



New South Wales

Election Funding, Expenditure and Disclosures Amendment (Administrative Funding) Bill 2013

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Election Funding, Expenditure and Disclosures Act 1981*:

- (a) to increase the amounts for which registered parties with elected members of State Parliament, and elected members of State Parliament who are not members of registered parties, are eligible to be paid by the Election Funding Authority (*the Authority*) for administrative expenditure incurred, and
- (b) to enable quarterly payments of such amounts, and
- (c) to require payments from the Administration Fund or the Policy Development Fund for expenditure incurred to be made by the Authority within 6 weeks after a claim is made.

The Bill also makes a consequential amendment to the *Election Funding, Expenditure and Disclosures (Adjustable Amounts) Notice*.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Election Funding, Expenditure and Disclosures Act 1981 No 78

Schedule 1 [1] increases the amount of annual payment for which a registered party who has members who are elected members of State Parliament is eligible for administrative expenses incurred. The amount is determined on a sliding scale according to the number of elected members who are members of the party. For expenditure incurred in the year 2012, the scale is \$200,000 for parties with one elected member, \$350,000 for parties with 2 elected members, \$450,000 for parties with 3 elected members and \$450,000 for parties with more than 3 elected members plus an additional \$83,000 for each member in excess of 3 (but capped at 22 members in excess of 3). These amounts are to be adjusted for inflation for each year after 2012.

Schedule 1 [2] increases the amount of annual payment for which an elected member of State Parliament who is not a member of a registered party is eligible for administrative expenses incurred. The amount for the year 2012 is \$200,000 and is adjusted each subsequent year for inflation.

Schedule 1 [3] provides that parties and elected members eligible for annual payments for administrative expenses incurred in a calendar year may receive quarterly payments in respect of the first three quarters of the year. The quarterly payments must be in respect of actual administrative expenses already incurred and are capped at a percentage of the applicable annual amount. Any such payment to a party or elected member is to be deducted from the annual amount to which the party or elected member is entitled. Quarterly payments in excess of that annual amount are to be repaid to the Authority. The Authority may demand repayment of quarterly payments from a party or elected member if the party or elected member has become ineligible for an annual payment.

Schedule 1 [4]–[6] make consequential amendments to the provisions relating to the making of claims.

Schedule 1 [7] requires the Authority to make a payment from the Administration Fund for administrative expenditure incurred, or from the Policy Development Fund for policy development expenditure incurred, within 6 weeks after receiving a properly made claim with supporting documentation and information. The Authority is also empowered to deduct from any payment to be made to a party or elected member under Part 6A of the Act any amount that the Authority may recover under that Part from the party or elected member as a debt.

Schedule 1 [8] makes a consequential amendment to the provisions relating to the adjustment of amounts for inflation.

Election Funding, Expenditure and Disclosures Amendment (Administrative Funding)
Bill 2013

Explanatory note

Schedule 1 [9]–[11] contain provisions of a savings or transitional nature consequent on the enactment of the proposed Act.

**Schedule 2 Amendment of Election Funding,
Expenditure and Disclosures
(Adjustable Amounts) Notice**

Schedule 2 makes consequential amendments to the *Election Funding, Expenditure and Disclosures (Adjustable Amounts) Notice*.