

[Act 2002 No 101]



New South Wales

Election Funding Amendment Bill 2002

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to enable candidates entitled to public funding under the *Election Funding Act 1981* to direct that payment of the funding be made to the political party that endorsed the candidate for the election concerned.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision giving effect to the amendments to the *Election Funding Act 1981* set out in Schedule 1.

Clause 4 is a formal provision giving effect to the amendment to the *Election Funding Regulation 1999* set out in Schedule 2.

Schedule 1 Amendment of Election Funding Act 1981

Schedule 1 [3] inserts section 76A into the Act to allow a candidate who is entitled to public funding in relation to his or her election campaign to direct the Election Funding Authority to pay the funding instead to a party that endorsed the candidate in the election for which the payment is to be made and that was a registered party as at the polling day for that election.

Schedule 1 [1] makes a consequential amendment to ensure that a payment to a party under proposed section 76A is still regarded as an amount receivable by a candidate for the purposes of determining the maximum entitlement of candidates to public funding.

Schedule 1 [2] makes a consequential amendment to ensure that a payment to a party under proposed section 76A is not included in the amount used to calculate the entitlement of the party to advance payments under section 69 of the Act.

Schedule 1 [4] makes a consequential amendment to ensure that a payment to a party under proposed section 76A is not included in the amount used to calculate the entitlement of the party to preliminary payments under section 77A of the Act.

Schedule 2 Amendment of Election Funding Regulation 1999

Schedule 2 makes a consequential amendment to the *Election Funding Regulation 1999*.