



Submission to the Inquiry into the Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017

January 2018

Dear Committee members,

This Bill, if passed as currently drafted, would severely restrict the ability of Australian charities and non-profit organisations to comment on and undertake advocacy on public issues, while also imposing burdensome new reporting requirements. Because of the way the Bill is drafted, it would be very difficult to exempt charities from these requirements.

Whilst we support the need for a transparent and effective framework for regulating third parties in the electoral process, **we believe that the Bill should not be progressed in its current form. Instead, further consultation should be undertaken with charities, and a detailed regulatory impact statement should be completed.** The full impact and costs of any changes can then be properly assessed and considered, and charities can be properly excluded from any amendments which should not apply to them.

Australia's open and democratic system of government must encourage and foster public engagement and participation. If the Bill is progressed in its current form individuals and organisations that would otherwise make contributions to a range of democratic processes, including making policy submissions or engaging in dialogue with parliamentarians, are likely to be reluctant to do so. The ambiguity of the definitions and their applicability proposed in the Bill is likely to therefore dull legitimate and constructive advocacy and public debate.

The restrictions in this Bill would not only limit the work of charities in contributing to debate on issues of public interest, but would also cut off a vital source of supplementary funding via international philanthropy. Many social and environmental challenges are global in nature, and require transnational responses - it is appropriate for global philanthropy to play a role. While foreign influence in Australian politics is a significant public policy issue it is vital that international philanthropy given to charities for legitimate and lawful advocacy on public policy issues be differentiated from

foreign donations to politicians or political parties for their campaigning for elected office.

We would therefore again urge you to recommend further consultation be undertaken with charities, and that a detailed regulatory impact statement be completed to better understand the potential impacts of the Bill. Subsequent to the findings of this process we would recommend a redraft of the Bill to properly exclude registered Australian charities.

For further information on this submission, please contact:

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