



Our Ref: 200802763

Joint Standing Committee on Electoral Matters	
Submission No.	61
Date Received	14/5/08
Secretary	

Mr Daryl Melham MP
Chairman
Joint Standing Committee on
Electoral Matters
Parliament House
CANBERRA ACT 2600

Dear Mr Melham

INQUIRY INTO THE CONDUCT OF THE 2007 FEDERAL ELECTION

Thank you for your recent letter seeking comment on the conduct of the 2007 Federal election with reference also to political funding and disclosure matters.

As to the conduct of the Federal election, two matters are worthy of consideration by the Joint Standing Committee as to their impact, if any, on elector participation. The introduction of proof of identity requirements for Commonwealth enrolment, coupled with legislation to close Commonwealth electoral rolls generally when writs were issued, were argued as having the potential to disenfranchise electors. An analysis as to whether electoral integrity was improved by these measures, and at what cost to the franchise, would assist the development of future electoral legislation.

As a related matter, the Joint Standing Committee may also wish to consider if Australian Electoral Commission targeted enrolment strategies were effective in improving the quality of the roll in rural and remote areas, and if an increased voter turnout in these same areas was evident.

On fundraising and disclosure, while it is for the Commonwealth to establish the necessary Federal regulatory regime by which donations and expenditure remain controlled and transparent, there are common areas where consistency between the States and the Commonwealth would improve practises throughout Australia, and importantly, prevent circumvention.

As the Commonwealth considers these matters and the potential harmonisation of laws, it is offered that the disclosure regime in Western Australia, which came into force in 1996, has proven effective. The Western Australian legislation requires all political parties and associated entities to submit an annual return to the Electoral Commissioner disclosing details of gifts and other income. The Electoral Commissioner is empowered to check all returns, obtain any information relevant to disclosure requirements and to interview people and scrutinise bank or other financial accounts where donations are deposited. Further, donations from unidentified persons or sources equal to or more than \$1800 (this amount is linked to CPI increases) are prohibited, and gifts of \$1800 or more must be detailed.

Importantly, under Western Australian legislation, nationally registered political parties may comply with State law if they lodge copies of their annual returns with the Australian Electoral Commission and send a copy of their return to the Western Australian Electoral Commission. This procedure worked well while the Commonwealth's threshold for disclosure of political donations was \$1500. However, with the Commonwealth threshold now at \$10,000, the disclosure requirements in Western Australia and the Commonwealth are now very different. The Commonwealth's stated intention to return to a threshold of \$1000 is supported.

Electoral funding in Western Australia was introduced in 2006. Candidates in a State election or by-election can apply to be reimbursed for electoral expenditure incurred on receiving more than 4% of the first preference votes. Also, payments for all candidates endorsed by a registered political party can be made if candidates collectively poll over 4% of the total number of eligible votes at the combined elections in each contested electorate. Currently, a candidate is to receive \$1.50519 (linked to CPI) for each valid first preference vote achieved over the threshold. Importantly, in Western Australia the payment received by candidates on the basis of their vote share is not to exceed their actual electoral expenditure, declared in a separate return.

Western Australian electoral legislation on political funding and disclosure is transparent and working well. While there are no intentions to amend State legislation, wholesale changes to related Commonwealth law would need to be considered for any impact on the operation of the State regime.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'A' followed by a long horizontal line that loops back to the right.

Alan Carpenter MLA
PREMIER

8 MAY 2008