

# House of Representatives

# Supplementary Order Paper

Wednesday, 13 March 2019

## Local Electoral Matters Bill

### *Proposed amendments*

Jami-Lee Ross, in Committee, to move the following amendments:

*New clauses 5F and 5G*

After clause 5E (page 7, line 19), insert:

**5F New sections 103KA and 103KB inserted**

After section 103K, insert:

**103KA Overseas donation may not exceed \$1,500**

- (1) If a donation from an overseas person that exceeds \$1,500 (whether on its own or when aggregated with all other donations made by or on behalf of the same overseas person) is received by a candidate in relation to an election campaign, the candidate must, within 20 working days of receiving the donation, pay to the electoral officer responsible for the conduct of the election to which that campaign relates the amount of the donation, or its value, less \$1,500.
- (2) If a donation from an overseas person that exceeds \$1,500 (whether on its own or when aggregated with all other donations made by or on behalf of the same overseas person) is received by a candidate who is seeking election to more than 1 office, the candidate must—
  - (a) designate 1 election campaign for election to 1 office for which the donation will be used; and
  - (b) within 20 working days of receiving the donation, pay to the electoral officer responsible for the conduct of the election to which that campaign relates the amount of the donation, or its value, less \$1,500.

- (3) An electoral officer who receives an amount under **subsection (1) or (2)** must, within 20 working days of receiving that amount,—
- (a) issue a receipt to the candidate; and
  - (b) pay the amount into the general fund of the local authority that appointed the electoral officer.
- (4) For the purposes of this section, **overseas person** means—
- (a) an individual who—
    - (i) resides outside New Zealand; and
    - (ii) is not a New Zealand citizen or registered as an elector; or
  - (b) a body corporate incorporated outside New Zealand; or
  - (c) an unincorporated body that has its head office or principal place of business outside New Zealand.

**103KB Offence relating to contravention of section 103KA**

- (1) A person who enters into an agreement, arrangement, or understanding with any other person that has the effect of circumventing **section 103KA(1) or (2)** commits an offence and is liable on conviction to a fine not exceeding \$5,000.
- (2) A candidate who contravenes **section 103KA(1) or (2)** commits an offence and is liable on conviction to a fine not exceeding \$5,000.

**5G Section 112A amended (Return of electoral donations and expenses)**

- (1) After section 112A(3)(c), insert:
- (ca) the details specified in **subsection (6A)** in respect of every electoral donation received by the candidate from an overseas person that exceeds \$1,500; and
- (2) After section 112A(6), insert:
- (6A) The details referred to in **subsection (3)(ca)** are—
- (a) the name of the overseas person; and
  - (b) the date the donation was received; and
  - (c) the amount of the donation; and
  - (d) the amount paid to the electoral officer under **section 103KA(1) or (2)** and the date that payment was made.

## **Explanatory note**

This Supplementary Order Paper seeks to insert into the Local Electoral Act 2001 the restrictions on overseas campaign donations that are already in place in respect of elections conducted under the Electoral Act 1993.