



Commonwealth of Australia, 2018

The Senate

Select Committee into the Political
Influence of Donations

Political Influence of Donations

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Contents

List of Recommendations	v
Abbreviations	ix
Members	xi
Chapter 1—Introduction.....	1
Conduct of the inquiry	1
Structure of the report	2
Legislative definitions	2
Current federal regulation	4
State and territory regulation	8
Chapter 2—Background.....	11
History	11
Sources of political party funding	16
Campaign expenditure.....	17
2016 Australian federal election.....	18
Push for reform	20
Chapter 3—Political donations: A corrupting influence?	21
Failure of current political finance regime	22
Patterns suggesting undue influence	23
Motivations and reasons behind political donations	28
Consequences of the current regime	40
Committee view	43
Chapter 4—Third party regulation	45
Current third party regulation	46
Options for increased regulation	48
Should all thirds parties be regulated the same?	52
Committee view	52
Charities as third party organisations.....	53
Committee view	58
Chapter 5—Barriers to transparency	59
Calls for reform	59

Barriers to transparency	61
Chapter 6—Safeguarding integrity.....	79
Jurisdictional inconsistency	102
Dissenting Report from Labor Senators.....	107
Dissenting Report from Coalition Senators.....	111
Appendix 1—Submissions, additional information, answers to questions on notice and tabled documents.....	115
Appendix 2—Public Hearings	119

List of Recommendations

Recommendation 1

- 3.103 The committee recommends that the Australian Government amend the definition of 'gift' under the *Commonwealth Electoral Act 1918* to include payments made in return for membership subscriptions and attendance at events and fundraisers of candidates, political parties and associated entities.

Recommendation 2

- 4.35 In recognition that expenditure caps on political parties and associated entities would likely divert donations into third parties, the committee recommends that the Australian Government ensure that any mechanism to limit third party expenditure would enable continued democratic participation and advocacy, while removing any unfair advantage that can be enjoyed by interest groups with the largest financial resources.

Recommendation 3

- 5.44 The committee recommends that the Australian Government amend the *Commonwealth Electoral Act 1918* to introduce a fixed disclosure threshold of \$1,000, to be calculated cumulatively over a whole party group.

Recommendation 4

- 5.56 The committee recommends that the annual return reporting for political parties and associated entities require much more detailed reporting with specific classifications for each type of income currently listed under 'other receipts' to ensure that income is categorised transparently.

Recommendation 5

- 5.90 The committee recommends that the Australian Government amend the *Commonwealth Electoral Act 1918* to require online, continuous real-time disclosure to the Australian Electoral Commission of donations to political parties, candidates and associated entities.

Recommendation 6

- 5.91 The committee recommends that the Australian Electoral Commission ensures that the presentation of political finance data on their website provides greater accessibility and functionality of files to facilitate public research and investigation.

Recommendation 7

- 6.24 The committee recommends that the Australian Government amend the *Commonwealth Electoral Act 1918* to introduce a cap on donations to political parties, candidates and associated entities to a maximum value of \$3,000 per parliamentary term. Donations made by the same donor to the same recipient should be aggregated for the purpose of the cap.

Recommendation 8

- 6.56 The committee recommends that the Australian Government amend the *Commonwealth Electoral Act 1918* to introduce a ban on foreign donations to political parties, candidates and associated entities. For the purpose of the ban, foreign donations should be defined as donations from a source that is not an Australian citizen or resident, or an entity registered in Australia.

Recommendation 9

- 6.57 The committee recommends that the Australian Government amend the *Commonwealth Electoral Act 1918* to introduce a ban on donations from developers, banks, mining companies and the tobacco, liquor, gambling, defence and pharmaceutical industries to political parties, candidates and associated entities.

Recommendation 10

- 6.75 The committee recommends that the Australian Government amend the *Commonwealth Electoral Act 1918* to introduce caps on campaign expenditure by political parties, candidates and associated entities. Expenditure caps should be indexed to inflation and subject to periodic review.

Recommendation 11

- 6.93 The committee recommends that the Australian Government amend the *Commonwealth Electoral Act 1918* to:
- increase the regulatory powers of the Australian Electoral Commission to monitor and enforce compliance with the political funding and disclosure regime;
 - expand the regulatory powers of the Australian Electoral Commission to investigate and aggregate donations made below the disclosure threshold; and
 - introduce strict sanctions and penalties for breaches of legislative requirements.

Recommendation 12

6.94 The committee recommends that the Australian Government establish a federal independent integrity commission.

Recommendation 13

6.105 The committee recommends that the Australian Government implement a small increase in public funding to political parties given the significant loss in revenue that would occur from implementing donations caps.

Recommendation 14

6.116 The committee recommends that the Australian Government initiate discussions between state and territory governments and the Commonwealth with regard to political donations regulation—including legislative definitions, allowable donors, disclosure thresholds and disclosure timeframes—with a view to developing harmonised laws within two years.