

1995

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

ELECTORAL AND REFERENDUM AMENDMENT BILL 1995

SUPPLEMENTARY EXPLANATORY MEMORANDUM

Amendments to be moved on Behalf of the Government

(Circulated by authority of the Minister for Administrative Services,
the Honourable Frank Walker, QC, MP)



ELECTORAL AND REFERENDUM AMENDMENT BILL 1995

OUTLINE

There is one amendment, in two parts, proposed to the Electoral and Referendum Amendment Bill 1995, introduced into the House of Representatives on 1 February 1995.

The Bill passed all stages on 21 June 1995 and was introduced into the Senate on 26 June 1995. The Bill was amended by the Senate and passed all stages on 20 September 1995. The Bill was then referred back to the House of Representatives on 21 September 1995 for consideration of the Senate amendments. The Bill makes changes to the Commonwealth Electoral Act 1918 (the Act) and the Referendum (Machinery Provisions) Act 1984.

The amendment is designed to:

- provide the option for a registered party to appoint a "principal agent" to whom, once appointed, must be paid all payments of election funding that would otherwise be paid to agents of the party and its branches. The amendment limits this option to the party registered as "Australian Democrats"; and
- extend to unregistered state and territory branches of registered political parties the option to enter into agreements for the redirection of payments of election funding.

FINANCIAL IMPACT STATEMENT

The Australian Electoral Commission estimates that these amendments will give rise to neither costs nor savings.

NOTES ON AMENDMENTS

Section 314AEA of the Commonwealth Electoral Act 1918 currently allows only political parties registered with the Australian Electoral Commission to enter agreements to redirect payments of election funding. This provision does not allow registered political parties which have an unregistered branch structure to enter such agreements with their state and territory branches.

The proposed amendment extends the option to unregistered state and territory branches to redirect payments of election funding, and is in two parts.

PART 1.

Item 57A

This item inserts new section 288A which provides for the appointment of a "principal agent" by the party registered with the Australian Electoral Commission as "Australian Democrats".

Items 57B and 57C

These two items amend subsections 299(1) and (4) to provide that where a principal agent has been appointed payments of election funding that would otherwise be paid to agents of the party and its branches will instead be paid to that principal agent.

PART 2.

Items 57D, 57E, 57F, 57G and 57H

These items amend subsections 299(5A) and (5B) by inserting a definition of "party" and by substituting "party" for "registered political party"; "parties" for "registered political parties" and "political parties"; and "agent" for "registered officer". These amendments allow unregistered state and territory branches of political parties registered with the Australian Electoral Commission to enter agreements to redirect payments of election funding.

