

Chapter 11 Questions

11.4 1. Public funding and support:

» Are the original principles which underpin the current public funding regime still relevant and appropriate?

No — covered in submission (CIS)

» Is the current public funding regime meeting its aims and objectives effectively and efficiently? Is it effectively facilitating fair elections, ensuring adequate transparency and assisting political parties to contribute to the political process?

No — CIS

» Has public funding of political parties fuelled the increase in the costs of campaign expenditure? Would the withdrawal of public funding reduce campaign spending pressures?

No & yes

» Should political parties and/or candidates receive public funding and support for elections?

No — CIS

» At what level should such support be set? Why?

» What should public funding comprise (financial assistance, material assistance, subsidised advertising etc)?

» Should public funding be limited to specific expenses by political parties and candidates? If so, what should those expenses be?

» At which point or points in the electoral cycle should public funding be provided?

» Should the formula for the entitlement to public funding (a threshold of 4 per cent of the formal first vote) be changed? If so, why and what are the alternatives?

Yes, if it is to be continued. — CIS

» Does the current formula for calculating public funding achieve an equitable outcome between major parties, minor parties and candidates? If not, what are the options for resolving the situation?

No — CIS

» Does the current public funding formula provide recipients with an adequate and equitable amount of public funding? What is the case for increasing or decreasing the amount of public funding?

No — CIS

» Are the current eligibility requirements for public funding adequate to facilitate political equality of access, including for new participants in the political process? Are there alternative approaches which provide fairer access?

No & yes — CIS

2. Private funding:

» Should political parties and/or candidates or other participants in the political process be able to receive private funding and support?

No — CIS

» If so, what restrictions, if any, should be placed on the kind of funding or support they can receive?

CIS

» Should electoral laws ban private funding from specified categories of persons and organisations? If so, which categories of persons or organisations?

Yes — CIS

» Should corporations or organisations be treated differently from individuals?

Yes — CIS

» Is the introduction of specific provisions relating to a requirement for shareholders' or members' approval for all political expenditure by companies and unions necessary or desirable?

Yes, if they are continue to be permitted to contribute.— CIS

» Should Australia cap donations or private funding? If so, at what level?

Yes, both. \$1000 pa for those on the electoral roll, within their own electorate.— CIS

» Should Australia ban, cap or restrict loans made to political parties and other participants in the electoral process? If so, at what level?

Political parties ought not be permitted to take out loans.— CIS

» Should certain transactions be exempt from a ban or cap on private funding? If so, which ones?

No — CIS

» Is the current Electoral Act definition of 'gifts' wide enough to include all forms of financial and in kind support for political parties and candidates that should be regulated?

Not sure — CIS

» If not, what other kinds of contributions should the definition be expanded to apply to?

All ought to be banned — CIS

» Should Australia make public funding of political parties and candidates contingent on compliance with bans or caps on private funding?

Yes, if public funding is continued.

- » If private funding is limited, how should this be reflected in public funding?
- » Are there other matters that need to be considered on the issues of capping or banning private financial contributions?

Yes — CIS

3. Donation disclosure:

- » What kinds of private contributions should be covered by disclosure requirements? » What level of private contribution ought to trigger disclosure obligations?

If allowed, all contributions. — CIS

- » Should payment at political party fundraisers be deemed to be gifts and donations? Who should bear responsibility for such disclosure – the contributor or the recipient? Or both?

If allowed, both. — CIS

- » Does the present disclosure scheme place too much reliance on self-declaration? Can this be addressed by a better definition of 'gift' in the Electoral Act?

Yes

- » What kind of penalties would be appropriate for breaching the disclosure requirements, and who should be liable?

Deregistration of party, jail. Party/branch president(?), secretary, treasurer.

- » Are the current disclosure requirements extensive enough to ensure transparency?

No — CIS

- » Should the disclosure requirements that apply to donations made to political parties and candidates, be extended to donations made to associated entities, Senate groups and third parties?

Yes

- Would extending the disclosure requirements enhance the transparency of the system? What would be the practical effect of such requirements?

Yes — CIS

- » Should disclosure take place more often than the current post-financial year and post-election cycles? If so, how often?

Yes. Monthly then weekly during an election. — CIS

» Should a different disclosure requirement apply to donations over a certain amount? If so, what should the amount be, when should the donation be disclosed and when should the disclosure return be published?

Yes, and monthly.

» In addition, should different reporting timeframes be applied to different participants in the political process and should those timeframes be varied during election periods?

Yes, weekly reporting during elections. — CIS

» Should electronic lodgement of returns be facilitated and made mandatory to enable returns to be published more quickly?

Obviously!

» What should the timing be for the publication and release of the disclosure returns to the public?

Monthly to some central web site.

4. Expenditure:

» Should Australia cap election expenditure? By what means?

Only registered electors within their electorate. — CIS

» Should expenditure caps apply to all participants in the political process?

Yes

» If so, what level of expenditure cap would be appropriate? Should different caps apply to different types of participants?

Yes \$1000 pa. No — CIS

» What types of campaign expenditure should be included in the cap?

All

» Over what time period should the caps apply (for example, during the formal election period, 12 months preceding an election, or over the entire election cycle)?

Entire cycle.

» Should expenditure by political parties and candidates be subject to disclosure requirements? If so, how much detail should be disclosed?

Full disclosure — CIS

» When should expenditure disclosure be required to be made?

Monthly

» What level of expenditure should be caught by such requirements?

All expenditure

» Should Australia make public funding of political parties and candidates contingent on compliance with caps on campaign expenditure?

Yes if it public funding continues

» Are there other matters that need to be considered on the issues of capping political expenditure?

Yes. Compulsory voting and having to fill out all boxes on electoral ballot.

5. Third parties:

» Should non-party, non-candidate participants in the political process be subject to donation, disclosure and expenditure regulation?

Yes — CIS

» How might such third-party participants be appropriately defined?

Those registered on the electoral roll. — CIS

» Should there be a registration system for third parties engaging in election related expenditure over a set limit?

Yes, if it is allowed.

» If third parties are subject to regulation, should they be subject to the same requirements, similar requirements, or quite different requirements to political parties and candidates? What level of detail should be disclosed?

Yes & total disclosure.

» If disclosure obligations are to continue to apply to expenditure by third parties, does the current definition of 'political expenditure' require clarification?

Yes

Political parties:

» Should the laws and regulations covering political parties and the way they administer and organise themselves be changed? If so, in what way?

Yes — CIS

» Should registered political parties be required to disclose their associated entities? » Should political parties be required to disclose their balance sheets?

Yes

» Should individual party units, such as local branches of political parties and campaign committees, be required to lodge returns separate from the central party accounts? Would the benefit of making that information available to the public outweigh the cost to political parties of complying with the requirement?

Yes & yes — CIS

» Should disclosure requirements be extended to unregistered political parties?

Yes

7. Associated entities:

» Is the definition of 'associated entities' wide enough to include all organisations through which donations are made to political parties and candidates? If not, how should the definition be expanded?

No. Everyone donation to a political party must be disclosed

» Does the definition of 'associated entities' apply to entities without a sufficient association with a political party to justify regulation?

The making of a donation ought to be the criteria. — CIS

» Should associated entities provide detailed disclosures of their expenditure? Should they be required to disclose their balance sheets?

Yes. If they are permitted to donate.

8. Creating an overall regulatory regime: » What kind of overall regulatory regime should we establish for Australia?

The electoral office appears to do a good job.

» What regulatory elements (such as disclosure rules, donor rules, donation caps or expenditure caps) should be part of our system? How should the elements of a scheme be combined?

Simply allow only electors to donate to candidates within their electorates

» How do we create an electoral system which meets our objectives?

» What flow-through effects might it have on other aspects of Australia's electoral system?

It would reduce the influence of political parties, strengthen the independence of those elected and increase the MPs' interest in responding to electorates interests.