



**Electoral  
Commission**  
QUEENSLAND

20 February 2020

Committee Secretary  
Joint Standing Committee on Electoral Matters  
PO Box 6021  
Parliament House  
CANBERRA ACT 2600  
Uploaded via: [www.aph.gov.au/Committee/Submissions](http://www.aph.gov.au/Committee/Submissions)

Dear [REDACTED]

Thank you for your email of 13 February 2020 inviting the Electoral Commission of Queensland (ECQ) to provide a submission to the Joint Standing Committee on Electoral Matters inquiry on the Commonwealth Electoral Amendment (Lowering the Donation Disclosure Threshold) Bill 2019 (the Bill).

The ECQ notes that the purpose of the Bill is to amend the *Commonwealth Electoral Act 1918* (Commonwealth Act) to lower the political donation disclosure threshold from \$13,800 to \$1,000, and to remove ongoing indexation of that disclosure threshold. The ECQ notes from the private member's Second Reading speech that this Bill is intended to complement an earlier Bill focussed on introduction of real-time disclosure.

The ECQ notes that any decision about such thresholds is a policy decision for the Commonwealth Government, and it does not intend to offer commentary on the Bill in that regard. The ECQ's submission is therefore focussed on observations based on its recent experiences in implementing and operationalising such matters.

Queensland's electoral legislation at both state and local government levels has been amended at various points over the last 10 years, including as they relate to disclosure thresholds. For example:

- the gift threshold amount under the *Electoral Act 1992* (Queensland) is currently \$1,000 but has previously been tied to the dollar amount set out in the Commonwealth Act and its related indexation arrangements; and
- the gift threshold amount under the *Local Government Electoral Act 2011* (Queensland) is currently \$500 but had previously been set at \$200.

The ECQ also notes its experience in administering these thresholds in the context of having implemented Australia's first real-time disclosure regime via an online system (the Electronic Disclosure System – refer <https://disclosures.ecq.qld.gov.au/>).

From the ECQ's perspective, the value of such gift thresholds and the drivers for amending them are matters of policy for governments. However, to successfully implement and administer related changes, the ECQ notes the following:



- For **electoral administrators**, regulatory certainty about gift thresholds as far in advance of electoral events as possible is critical to enable supporting systems, business processes, operational policies and procedures, and a skilled and capable workforce to be developed, amended, refined, and recruited. The proposal in the Bill, for example, would naturally capture a much broader cohort of gift recipients and donors. This, in turn, would increase the volume of gifts that an electoral body would need to process, thus increasing its administrative requirements (e.g. an increase in the volume of calls, emails, and disclosure returns it would receive) and its potential compliance activity. The resourcing and workforce implications of this would need to be considered as part of giving effect to the Bill.
- For **affected stakeholders** such as political parties and candidates, communication about timeframes for operationalisation of gift threshold changes is essential so that all have a chance to understand the changes and adapt their systems and processes accordingly. In the ECQ's experience, this requires significant engagement between stakeholders and electoral administrators in both face-to-face environments (e.g. for key stakeholders such as political parties) and via online communication products and services (e.g. information sheets, call centres) that all candidates can access.

The ECQ notes that variable gift thresholds may affect stakeholders that operate across jurisdictions, whether they be political parties or candidates. The ease of compliance for such stakeholders with differing gift thresholds may be a matter for the Committee to consider as part of its deliberations. As the Committee would know, such differences were at least partly in scope of the recent proceedings in the Queensland Supreme Court and the High Court for a political party which operates across the spectrum of electoral event types (local, state, and federal).

Finally, the ECQ website at [www.ecq.qld.gov.au](http://www.ecq.qld.gov.au) may prove to be a useful resource for the Committee on these matters. In particular, I would draw the Committee's attention to the page called 'Disclosure of political donations' at [www.ecq.qld.gov.au/donations-and-gift-disclosure/disclosure-of-political-donations](http://www.ecq.qld.gov.au/donations-and-gift-disclosure/disclosure-of-political-donations) for comprehensive information about the ECQ's administration of Queensland's disclosure regimes.

Should you require further information regarding this matter, please contact Mr Wade Lewis, Assistant Electoral Commissioner, ECQ on [REDACTED] or at [REDACTED]

I trust this information is of assistance.

Yours sincerely

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Pat Vidgen PSM  
Electoral Commissioner