



Parliament of Australia

Joint Standing Committee on  
**Electoral Matters**

**FACT SHEET**

Issued: 20 September 2012

Chair: Mr Daryl Melham MP

## FACT SHEET: COMMITTEE POSITION ON LIST OF POSSIBLE MEASURES

As part of the Federal Parliament's Electoral Matters Committee's inquiry into the AEC analysis of the FWA report on the HSU, the Special Minister of State referred a list of 17 possible measures for consideration.

The **Executive Summary** in the Committee's report sets out thematically the 17 possible measures and the committee's position on each measure. The Committee has already examined, and made recommendations, on a number of these issues in previous reports.

No.	Measure	Committee view
<b>Disclosure</b>		
1	Reconsideration of the appropriate level of the disclosure threshold	Supported— <b>Recommendation 1</b> Reduce the disclosure threshold to \$1 000 and remove CPI indexation
7	Require the electronic lodgement of all returns to the AEC (with the power for the Electoral Commissioner to grant some exceptions)	Supported— <b>Recommendation 4</b> Require electronic lodgement of returns to improve the transparency and efficiency of the disclosure system
11	Require more frequent reporting of relevant expenditure and receipts	Supported— <b>Recommendation 8</b> Introduce six-monthly reporting to improve the transparency and timeliness of disclosure
13	Review the 'disclosure period' and the 'election period' in relation to disclosure obligations and new candidates who are seeking pre-selection	Supported— <b>Recommendation 9</b> Extend the disclosure period for new candidates to 12 months prior to the earlier date of their nomination or pre-selection
15	Expand the categories of 'electoral expenditure' that are to be disclosed to include campaign staff, premises, office equipment, vehicles and travel	Supported— <b>Recommendation 11</b> Improves transparency of election related spending
<b>Associated entities</b>		
5	Abolish 'associated entities' and establish a third party scheme similar to Canada and the UK	Not supported <b>Recommendation 3</b> —Clarify the definition of 'associated entities' to improve the effectiveness of the category
<b>Compliance</b>		
2	Introduce administrative penalties for objective failures (such as failing to lodge on time)	Supported— <b>Recommendation 2</b> Introduce administrative penalties to provide the AEC with greater flexibility to deal with breaches of straightforward offences

No.	Measure	Committee view
<b>Compliance (continued)</b>		
3	Provide that financial penalties be offset against public funding entitlements (perhaps combined with the AEC withholding a small percentage of such entitlements for a period of 12 months following an election)	Not supported Would add an unnecessary layer of complexity to public funding process
4	Require the compulsory and timely auditing of all records held by registered parties (and party units), candidates, third parties, etc, by independent auditors (do not include donors)	Not supported Potential benefit is disproportionate to the administrative burden on those with reporting obligations
8	Require the period for the retention of records in section 317 and related offence in section 315(2)(b) be increased to 7 years	Supported— <b>Recommendation 5</b> It is important to ensure the retention of relevant records
9	Insert a new offence for a person who fails to make records to enable complete and accurate disclosure	Supported— <b>Recommendation 6</b> It is important to ensure that appropriate records are created in order to meet disclosure obligations
10	Increase relevant criminal penalties that are fraud related (e.g. knowingly providing false and misleading information in a return)	Supported— <b>Recommendation 7</b> Penalties for 'serious' offences should be strengthened. Fraud related offences should come under this category
14	Increase the coercive powers of the AEC to enable it to act as a regulator in relation to matters under Part XX of the Electoral Act	Supported in part— <b>Recommendation 10</b> Clarify, and where needed strengthen, the AEC's coercive powers to put beyond question the actions that can be taken to investigate and ensure compliance
16	Deem registered political parties to be bodies corporate for the purposes of Part XX of the Electoral Act	Supported— <b>Recommendation 12</b> Shifting the focus from the individual to the political party to take greater responsibility for their reporting obligations and the consequences of failures to meet these obligations
17	Introduce provisions with greater certainty about who has the relevant reporting obligation	Supported— <b>Recommendation 13</b> Identify positions or individuals within political parties, associated entities, or third party organisations, who are responsible for meeting reporting obligations
<b>Campaign administration</b>		
6	Establish the requirement that electoral expenditure can only come from specific and dedicated campaign accounts into which all donations must be deposited that have been nominated to the AEC and which can be "trawled" by the Australian Transaction Reports and Analysis Centre (AUSTRAC)	Not supported Potential benefit is disproportionate to administrative burden on those with reporting obligations
12	Reintroduce requirements that campaign committee expenditure is to be reported separately from the state party unit and specifically covers the election period for each division	Not supported Would place an undue burden on campaign volunteers by adding another layer of administration

**For media comment:** Please contact the Committee Chair, Daryl Melham MP on 02 6277 2054 (Parliament House office) or 02 9774 2111 (Electoral office).

**For general information:** Contact the secretariat on 02 6277 2374 or [jscem@aph.gov.au](mailto:jscem@aph.gov.au).