



North Queensland Conservation Council

... the voice for the environment in North Queensland

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Committee Secretary
Economics and Governance Committee
Parliament House
George Street
Brisbane Qld 4000

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Submission on the *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Bill 2019 (Bill)*.

Dear Members,

North Queensland Conservation Council welcomes the opportunity to make a submission on the *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Bill 2019 (Bill)*.

NQCC is the regional conservation council for the area from Cardwell to Bowen, and from the Coral Sea to the Northern Territory border. Established in 1974, it falls under the broad umbrella of the Queensland Conservation Council and focuses on education, advocacy and policy development.

Our organisation represents a supporter base of approximately 1,400 individuals who would like to see North Queensland's natural environmental values protected for future generations.

We support the stated intention of this Bill to limit the influence of big money over politicians in Queensland to make elections fairer. However, we are very concerned that this Bill will stifle the advocacy of small not-for-profits like ourselves instead of targeting the biggest election spenders.

We are concerned that the definition of 'electoral expenditure' is too vague and will capture the non-partisan, issues-based advocacy activities of organisations like ours. NQCC undertakes a number of activities in furtherance of our organisational mission, which is to be a strong voice for the environment, influencing, educating and inspiring our North Queensland community to achieve an ecologically sustainable society. Our issue areas include working to protect the Great Barrier Reef, ensuring more sustainable management of our national parks

and advocating for more renewable energy in Queensland, among others. NQCC undertakes these activities for the benefit of all Queenslanders, our natural environment and future generations.

The issues NQCC works on require government policy and are frequently highlighted during state elections. Under this legislation, our regular advocacy work in pursuit of better environmental policy could be captured as electoral expenditure. This would severely harm the ability of groups like ours to speak out on our issues and on behalf of our communities during election periods.

During an election period, many communities often turn to non-partisan charities and community groups to raise the issues they care about, while encouraging public debate and discussion with events such as candidates' forums and tools such as scorecards. These activities and resources incur costs, which are often covered with the support of donations.

The proposed new requirements for handling donations to be used for this expenditure are highly complex and an organisation like ours, with only two part-time staff and a volunteer treasurer, would likely struggle to meet them. For example, we often receive donations from the general public, with some monthly donors exceeding the specified \$4,000 over four years. We do not have the ability to automatically track these donations to ensure that we do not receive more than \$4,000 in political donations over four years from one donor. Tracking these donations would need to be done manually, as would the tracking and issuing of donor receipts. This would place an unreasonable burden on our treasurer who is a volunteer and draw significant resources away from our regular work.

Election periods are crucial times for advocacy groups like us to engage with political candidates and community members to raise awareness about our main issues and concerns. We have successfully done this in the past in a transparent and non-partisan way, and believe we (and other charities) should continue to do so in the future.

Recommendations

North Queensland Conservation Council supports the following three amendments to the Bill:

1. Amendment to the definition of electoral expenditure

Our organisation supports inserting the following subsection to proposed section 199 of the Bill, which defines electoral expenditure:

(6) Expenditure incurred by a third party registered under the Australian Charities and Not-for-profits Commission Act 2012 or with an annual income of less than \$50,000, is only electoral expenditure if material that is published, aired or otherwise

disseminated refers to

(d) a candidate or a political party; and

(e) how a person should vote at an election.

The amendment excludes charities and small organisations from the arduous reporting requirements and risk of penalty unless they perform work targeted for or against specific political candidates or parties.

We believe this amendment, by narrowing the definition of electoral expenditure for these two categories of third party alone, is preferable to merely raising the threshold for registering as a third party or raising the donation cap for third parties.

2. Threshold for registering as a third party campaigner should be raised

The current threshold at which organisations must register as a third party campaigner (\$1000) is too low. The administrative burdens imposed under this Bill are significant, such that some organisations may need to spend more money in trying to comply with the administrative requirements than in actual electoral expenditure around public interest advocacy on their issues. Such an impact is not only unreasonable, but likely to have a chilling effect whereby organisations decide not to participate in the election debate, rather than face the significant administrative requirements required for a registered third party campaigner.

The threshold for registering as a third party campaigner should be raised to \$6,000 so as not to prohibit small community groups from participating in public interest advocacy activities around elections.

3. Donations that are not related to or used for electoral expenditure should not have to be disclosed to the Queensland Electoral Commission

An amendment to the Bill (section 263) is required to state clearly that donations that are not used for electoral expenditure are not required to be disclosed to the Queensland Electoral Commission.

Thank you for considering our feedback on this proposed legislation.

Yours faithfully,



Crystal Falknau
Community Campaigner
North Queensland Conservation Council