



## Appendix D—Comparison of Commonwealth, State and Territory schemes

Table D.1 Comparison of Commonwealth, States and Territory schemes

	<b>Commonwealth</b>	<b>New South Wales</b>	<b>Queensland</b>	<b>Western Australia</b>	<b>Australian Capital Territory</b>	<b>Northern Territory</b>
<b>Public funding</b>	YES – direct entitlement scheme  4% threshold of first preference votes cast	YES –reimbursement scheme  4% threshold of first preference votes cast	YES – reimbursement scheme  4% threshold of first preference votes cast	YES – reimbursement scheme  4% threshold of first preference votes cast	YES – direct entitlement scheme  4% threshold of eligible votes	None
<b>Administrative/ ongoing funding</b>	NO	YES – annual payments for registered political parties with elected members and Independents	YES – Bi-annual payments for eligible registered political parties and Independents	NO	NO	NO
<b>Financial disclosure</b>	Annual returns by political parties, associated entities, donors, third parties  Election returns by candidates, Senate groups, election donors	Annual returns by party agents or official agents must disclose details of political donations above \$1 000 and aggregate of donations below \$1 000  Annual returns by party agents or official agents of members, candidate, third parties and groups must lodge annual returns of donations and electoral expenditure	Bi-annual returns (six-monthly disclosure)  Special reporting of large donations  Election returns detailing expenditure by political parties, candidates and third parties  Broadcaster and publisher returns	Annual returns by political parties and associated entities  Election returns by third parties and candidates	Annual returns by political parties, associated entities, MLAs, donors  Election returns by donors to candidates, persons incurring political expenditure and broadcasters and publishers	Annual returns by political parties, associated entities, donors  Election returns by candidates, third parties

Table D.1 Comparison of Commonwealth, States and Territory schemes (continued)

	Commonwealth	New South Wales	Queensland	Western Australia	Australian Capital Territory	Northern Territory
<b>Threshold</b>	\$10 000, indexed according to CPI (\$11 500 for the 2010-2011 financial year)	\$1 000	\$1 000	\$2100 (not clear from legislation – obtained figure from WAEC website) (indexed figure)	\$1 000	\$1 500 (donations to registered political parties),  If a person receives gifts of \$1 000 or more to make donations, these must be disclosed  \$200 (donations to candidates);  \$1 000 to entities declared by NTEC to be an entity to which the disclosure obligation applies
<b>Caps</b>	NO	YES	YES	NO	NO	NO
<b>Bans</b>	YES – anonymous gifts to political parties	YES – tobacco industry, liquor or gambling industry and property developers, close associates of these and industry representative organisations of these cannot make political donations	YES – anonymous and foreign donations	YES – anonymous gifts over \$2100	YES – anonymous gifts above \$1 000 to parties, MLAs, candidates and associated entities	YES – anonymous gifts over \$1 000 to political parties and over \$200 to candidates

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	<b>Commonwealth</b>	<b>New South Wales</b>	<b>Queensland</b>	<b>Western Australia</b>	<b>Australian Capital Territory</b>	<b>Northern Territory</b>
<b>Expenditure</b>	<p>Third parties incurring political expenditure must submit an annual disclosure return</p> <p>Candidates and Senate groups must disclose their donations and expenditure following an election</p> <p>Political parties and associated entities must disclose a total figure for payments made during the financial year</p>	<p>Caps on 'electoral communication expenditure'</p> <p>Capped expenditure period is from 1 October in the year before the election (fixed election date in March)</p> <p>All electoral expenditure is required to be disclosed, whether incurred during a capped expenditure period or not</p>	<p>Caps on electoral expenditure</p> <p>Political parties must submit disclosure returns detailing all electoral expenditure incurred during the capped expenditure period</p> <p>Disclosure of gifts used to incur expenditure by third parties</p>	<p>Political parties, candidates, Senate groups and third parties must lodge election returns detailing expenditure incurred, even if nil</p>	<p>Candidates must disclose electoral expenditure over \$1 000</p> <p>Broadcaster and publisher returns must include details of expenditure</p>	<p>Candidates must disclose electoral expenditure following an election, unless expenditure incurred was less than \$200; statement must be given to NTEC where nil expenditure was incurred</p> <p>Political parties and associated entities disclose total expenditure in annual returns</p>
<b>Compliance</b>	<p>AEC has power to conduct compliance reviews of political parties, associated entities and donors that give more than \$25 000</p> <p>AEC has power to compel production of certain documents in some circumstances</p>	<p>EFA has a range of enforcement options including (in ascending order of severity):</p> <ul style="list-style-type: none"> <li>• written warning or advice of breach;</li> <li>• penalty notice;</li> <li>• recovery of monetary amount;</li> <li>• compliance agreements</li> <li>• Supreme Court injunction; and</li> <li>• prosecution</li> </ul>	<p>Authorised officers have particular powers to conduct inspections and enter premises</p>	<p>Investigatory power along same lines of Commonwealth – authorised officers have power to compel documents and conduct investigations</p>	<p>'Prescribed persons' under the legislation may conduct investigations to compel production of documents or evidence</p>	<p>Commission has power to issue investigation notices, compel document or give evidence</p>

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<b>Administrative agency</b>	Funding and disclosure administered by the Australian Electoral Commission	Election Funding Authority is responsible for funding and disclosure – it is a corporation with the corporation name 'Election Funding Authority of NSW'  The NSW Electoral Commission is the administrative unit through which the Election Funding Authority exercises its statutory responsibilities	Funding and disclosure administered by the Electoral Commission of Queensland	Funding and disclosure administered by the WA Electoral Commission	Funding and disclosure administered by Elections ACT	Funding and disclosure administered by the Northern Territory Electoral Commission

Source Prepared based on material from the Electoral Commission websites: Australian Electoral Commission <[http://www.aec.gov.au/Parties\\_and\\_Representatives/index.htm](http://www.aec.gov.au/Parties_and_Representatives/index.htm)>, NSW Election Funding Authority <<http://www.efa.nsw.gov.au/>>, Electoral Commission Queensland <<http://www.ecq.qld.gov.au/financial.aspx?id=675>>, Western Australian Electoral Commission <[http://www.waec.wa.gov.au/pp\\_candidate/financial\\_disclosure/](http://www.waec.wa.gov.au/pp_candidate/financial_disclosure/)>, ACT Electoral Commission <[http://www.elections.act.gov.au/political\\_parties/funding\\_and\\_disclosure](http://www.elections.act.gov.au/political_parties/funding_and_disclosure)>, and Northern Territory Electoral Commission <[www.nt.gov.au/nteo](http://www.nt.gov.au/nteo)>