

File number: CCA/000038 / 140



22 April 2022

Ms. Renee Easten
Committee Secretary
Legal Affairs and Safety Committee
Parliament House
George Street
BRISBANE QLD 4000
Email: lasc@parliament.qld.gov.au

Dear Ms Easten

Thank you for the opportunity to provide a submission to the Legal Affairs and Safety Committee's (the Committee) inquiry into the *Personal Injuries Proceedings and Other Legislation Amendment Bill 2022* (the Bill) introduced into the Parliament on 31 March 2022. As the agency responsible for administering the *Electoral Act 1992*, the Electoral Commission of Queensland (ECQ) hopes it will assist the Committee's consideration of the parts of the Bill relating to political donation caps.

The ECQ is an independent statutory authority responsible for the impartial conduct of Queensland elections. The ECQ's main functions encompass several areas, including administering electoral funding and disclosure laws.

In June 2020, the Legislative Assembly passed the *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020*, which introduced caps on political donations and electoral expenditure. The key policy objectives of these changes were to:

- *secure the actual and perceived integrity of the State electoral and political processes by reducing the risk that a single person or entity can have an improper, corrupting or undue influence on political parties, candidates and third parties involved in electoral campaigning, and*
- *level the playing field for electoral campaigning and ensure that an individual person or entity has reasonable opportunity to communicate to influence voting in an election without being "drowned out" by the communication of others.*¹

This Act legislated caps on electoral expenditure and political donations. The ECQ successfully implemented the caps on electoral expenditure prior to the 2020 State general election and is currently preparing to implement the caps on political donations, which are due to commence on 1 July 2022. In the process of operationalising the caps on political donations, the ECQ identified a small number of matters for clarification that would assist in achieving the policy objectives of the legislation. These matters

¹ Explanatory Notes, *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020*.

were raised for consideration by government, and the Department of Justice and Attorney-General consulted closely with the ECQ to develop the legislative amendments included in the Bill.

The Bill clarifies how the new regulatory regime will apply to fundraising contributions and electoral committees and helps the ECQ carry out its compliance and enforcement functions under the *Electoral Act*. On that basis, the ECQ supports the proposed amendments.

If passed, the Bill will require changes to the Electronic Disclosure System prior to the commencement of the political donation caps. At this stage, the ECQ intends to implement these changes on 1 July 2022. The ECQ has been engaging with stakeholders about political donation caps, and also plans to publish extensive educational material before the commencement date.

Should you require further information regarding this matter, please contact Mr Matthew Thurlby, A/Director, Funding, Disclosure and Compliance, ECQ on 1300 881 665 or at ecq@ecq.qld.gov.au.

I trust this information is of assistance to the committee.

Yours sincerely

A handwritten signature in black ink, appearing to be 'P. Vidgen', written over a horizontal line.

Pat Vidgen PSM
Electoral Commissioner