealth Electoral Act 1918</a>	<b>third party:</b> a person or entity (except a political entity or a member of the House of Representatives or the Senate) is a third party during a financial year if: (a) the amount of electoral expenditure incurred by or with the authority of the person or entity during the financial year is more than the disclosure threshold; and (b) the person or entity is not required to be, and is not, registered as a political campaigner under section 287F for the year.  S287F (paraphrased) Registration as a <b>political campaigner</b> is required when electoral expenditure: is \$500,000 or more during that financial year, or any one of the previous three financial years; or is \$100,000 or more during that financial year, and electoral expenditure during the previous financial year was at least two-thirds of the revenue
<b>NSW</b> s4 <a href="#">Electoral Funding Act 2018</a>	<b>third-party campaigner</b> means the following— (a) for a State election—a person or another entity (not being an associated entity, party, elected member, group or candidate) who incurs electoral expenditure for a State election during a capped State expenditure period that exceeds \$2,000 in total, ... (c) a registered third-party campaigner for an election for which it is registered.



<b>Vic</b> s206 <a href="#">Electoral Act 2006</a>	<p><b>"third party campaigner"</b> means any person or <a href="#">entity</a> other than—</p> <ul style="list-style-type: none"> <li>(a) a <a href="#">registered</a> political party; or</li> <li>(b) a <a href="#">candidate</a> at an election; or</li> <li>(c) a <a href="#">group</a>; or</li> <li>(d) an <a href="#">elected member</a>; or</li> <li>(e) an <a href="#">associated entity</a>; or</li> <li>(f) a <a href="#">nominated entity</a> of a <a href="#">registered</a> political party—</li> </ul> <p>that receives <a href="#">political donations</a> or incurs <a href="#">political expenditure</a> which exceeds a total of \$4000 in a financial year;</p>
<b>SA</b> s130A <a href="#">Electoral Act 1985</a>	<p><b>third party</b> means a person, other than-... who—</p> <p>(f) incurs or intends to incur more than \$10 000 in political expenditure during the designated period (year of the election commencing 1 Jan) in relation to an election;</p>
<b>Qld</b> s197 <a href="#">Electoral Act 1992</a>	<p><b>third party</b> means an entity other than a registered political party, an associated entity or a candidate.</p>
<b>WA</b> <a href="#">Electoral Act 1907</a>	<p>Does not define third party</p> <p>Refers to other persons - s.175Q and 175SD</p>
<b>ACT</b> s198 <a href="#">Electoral Act 1992</a>	<p>means a person or entity that incurs \$1000 or more in electoral expenditure in the disclosure period for an election; but does not include ....candidates etc.</p>
<b>NT</b> s3 <a href="#">ELECTORAL-ACT-2004</a>	<p><b>third party campaigner</b> means a person who or entity that incurs or expects to incur more than \$1 000 of political expenditure during the capped expenditure period (1 January to 30 days after election day), but does not include a candidate, a registered party or an associated entity.</p> <p>Political expenditure is defined as ‘expenditure incurred in promoting or opposing a candidate or a registered party’.</p> <p>The definition of political expenditure is narrower than ‘electoral expenditure’ and does not capture communications or advertisements on election issues only (i.e. issues which are intended to raise awareness, education or encourage public debate)</p>



## Expenditure threshold and electoral period

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

## Definitions of third parties in other jurisdictions

	Cwlth	NSW	Vic.	SA	Qld	WA	ACT	NT
Amount	\$14,300 (to June 2021)	\$2000	\$4160	\$10,000	\$6000 – threshold for requirement to <u>register</u> as a third party	\$500	\$1000	\$1000
Period	Financial year	Capped State expenditure period (from 1 Oct of year prior to election to election day) – (or Issue of writs to election day)	Financial year	Designated period (year of the election commencing 1 Jan)	During the capped expenditure period for an election  first business day after the last Saturday in the preceding March until polling day - (or issue of writs to election day)	Unlimited except expenditure must relate to an election	Period since 31st day after polling day for the last previous election.	During the capped expenditure period (1 January to 30 days after election day)
Reporting of donations					Unregistered third parties need to report political donations received of at least \$1000.	When a person incurs expenditure for a political purpose, they should lodge a return within 15 weeks of polling day with details of donations received in the period since the last election.		



## Definition of electoral expenditure/electoral matter

### Proposed definition

[REDACTED]

### Notes

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[REDACTED]

### Summary of jurisdictional approaches

<u>Narrow</u>	<p>Vic - expenditure for the <u>dominant purpose</u> of directing how a person votes at an election, by promoting or opposing a candidate or party but does not include expenditure incurred by an associated entity or third party campaigner on any material ..disseminated outside of the election campaigning period unless the material refers to— a candidate or a registered political party; and how a person should vote at an election;</p> <p>NT - ‘expenditure incurred in promoting or opposing a candidate or a registered party’</p>
<u>Moderate</u>	<p>Cwlth - matter communicated or intended to be communicated for the dominant purpose of influencing the way electors vote in an election ...including by promoting or opposing... a political entity...(Note <i>Communications whose dominant purpose is to educate their audience on a public policy issue, or to raise awareness of, or encourage debate on, a public policy issue, are not for the dominant purpose of influencing the way electors vote in an election (as there can be only one dominant purpose for any given communication).</i></p> <p>NSW - expenditure for or in connection with promoting or opposing, directly or indirectly, a party or the election of a candidate or candidates or for the purpose of influencing, directly or indirectly, the voting at an election - does not include expenditure ...if the expenditure is not incurred for the dominant purpose of promoting or opposing a party or the election of a candidate or candidates or <u>influencing the voting at an election</u>.</p> <p>Qld - if the <u>dominant purpose</u> for which the expenditure is incurred is a campaign purpose. However, expenditure incurred by a third party is not electoral expenditure if the dominant purpose for which the expenditure is incurred is another purpose, even if the expenditure is also incurred for, or achieves, a campaign purpose. Example of other purposes for incurring expenditure— to educate or raise awareness about an issue of public policy</p>
<u>Broad</u>	<p>SA - public expression of views <u>on an issue in an election</u> by any means</p> <p>WA – matter that is intended, calculated <u>or likely to affect voting in an election</u></p> <p>ACT – matter is <u>taken to be intended or likely to affect voting at an election if it contains an express or implicit reference to, or comment on .. the election; or ... an issue submitted to, or otherwise before, the electors in relation to the election</u></p>



## Registration process for third parties

### Proposed approach

[REDACTED]

### Notes

- [REDACTED]

### Summary of jurisdictional approaches

	Cwlth	NSW	Vic.	SA	Qld	WA	ACT	NT
Registration	<p><u>Third parties</u> are not required to register with the AEC.</p> <p>Registration as a <u>political campaigner</u> is required when electoral expenditure:  is \$500,000 or more during that financial year, or any one of the previous three financial years; or  is \$100,000 or more during that financial year, and electoral expenditure during the previous financial year was at least two-thirds of the revenue of the person or entity for that year.</p>	A third-party campaigner must be registered for an election before making payments of more than \$2,000 for electoral expenditure incurred during the capped State expenditure period.	NA	NA	<p>A third party must register with the ECQ if they spend, or someone they authorise spends, cumulatively, more than \$6,000 in electoral expenditure, during the capped expenditure period for an election.</p> <p>Applications for registration must be submitted before the polling day for an election</p>	NA	NA	Third-party campaigners need to register for each election. s175B - registration must be received at least five days before the election.

### Timeframes for reporting for third parties



## Proposed timeframes:

• [REDACTED]

## Notes

• [REDACTED]

	Cwth	NSW	Vic.	SA	Qld	WA	ACT	NT
Annual and half year Returns	<u>Third parties:</u> Annual returns for donations and expenditure.  <u>Political campaigners:</u> Annual Returns for donations and expenditure.	An annual disclosure of <u>electoral expenditure</u> on or before 22 September	Annual return including income and expenditure	If a third party incurs political expenditure over the legislated threshold (10,000 indexed) during a financial year, they must lodge an <u>annual political expenditure return</u> .  Lodge half-yearly returns within 30 days of the end of each half-yearly period	Nil	Nil	Nil	Nil
Year-round reporting	As above	All political <u>donations</u> must be disclosed every six months within 4 weeks after the end of the half-year	Must disclose all political donations of over \$1,000 within 21 days.		Disclosure of donations within 7 business days of its first use.	Generally when a person incurs expenditure for a political purpose, they should lodge a return within 15 weeks of polling day with details of donations received in the period since the last election.		



	Cwlth	NSW	Vic.	SA	Qld	WA	ACT	NT
Pre-election	Nil	political donations of \$1,000 or more, made or received between 1 October in the year before the election and election day, must be disclosed within 21 days	As above	If a third party incurs more than \$5,000 (indexed) of political expenditure during the capped expenditure period, they must lodge a capped expenditure period return. This return must be lodged within 60 days after polling day.	A return no more than 15 weeks after polling day for donations received of over \$1000 (for Registered third parties).  Registered third parties must disclose their electoral expenditure in an election summary return within 15 weeks after the election	Where a person (not being a political party, an associated entity a candidate or a group) exceeds \$500 on electoral expenditure - details of expenditure to be lodged within 15 weeks of polling day.	If a third party receives gifts of \$1000 or more during the disclosure period (period since the last election) then they must provide a return within 60 days after polling day  If a third party campaigner incurs electoral expenditure in the capped expenditure period, they need to provide a return within 60 days after polling day	Reporting from third-party campaigners is required for the election period only ie Election year.  Reporting of donations for political expenditure received during election period: 6 reports in total over year preceding the election see <a href="#">Financial-Disclosure-Handbook</a> for details.  Expenditure report due 60 days after election.  A person (as distinct from a third party campaigner) spends more than \$200 in electoral expenditure then they need to provide a report within 60 days of the election.



