



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

JEREMY HANSON CSC MLA (CHAIR), MARISA PATERSON MLA (DEPUTY CHAIR), JO CLAY MLA

Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21
ANSWER TO QUESTION ON NOTICE

Asked by Peter Cain MLA:

(Ref: JACSD Annual Report 2019-20)

In relation to: In relation to:

Electoral Legislation Amendment Bill 2019

1. Regarding the changes mentioned in the JACSD Annual Report 2019-20 (p. 40) to *The Electoral Legislation Amendment Bill 2019* to enable electors to enrol up to and including polling day:
 - a. How many electors in each electorate enrolled on polling day?
 - b. How many electors in each electorate enrolled within 29 days of polling day?
2. In the *Electoral Legislation Amendment Bill 2019* (referenced in the JACSD Annual Report 2019-20, p. 40) the Bill amends the Electoral Act 1992 to “correct an anomaly to ensure appropriate privacy protections are afforded to individuals providing gifts to political entities”.
 - a. Can you outline the anomaly in question that failed to provide adequate privacy protection?
 - b. Does this amendment conflict with the government’s stated policy (Parliamentary & Governing Agreement, 10th Legislation Assembly, Australian Capital Territory) to ban foreign donations?
 - c. Are steps being considered to prevent donations from foreign sources being directed through Australian channels?

Mr Chris Steel MLA: The answer to the Member’s question is as follows:–

1. These questions are most appropriately directed to and answered by the ACT Electoral Commission.
2.
 - a. The *Electoral Legislation Amendment Act 2019* contained an amendment to section 243(5) of the *Electoral Act 1992*. Prior to amendment, this section protected the privacy of individuals who provided *gifts* to political entities by requiring that the full home addresses of these individuals not be disclosed to the public, when the Commissioner makes returns relating to gifts available for public inspection in accordance with the Act. The amendment extended the privacy protection in section 243(5) to individuals who provide *other reportable amounts* to political entities, thereby ensuring consistency of approach.
 - b. No.
 - c. The Standing Committee on Justice and Community Safety is undertaking an inquiry into the 2020 Election and Electoral Act. The Government will consider the Committee’s report before settling its approach to further electoral law reform.



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QON No. 85

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Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:

A handwritten signature in blue ink, appearing to be "Chris Steel", written over a horizontal line.

Date:

5/3/21

By the Special Minister of State, Mr Chris Steel MLA