



MINERALS COUNCIL OF AUSTRALIA
SUBMISSION TO JOINT STANDING COMMITTEE ON
ELECTORAL MATTERS INQUIRY INTO AND REPORT
ON ALL ASPECTS OF THE CONDUCT OF THE 2016
FEDERAL ELECTION AND MATTERS RELATED
THERE TO

FEBRUARY 2017

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EXECUTIVE SUMMARY

The Minerals Council of Australia (MCA) appreciates the opportunity to make a submission to the Joint Standing Committee on Electoral Matters on the 2016 Federal Election and related matters. The MCA has an interest in this inquiry because there is evidence to suggest that some organisations are conducting political campaigns against major political parties as well as the Australian resources sector, without disclosing either the sources of their funding or the full extent of their political expenditure.

The MCA's concerns fall into three broad categories:

- Environmental groups that do not disclose political expenditure funded by foreign donors
- Environmental organisations that only partially declare their political expenditure
- Registered environmental organisations/charities that use tax-deductible donations to conduct partisan political advocacy, contrary to the *Income Tax Assessment Act 1997* and the *Charities Act 2013*.

The Australian newspaper revealed in October 2016 that a number of wealthy US foundations are covertly funding the Sunrise Project – an Australian registered environmental organisation and charity – with the express purpose of disrupting and delaying Adani's Carmichael coal project. Moreover, the Sunrise Project is coordinating anti-coal campaigning by a number of environmental organisations, including GetUp!, Greenpeace Australia Pacific, 350.org Australia, the Australian Youth Climate Coalition, the Mackay Conservation Group and Market Forces. The Executive Director of the Sunrise Project has verified this report.

As a registered charity, the Sunrise Project is obliged to submit annual reports to the Australian Charities and Not-for-profits Commission (ACNC). The Sunrise Project's financial accounts for 2015 (the latest available) register \$5.1 million in grants and donations, but the share of donations from foreigners is not disclosed. The Sunrise Project reports its main expenses as 'grant funding and donation expenses' (\$3.1 million) and 'program expenses' (\$1.1 million). Yet the organisation makes no mention of its anti-coal campaigning in its statements to the ACNC and does not appear to have disclosed any political expenditure to the Australian Electoral Commission (AEC).

Further, the emails revealed in *The Australian* provide clear evidence that the Sunrise Project took steps to hide its funding sources and beneficiaries from the Australian parliament when the House of Representatives Standing Committee on the Environment announced its inquiry into registered environmental organisations. Clearly, no organisation should be allowed to pursue an undeclared political campaign with undisclosed foreign donations, especially where that campaign is likely to serve the commercial interests of foreign competitors and investors at the expense of Australian exports and jobs.

The political activities of other organisations also suggest that greater transparency is required. For instance, Greenpeace Australia Pacific's latest financial report to the ACNC shows that it allocated \$9.4 million to 'campaigning expenditure' in 2015 alone. However, Greenpeace only declared \$28,592 in political expenditure to the AEC for 2014-15.

Similarly, WWF-Australia informed the ACNC that it spent \$13.1 million on 'domestic projects' and \$3.1 million on 'community education' in 2014-15. In contrast, WWF-Australia informed the AEC that it spent \$432,566 on producing or distributing political material in the same period.

The Australian Conservation Foundation (ACF) reported to the ACNC that it spent \$6.7 million in 2015-16 on 'environmental impact initiatives', including \$3.3 million on 'Community Engagement, Mobilising & Organising'. But the ACF only declared \$173,783 in political expenditure to the AEC for 2015-16.

Again, while the Climate Institute conducted what it described as ‘pre-election polling’ between 2 and 6 June 2016, it does not seem to have declared any expenditure to the AEC on opinion polling and other research relating to an election or the voting intention of voters for 2015-16.

In addition, there is evidence that a number of environmental groups that receive tax concessions are engaging in partisan political advocacy – in defiance of clear regulatory restrictions. Registered environmental organisations are endorsed by the Australian Tax Office to receive tax-deductible gifts and contributions, but only for the principal purpose of protecting the natural environment, or undertaking related education or research. Moreover, registered environmental organisations must not act as a conduit for the donation of money or property to other entities, although they may pay other bodies to undertake natural conservation work.

Registered charities must only have charitable purposes that are for the public benefit; and they are expressly forbidden from direct partisan political engagement that supports or opposes a candidate or party for office. While charities are allowed to assess and compare the policies of alternative political parties, a heavy engagement with a particular party or candidate, or a lack of balance in assessing similar policies of competing parties or candidates, may indicate a disqualifying purpose.

All the environmental groups mentioned in this submission are both registered environmental organisations and registered charities. The MCA considers that there are multiple instances of partisan political advocacy that warrant investigation by the Committee. For example:

- Greenpeace Australia Pacific, 350.org Australia and the Wilderness Society (Australia) participated in a pre-election rally against Prime Minister Malcolm Turnbull in June 2016, along with the Australian Labor Party, the NSW Greens and GetUp!
- The ACF hired a truck to drive through Minister Josh Frydenberg’s electorate during the 2016 election campaign, which displayed a banner criticising the minister for refusing to sign the ACF’s environment pledge
- In October 2016, the Australian Marine Conservation Society attacked the Queensland Labor Government’s dealings with Adani by staging protests at Labor’s state conference
- The Wilderness Society (Queensland) authorised campaign material during the 2015 Queensland state election urging voters to ‘Put the LNP last’.

All these examples highlight the importance of ensuring that all organisations engaged in political advocacy are subject to the same rules of transparency. While political parties are obliged to disclose the source of donations more than \$13,200, environmental organisations like the Sunrise Project, Greenpeace and WWF-Australia can spend millions of dollars every year without having to disclose the identities or locations of their donors. In particular, the case of the Sunrise Project exposes the risk to Australia’s sovereignty of permitting foreign entities to fund – in secret – activities intended to shut down a key Australian export industry.

A related problem is the risk that registered environmental organisations – who enjoy deductible gift recipient status – can pursue political campaigns without any limit to the tax-deductibility of donations. Whereas contributions and gifts to political parties and candidates are only tax deductible up to \$1,500, there is no limit to the tax deductibility of donations to registered environmental organisations. And since some of these organisations are evidently engaging in partisan political activity with impunity, this presents a significant loophole for tax-deductible political donations.

The MCA is not questioning the right of environmental groups to pursue political objectives or to raise money for this purpose. However, these groups should not be exempt from reasonable disclosure obligations that help maintain public confidence in Australia’s political system. (A list of the MCA’s disclosures to the AEC over the past seven years can be found in the Appendix.) The MCA leaves it to the Committee’s discretion to determine the best means of achieving more consistent transparency in political donations and political expenditure.

1. THE SUNRISE PROJECT: A CASE STUDY IN NON-DISCLOSURE

- The Sunrise Project – a registered environmental organisation and charity – is pursuing a political campaign against Adani and the Australian coal industry. The Sunrise Project does not appear to have disclosed this campaign to the Australian Charities and Not-for-profits Commission or declared any expenditure to the Australian Electoral Commission.
- The Sunrise Project’s political campaign is, at least in part, being covertly funded by donations from foreign organisations. The Sunrise Project has admitted taking steps to avoid and limit disclosure of its donors and beneficiaries to the Australian Parliament.
- The Sunrise Project appears to be supporting several other organisations who campaign against Australia’s resources sector, notably GetUp!, Greenpeace Australia Pacific, 350.org, the Australian Youth Climate Coalition, Mackay Conservation Group, and Market Forces.

The Sunrise Project is a registered environmental organisation and charity that reports its principal activities to the ACNC as ‘research, education and capacity building’ with a view to preserving the environment and preventing dangerous climate change.¹ However, *The Australian* has exposed how foreign funds have been funnelled through the Sunrise Project to support vexatious legal challenges to Adani’s Carmichael coal project in Queensland, as well as to induce objections from Indigenous groups.

Irene Simpson, a native title claimant for the Wangan and Jagalingou people, said that the media report confirmed long-held suspicions that an ‘infiltration of outsiders’ had undermined a jobs agreement with Adani by spreading misinformation:

These outsiders came in and divided the group, they came to a meeting of our people ahead of the vote and told lies about what the mine would do to our country.²

In addition, the Sunrise Project signed a heads of agreement with native title claimant Adrian Burragubba and other clan members (which apparently never took effect) that offered a community development program worth \$325,000 and a university scholarship worth \$600,000. This agreement was contingent on continued opposition by these persons to the mine.³

According to *The Australian*, the Executive Director of the Sunrise Project, John Hepburn, wrote an email to the US-based Sandler Foundation in August 2015 following a legal decision against Adani. Mr Hepburn said he was going to buy a ‘few bottles of bubbly’ for a celebration with ‘our colleagues at GetUp!!!!, Greenpeace, 350.org, Australian Youth Climate Coalition, Mackay Conservation Group, Market Forces and the brilliant and tireless Sunrise team’.⁴

The Australian further revealed that the objective of the Sunrise Project is not merely to stop Adani’s project, but to shut down the Australian coal industry entirely. Mr Hepburn boasted that ‘the whole Galilee Basin fossil fuel industrial complex is in its death throes’. He also mocked the Australian coal industry claiming ‘there is some kind of foreign-funded and tightly orchestrated conspiracy to systemically destroy the Australian coal industry’, sarcastically adding: ‘I seriously don’t know where they get these wacky ideas from!’⁵

In a subsequent media statement, Mr Hepburn confirmed the revelations made by *The Australian*, saying: ‘Of course we and other environmental groups are fighting tooth and nail to stop the Adani

¹ See the Sunrise Project Australia Limited, [Annual Information Statement 2013](#), [Annual Information Statement 2014](#), [Annual Information Statement 2015](#), published by Australian Charities and Not-for-profits Commission.

² Michael McKenna, [‘Indigenous clan blasts “outside activists” interference’](#), *The Australian*, 22 October 2016.

³ *ibid.*

⁴ Dennis Shanahan, [‘Foreign funding for Adani lawsuits’](#), *The Australian*, 22 October 2016.

⁵ *ibid.*

project'. He also asserted that Australia's decision to develop its coal resources would pose 'a major diplomatic risk' if Hillary Clinton were elected president of the United States.⁶

Mr Hepburn was formerly a senior campaigner for Greenpeace Australia Pacific and the lead author of *Stopping the Australian Coal Export Boom*, which states:

Our strategy is essentially to 'disrupt and delay' key projects and infrastructure while gradually eroding public and political support for the industry and continually building the power of the movement to win more.⁷

None of the Sunrise Project's three annual information statements to the ACNC make any mention of its anti-coal agenda or related funding from foreign entities.⁸ The organisation's financial accounts for 2015 report \$5.1 million in grants and donations, but the share of donations from foreigners is not disclosed.⁹

The Sunrise Project reports its main expenses for 2015 as 'grant funding and donation expenses' (\$3.1 million) and 'program expenses' (\$1.1 million) but it does not disclose the recipients of these grants and donations, or the specific programs funded.¹⁰ Nor does it appear that the Sunrise Project has made any declarations of political expenditure to the AEC.

Indeed, documents reveal that the Sunrise Project consciously avoided disclosing both the source of its donations and the beneficiaries of its grants. Regarding the announcement of a House of Representatives inquiry into registered environmental organisations, Mr Hepburn warned his US sponsors that he had 'concerns about the potential PR impact of disclosure of both our funding and grantees.' He advised his US supporters that he was 'seeking advice on steps we might take to avoid disclosure, challenge and limit disclosure, or to ensure that any disclosure is limited to the committee members and is not made public.'¹¹

Mr Hepburn's concern was shared by his foreign sponsors. After receiving 'positive' news on delays to the Adani project courtesy of their funding efforts, a grant director of the Sandler Foundation told his superior that: 'I'm starting to think that our high tolerance for risk on this project is paying off!'¹²

The case of the Sunrise Project exposes the risk to Australia's sovereignty of permitting foreign entities to fund – in secret – activities intended to shut down a key Australian export industry. The Indian Power Minister, Piyush Goyal, said the vexatious litigation against Adani 'will certainly dampen future investments' from India.' Mr Goyal also warned that India's growing demand for coal could be met from other markets, such as Indonesia and South Africa, if Australian coal was not available.¹³

Clearly, no organisation should be allowed to pursue an undeclared political campaign with undisclosed foreign donations, especially where that campaign is likely to serve the commercial interests of foreign competitors and investors at the expense of Australian exports and jobs.

⁶ John Hepburn, Executive Director of the Sunrise Project, [Podesta Adani Wikileaks: Clinton Presidency will hold mirror to Turnbull's climate inaction](#), media statement, 22 October 2016.

⁷ John Hepburn (Greenpeace Australia Pacific), Bob Burton (Coalswarm) and Sam Hardy (Graeme Wood Foundation), [Stopping the Australian coal export boom: Funding proposal for the Australian anti-coal movement](#), November 2011, p. 5.

⁸ The Sunrise Project Australia Limited, [Annual Information Statement 2013](#), [Annual Information Statement 2014](#), [Annual Information Statement 2015](#), published by Australian Charities and Not-for-profits Commission.

⁹ The Sunrise Project Australia Limited, [Financial report for the year ended 31 December 2015](#), published by Australian Charities and Not-for-profits Commission, p. 9.

¹⁰ *ibid.*, p. 9.

¹¹ John Hepburn, Executive Director of the Sunrise Project, [IMPORTANT: Charity Inquiry](#), email to Sergio Knaebel, Grant Director, Sandler Foundation, 25 May 2015, WikiLeaks.

¹² Sergio Knaebel, Grant Director, Sandler Foundation, [Fwd: Adani update - what a week!](#) Email to James Sandler, Director, Sandler Foundation and to others, 6 August 2015, WikiLeaks.

¹³ Dennis Shanahan and Michael McKenna, [Foreign-funded anti-coal activists risk driving India away](#), *The Australian*, 24 October 2016.

2. PARTIAL POLITICAL DISCLOSURES BY ENVIRONMENTAL GROUPS

- Some environmental groups have declared substantial amounts of political expenditure in recent years. Yet unlike political parties, these groups are not required to disclose the identities or locations of their donors, even if they reside overseas.
- Further, there appear to be some inconsistencies between what has been declared as political expenditure to the Australian Electoral Commission, and what has been declared as campaigning or educational expenditure to the Australian Charities and Not-for-profits Commission.
- These examples highlight the importance of ensuring that all organisations engaged in political advocacy are subject to the same rules of transparency.

Under the *Commonwealth Electoral Act 1918*, third parties or organisations that incur political expenditure (other than registered political parties, candidates and federal government agencies) are required to disclose those sums to the AEC. The AEC states that:

Political expenditure is expenditure incurred by a person or organisation, or with their authority, on:

- public expression of views on a political party, candidate in an election or member of the Commonwealth Parliament by any means,
- public expression of views on an issue in an election by any means,
- printing, production, publication, or distribution of any material that is required under s328, s328A or s328B of the Act to include a name, address or place of business,
- broadcast of political matter in relation to which particulars are required to be announced under sub-clause 4(2) of schedule 2 to the Broadcasting Services Act 1992.
- opinion polling and other research relating to an election or the voting intention of electors.¹⁴

Table 1 overleaf shows AEC declarations for the past seven years by Greenpeace Australia Pacific, the Climate Institute, the World Wide Fund for Nature Australia (WWF-Australia) and the Australian Conservation Foundation (ACF). Evidently, these organisations have engaged regularly and extensively in Australia's political system.

Yet while political parties are obliged to disclose the source of donations more than \$13,200, environmental groups can spend millions of dollars every year without having to disclose the identities or locations of their donors. This lack of transparency constitutes a potential threat to Australia's sovereignty, by allowing foreign interests to exert political influence by covertly funding domestic environmental groups (recall Section 1).

Further, there appears to be some inconsistencies between what has been declared as political expenditure to the AEC, and what has been declared as campaigning or educational expenditure to the ACNC. For instance, Greenpeace's latest financial report to the ACNC shows that it allocated \$9.4 million to 'campaigning expenditure' in 2015 alone.¹⁵ However, Greenpeace only declared \$28,592 in political expenditure to the AEC for 2014-15.

Similarly, WWF-Australia informed the ACNC that it spent \$13.1 million on 'domestic projects' and \$3.1 million on 'community education' in 2014-15.¹⁶ In contrast, WWF-Australia informed the AEC that it spent \$432,566 on producing or distributing political material in the same period.

The Australian Conservation Foundation (ACF) reported to the ACNC that it spent \$6.7 million in 2015-16 on 'environmental impact initiatives', including \$3.3 million on 'Community Engagement,

¹⁴ Australian Electoral Commission, [Third parties incurring political expenditure](#), updated 11 September 2014.

¹⁵ Greenpeace Australia Pacific Ltd, [General Purpose Financial Report \(RDR\) for the year ended 31 December 2015](#), p. 11.

¹⁶ World Wide Fund for Nature Australia, [Annual Report: 30 June 2015](#), p. 10.

Mobilising & Organising'.¹⁷ But the ACF only declared \$173,783 in political expenditure to the AEC in 2015-16.

Again, while the Climate Institute conducted what it described as 'pre-election polling' between 2 and 6 June 2016, it does not seem to have declared any expenditure to the AEC on opinion polling and other research relating to an election or the voting intention of voters for 2015-16.¹⁸

These examples highlight the importance of ensuring that all organisations engaged in political advocacy are subject to the same rules of transparency. While political parties are obliged to disclose the source of donations more than \$13,200, environmental organisations can spend millions of dollars every year without having to disclose the identities or locations of their donors.¹⁹

A related problem is the risk that registered environmental organisations – who enjoy deductible gift recipient status – can pursue political campaigns without any limit to the tax-deductibility of donations. Whereas contributions and gifts to political parties and candidates are only tax deductible up to \$1,500, there is no limit to the tax deductibility of donations to registered environmental organisations.²⁰ And since some of these organisations are evidently engaging in partisan political activity with impunity (see Section 3), this presents a significant loophole for tax-deductible political donations.

¹⁷ Australian Conservation Foundation Incorporated, [Annual Financial Report for the year ended 30 June 2016](#), p. 12.

¹⁸ See the Climate Institute, [Pre-Election Polling Factsheet](#), June 2016.

¹⁹ Australian Electoral Commission, [Disclosure threshold](#), viewed on 13 February 2017.

²⁰ Australian Taxation Office, [Claiming political contributions and gifts](#), viewed on 13 February 2017.

Table 1: Declared political expenses of selected registered environmental organisations/charities, 2009-10 to 2015-16

		2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Public expression of views on a political party, candidate in an election or member of the Federal Parliament by any means	Greenpeace	\$81,791	\$51,931	\$35,331	\$78,274	\$53,641	\$22,692	\$46,150
	The Climate Institute	\$0	\$55,446	\$0	\$0	\$9,650	\$0	\$0
	WWF-Australia	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	ACF	\$0	\$0	\$0	\$0	\$26,578	\$0	\$0
Public expression of views on an issue in an election by any means	Greenpeace	\$0	\$0	\$0	\$0	\$0	\$0	\$109
	The Climate Institute	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	WWF-Australia	\$0	\$144,894	\$0	\$0	\$0	\$0	\$2,500
	ACF	\$0	\$89,896	\$0	\$2,070	\$8,333	\$0	\$7,441
Printing, production, publication, or distribution of any material that is required by section 328 or 328A of the Act to include a name, address or place of business	Greenpeace	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	The Climate Institute	\$0	\$61,942	\$0	\$0	\$27,500	\$0	\$0
	WWF-Australia	\$0	\$20,936	\$0	\$0	\$695,373	\$432,566	\$230,161
	ACF	\$7,135	\$88,000	\$0	\$9,561	\$56,402	\$0	\$147,142
Broadcast of political matter in relation to which particulars are required to be announced under sub-clause 4(2) of schedule 2 to the Broadcasting Services Act 1992	Greenpeace	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	The Climate Institute	\$134,425	\$101,473	\$0	\$0	\$5,900	\$25,310	\$0
	WWF-Australia	\$0	\$0	\$0	\$0	\$0	\$0	\$121,728
	ACF	\$0	\$31,358	\$0	\$0	\$0	\$0	\$0
Opinion polling and other research relating to an election or the voting intention of voters	Greenpeace	\$6,000	\$0	\$20,143	\$0	\$0	\$5,900	\$7,147
	The Climate Institute	\$0	\$19,034	\$0	\$27,250	\$38,650	\$0	\$0
	WWF-Australia	\$0	\$48,867	\$0	\$0	\$46,310	\$0	\$0
	ACF	\$14,567	\$33,172	\$0	\$18,450	\$116	\$0	\$19,200

Source: Organisations' Third Party Returns of Political Expenditures to the Australian Electoral Commission, obtained from Australian Electoral Commission, [Annual Returns Locator Service](#), viewed on 10 February 2017.

3. PARTISAN POLITICAL ADVOCACY BY ENVIRONMENTAL GROUPS RECEIVING TAX CONCESSIONS

- Regulatory restrictions on political activity apply to environmental groups that receive tax concessions. Registered environmental organisations may only receive tax-deductible donations for the principal purpose of protecting the natural environment, and must not act as a conduit for the donation of money or property to other entities.
- Registered charities must only have charitable purposes that are for the public benefit; and they are expressly forbidden from direct partisan political engagement that supports or opposes a candidate or party for office.
- Nevertheless, there is evidence that a number of registered environmental organisations and charities are engaging in partisan political advocacy.

Successive governments have provided tax concessions for not-for-profit organisations and charities, on the basis that they generate public benefits that government or private firms may not otherwise provide. Not-for-profit environmental organisations may receive tax concessions through the register of environmental organisations and/or the register of charities.

Entities listed on the register of environmental organisations are endorsed by the Australian Tax Office (ATO) to receive tax-deductible gifts and contributions. Registered environmental organisations accounted for up to \$45 million in foregone tax revenue in 2013-14 alone.²¹

Registered charities may be eligible for income-tax exemptions, Goods and Services Tax concessions and Fringe Benefits Tax rebates. Approximately 75 per cent of organisations listed on the register of environmental organisations are also registered charities. In 2013-14, registered charities received 99 per cent of the value of donations to organisations listed on the register.²²

These tax concessions are contingent on satisfying reasonable regulatory requirements. Registered environmental organisations may only receive tax-deductible donations for the principal purpose of protecting the natural environment, or undertaking related education or research. Moreover, registered environmental organisations must not act as a conduit for the donation of money or property to other entities, although they may pay other bodies to undertake natural conservation work.²³

Registered charities must only have charitable purposes that are for the public benefit; and they are expressly forbidden from direct partisan political engagement that supports or opposes a candidate or party for office. While charities are allowed to assess and compare the policies of alternative political parties, a heavy engagement with a particular party or candidate, or a lack of balance in assessing similar policies of competing parties or candidates, may indicate a disqualifying purpose.²⁴

Nevertheless, there is evidence that some registered environmental organisations and charities are engaging in politically partisan advocacy. For instance:

- Greenpeace Australia Pacific, 350.org Australia and the Wilderness Society (Australia) participated in a pre-election rally against Prime Minister Malcolm Turnbull in June 2016, along with the Australian Labor Party, the NSW Greens and GetUp!²⁵

²¹ Department of the Environment and Energy, [Submission to the House of Representatives Standing Committee on the Environment Inquiry into the administration, transparency and effectiveness of the Register of Environmental Organisations under the Income Tax Assessment Act 1997](#), p. 11.

²² *ibid.*, p. 6; House of Representatives Standing Committee on the Environment, [Inquiry into the Register of Environmental Organisations](#), 4 May 2016, p. 12.

²³ Department of the Environment and Energy, [Register of Environmental Organisations: Overview](#), viewed on 13 February 2017; Commonwealth of Australia, [Income Tax Assessment Act 1997, Section 30.265](#); Department of the Environment and Energy, [Register of Environmental Organisations: A Commonwealth Tax Deductibility Scheme for Environmental Organisations: Guidelines](#), 2003 (incorporating minor updates made in December 2014), pp. 9, 11.

²⁴ Commonwealth of Australia, [Charities Act 2013, Section 11; Explanatory memorandum to the Charities Bill 2013](#), p. 22.

²⁵ See Greenpeace Australia Pacific, [Greenpeace targets Malcolm Turnbull at electorate office to urge action on climate change and coal](#), media release, 24 June 2016; 350.org Australia, [Climate Fizza – Election Climate Rally](#), Facebook event, 26 June

- The ACF hired a truck to drive through Minister Josh Frydenberg's electorate during the 2016 election campaign, which displayed a banner criticising the minister for refusing to sign the ACF's environment pledge.²⁶
- In October 2016, the Australian Marine Conservation Society attacked the Queensland Labor Government's dealings with Adani by staging protests at Labor's state conference.²⁷
- The Wilderness Society (Queensland) authorised campaign material during the 2015 Queensland state election urging voters to 'Put the LNP last'.²⁸
- On 14 August 2015, the Australian Conservation Foundation authorised a one-page advertisement against Minister Hunt. The advertisement included the logos of five other entities that are both registered environmental organisations and registered charities.²⁹
- Lock the Gate Alliance conducted a doorknocking campaign ahead of the 2015 NSW state election.³⁰
- Environment Victoria, the Wilderness Society, Friends of the Earth and the Victorian National Parks Association collectively targeted marginal seats in the 2014 Victorian state election.³¹
- Friends of the Earth Australia passed on a donation of \$262,000 from Graeme Wood to the political group GetUp!³²

Examples of partisan political material by registered environmental organisations/charities

*Australian Youth Climate Coalition*³³

After getting elected on a "save the Reef" platform, QLD Labor have spit in the face of everyone who had faith in them to stop this project by giving the project "critical infrastructure" status. Basically a free kick for Adani to show how much the QLD Government loves them (and coal).



2016; The Wilderness Society, [Election Climate Rally](#), 26 June 2016; Australian Labour Party, Warringah Labor, ['At the climate #FIZZA rally in Wentworth'](#), *You Tube*, 26 June 2016; NSW Greens, [Climate Fizza – Election Climate Rally](#), 26 June 2016; and Getup! [Climate Fizza Rally June 26](#), viewed on 9 February 2017.

²⁶ Rick Wallace, ['Federal election 2016: Frydenberg slams activist "bias"'](#), *The Australian*, 5 July 2016.

²⁷ See Felicity Caldwell, ['Queensland Labor state conference to be targeted by protesters'](#), *Brisbane Times*, 28 October 2016; ABC News, [Adani's Qld Gov approval sparks protest](#), 4 April 2016.

²⁸ See ['Davis TV ad 1 – 2015 Qld Election'](#), *You Tube*, authorised by T. Seelig. Tim Seelig is campaign manager for the Wilderness Society (Queensland).

²⁹ Australian Conservation Foundation, Australian Youth Climate Coalition, GetUp!, Mackay Conservation Group, Seed, Australian Marine Conservation Society, the Wilderness Society and Greenpeace, *Is Greg Hunt the Minister for the Environment or the Minister against the Environment?* Advertisement authorised by Kelly O'Shanassy, CEO of Australian Conservation Foundation, 14 August 2015. This advertisement has been removed from the organisation's website, but see Australian Conservation Foundation, [Newspaper ad campaign urges Minister Hunt to reject Adani coal mine](#), 13 August 2015.

³⁰ Lock the Gate Alliance, [Doorknocking with Gas Free Northern Rivers](#), February 2015.

³¹ Gay Alcorn, ['Victorian government has "worst environmental record since the 60s"'](#), *The Guardian Australia*, 13 November 2014.

³² See Friends of the Earth Australia, [Affiliates](#), viewed on 9 February 2016; Ean Higgins and Jared Owens, ['Wotif's Graeme Wood backed \\$2m strike at Rupert Murdoch'](#), *The Australian*, 26 October 2016.

³³ Kelly Mackenzie, Australian Youth Climate Coalition, [9 reasons why you should get fired up about stopping Adani again](#), 10 November 2016.

350.org Australia³⁴

THE WEEK WE PUSHED THINGS UP A NOTCH

WATCH: A week out from the federal election, people around the country took bold action to hold Australia's worst blockers of climate action to account. Check out the highlights video below.



HIGHLIGHTS FROM POLLUTION FREE POLITICS PUSH!

Cf. the Australian Greens³⁵



POLLUTION FREE POLITICS

Get Dirty Money Out Of Politics

As long as there is big money in politics, politicians will represent the interests of big business and big polluters - not the people who elect them. The Australian people can see through the government's inaction on global warming - and on the other side there is money from big coal, big mining and big business.

It's time to get money out of parliament and to clean up politics.

First Name

Last Name

E-mail Address

Phone Number

Suburb

Postcode

Mailing options

- Hear more from us about democratic reforms
- Hear more from our federal Greens MPs

[Read more](#)

SIGN NOW

³⁴ See gofossilfree.org.au, [Pollution Free Politics](#), viewed on 9 February 2017; and 350.org Australia, [Pollution Free Politics](#), viewed on 9 February 2017. NB neither of 350.org Australia's websites seem to contain authorisation as required by the AEC during an election period.

³⁵ Australian Greens, [Pollution Free Politics](#), viewed on 9 February 2017.

Australian Conservation Foundation³⁶



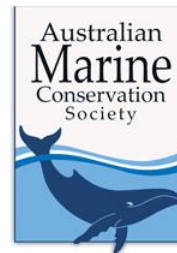
And here's **#ACFpledge** on a truck, in electorates like Kooyong now **@JoshFrydenberg**, Helen McLeod & Margaret D'Arcy



6:55 PM - 28 Jun 2016

Australian Marine Conservation Society³⁷

CHIP IN TO FUND OUR MOBILE BILLBOARD



Donation Details

Make a donation

<input type="button" value="\$35"/>	<input type="button" value="\$55"/>	<input type="button" value="\$100"/>	<input type="button" value="\$200"/>
<input type="button" value="\$350"/>	<input type="button" value="\$500"/>	<input type="text" value="\$ enter amount"/>	

³⁶ Australian Conservation Foundation, ['And here's #ACFpledge on a truck, in electorates like Kooyong now @JoshFrydenberg, Helen McLeod & Margaret D'Arcy'](#), *Twitter*, 28 June 2016.

³⁷ Australian Marine Conservation Society, [Chip in to fund our mobile billboard](#), viewed on 9 February 2017.

Australian Conservation Foundation and others³⁸

ADVERTISEMENT

IS GREG HUNT THE MINISTER FOR THE ENVIRONMENT OR THE MINISTER AGAINST THE ENVIRONMENT?

It's seldom in a lifetime that an opportunity arises to change the course of a nation and its environment.

Greg Hunt, the Federal Minister for the Environment, has such a moment in his career. An approval he gave, wrongly, to the proposed Adani Group's coal mine in Queensland has been overturned by the Federal Court.

He has a chance to correct his original mistake. He has new information before him that wasn't in his possession when the first decision was made.

But will he take that rarest of all political opportunities – the second chance?

The Project

The proposed Adani Group's coal mine would be the largest mine ever built in Australia. Its area would be five times the area of Sydney Harbour. Its emissions from the burning of its coal would be one and a half times those of the entire country of New Zealand.

And this at a time when the rest of the developed world is racing to shift to cleaner renewable energy options.

It is also a time when business leaders around the world are calling for Government policy to aid renewable energy and remove subsidies from coal.

The Company

Who would build this mine? A company with a great environmental record for its previous efforts?

No. The Adani Group has a history of ignoring environmental conditions placed on its projects, including destruction of a 75 ha mangrove conservation zone in India and building an entire airport without proper environmental approvals.

Greg Hunt says conditions placed on the mine would suffice.

You don't let the fox into the hen house and then try to contain him, Minister Hunt.

The Financing

You might imagine banks are rushing to finance this \$16 billion project.

Not so. Just last week Australia's largest bank, the Commonwealth, withdrew support for the Adani Group's coal mine.

Many other banks have said they would not fund a coal project with export facilities near the Great Barrier Reef.

The Decision

The Minister's department and the Adani Group has called the Federal Court's decision a technical glitch.



The failure to consider the impact of the Carmichael mine on two native species found only in Queensland is not a glitch. New information before the Minister also shows it will affect other endangered species and massive groundwater reserves.

Departments don't make decisions, Minister Hunt. Ministers do.

So are you the Minister for the Environment or the Minister against the Environment?

www.action.org.au/protect-the-galilee

Authorised by Kelly O'Shanassy, ACF, 60 Leicester Street Carlton.



³⁸ Australian Conservation Foundation, Australian Youth Climate Coalition, GetUp!, Mackay Conservation Group, Seed, Australian Marine Conservation Society, the Wilderness Society and Greenpeace, *Is Greg Hunt the Minister for the Environment or the Minister against the Environment?* Advertisement authorised by Kelly O'Shanassy, CEO of Australian Conservation Foundation, 14 August 2015. This advertisement has been removed from the organisation's website, but see Australian Conservation Foundation, [Newspaper ad campaign urges Minister Hunt to reject Adani coal mine](#), 13 August 2015.

APPENDIX

Table 2: Declared political expenses of the Minerals Council of Australia, 2009-10 to 2015-16

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Public expression of views on a political party, candidate in an election or member of the Federal Parliament by any means	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Public expression of views on an issue in an election by any means	\$0	\$699,267	\$0	\$449,450	\$0	\$0	\$334,164
Printing, production, publication, or distribution of any material that is required by section 328 or 328A of the Act to include a name, address or place of business	\$3,136,866	\$3,298,692	\$72,366	\$1,344,853	\$0	\$0	\$235,542
Broadcast of political matter in relation to which particulars are required to be announced under sub-clause 4(2) of schedule 2 to the Broadcasting Services Act 1992	\$14,048,058	\$0	\$719,896	\$0	\$0	\$0	\$0
Opinion polling and other research relating to an election or the voting intention of voters	\$0	\$0	\$0	\$0	\$0	\$0	\$220,000