

Election Funding Amendment Act 2006 No 75

[2006-75]



New South Wales

Status Information

Currency of version

Repealed version for 27 October 2006 to 10 November 2006 (accessed 13 September 2024 at 5:18)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by sec 4 (1) of this Act with effect from 11.11.2006.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 11 November 2006

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Election Funding Amendment Act 2006 No 75



New South Wales

An Act to amend the *Election Funding Act 1981* to make further provision with respect to election funding and the disclosure of electoral expenditure.

1 Name of Act

This Act is the *Election Funding Amendment Act 2006*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of *Election Funding Act 1981 No 78*

The *Election Funding Act 1981* is amended as set out in Schedule 1.

4 Repeal of Act

- (1) This Act is repealed on the day following the day on which all of the provisions of this Act have commenced.
- (2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

Schedule 1 Amendments

(Section 3)

[1] Section 74 Claims for, and approvals of, payments

Insert after section 74 (5):

- (6) For the purposes of subsection (2) (b), an amount of expenditure incurred for election campaign purposes by a candidate for election to the Assembly includes, if the candidate is the endorsed candidate of a registered party, any amount of electoral expenditure that is:
 - (a) incurred by that party for the benefit of the candidate or for the benefit of the candidate and other candidates endorsed by the party at the election, and

- (b) invoiced by that party to the candidate for payment.
- (7) For the purposes of subsection (6), a payment is to be made under this Part even if:
 - (a) the electoral expenditure incurred by the registered party was not incurred as an agent for the candidate, and
 - (b) the candidate had no legal liability to pay to the party the amount of electoral expenditure invoiced.

[2] Section 110A

Insert after section 110:

110A Power to demand information regarding failures to disclose

- (1) If the Authority, or a member of staff of the Authority authorised by it for the purposes of this section, reasonably suspects that a person has failed to lodge a declaration relating to electoral expenditure as required by section 85A, the Authority, or the authorised staff member, may, by notice in writing, require any other person whom the Authority, or the authorised staff member, reasonably suspects may have information regarding that electoral expenditure:
 - (a) to state the name and address of the person who it is suspected failed to lodge the declaration, or
 - (b) to furnish such other information in connection with the electoral expenditure as the Authority, or the authorised staff member, may reasonably require, or
 - (c) to produce to the Authority, or the authorised staff member, at the time and place specified in that notice, any document that relates to the electoral expenditure and permit the Authority, or the authorised staff member, to inspect, and take copies of or extracts from, the document.
- (2) A person must not, without reasonable excuse, fail to comply with a requirement of the Authority, or an authorised staff member, made under this section.

Maximum penalty: 100 penalty units.