

House of Representatives

Supplementary Order Paper

Tuesday, 14 December 2010

Electoral (Finance Reform and Advance Voting) Amendment Bill

Proposed amendments

Hon Simon Power, in Committee, to move the following amendments:

Clause 7: new section 204J(4)

To omit “**subsection (6)**” (line 22 on page 22) and substitute “**subsection (5)**”.

Clause 11: new section 206(1)

Definition of **election expenses**: to add (line 15 on page 35) “; but” and to also add the following paragraph:

“(c) excludes—

“(i) the costs representing the time allocated to a party under section 73 or 76A of the Broadcasting Act 1989; and

“(ii) the costs of broadcasting election programmes (as defined in section 69 of the Broadcasting Act 1989) that are paid by the Electoral Commission out of money allocated to the party under section 74A or 76A of the Broadcasting Act 1989”.

Clause 25(1)

To omit this subclause (lines 10 to 15 on page 58) and substitute the following subclause:

(1) Section 226(1) is amended by repealing paragraph (d) and substituting the following paragraph:

“(d) **section 210D(1)(a)**”.

Clause 25(2)

To omit “after” in the first place where it appears (line 16 on page 58).

Clause 25(2): new section 226(1A)

To insert after “**section 210D(1)(b)**” (line 18 on page 58) “or **206ZE(1)**”.

Explanatory note

This Supplementary Order Paper amends the Electoral (Finance Reform and Advance Voting) Amendment Bill. The amendments—

- correct a cross-reference in *new section 204J(4)*;
 - ensure that the definition of election expenses for a party in *new section 206(1)* does not include the costs of broadcasting election programmes paid out of the time and money allocated to the political party under the Broadcasting Act 1989;
 - amend section 226(1) and *new section 226(1A)* to change the time limit for commencing a prosecution against a registered promoter for an offence under *new section 206ZE(1)* of failing to file a return of election expenses. Within 6 months of the date on which the return was required to be filed is changed to within 6 months of the date on which the prosecutor is satisfied that there is sufficient evidence to warrant the commencement of proceedings, but no later than 3 years after the offence was committed. The latter time limit is preferable because it may be more than 6 months before the Electoral Commission becomes aware that an offence under *new section 206ZE(1)* has been committed;
 - correct a minor drafting error in clause 25(2).
-