



Mr Gareth Ward MP
Chair
Joint Standing Committee on Electoral Matters
Parliament House
Macquarie Street
SYDNEY NSW 2000

5 NOV 2013

Dear Mr Ward

Report No 3/55 of the Joint Standing Committee on Electoral Matters – Review of the *Parliamentary Electorates and Elections Act 1912* and the *Election Funding, Expenditure and Disclosures Act 1981* – NSW Government Response

In May 2013, the Joint Standing Committee on Electoral Matters issued a report on its review of the *Parliamentary Electorates and Elections Act 1912* and the *Election Funding, Expenditure and Disclosures Act 1981*.

The report makes 26 recommendations to reform the State's electoral laws. The Committee's main recommendation is that the NSW Government introduce legislation for a new electoral Act for NSW which provides for both the conduct of State elections and the regulation of campaign finance and expenditure (Recommendation 1). The other recommendations relate to specific matters as to the content of the State's electoral laws.

The Government supports the Committee's principal recommendation that the State's current electoral legislation should be replaced with a modernised electoral Act that addresses both the conduct of State elections and the regulation of campaign finance and expenditure.

Each of the specific recommendations of the Committee will be considered in detail during the drafting of that Bill.

In drafting the Bill, the Government will also take into account the outcome (if then known) of the High Court challenge that has been brought by Unions NSW and others to certain provisions of the *Election Funding, Expenditure and Disclosures Act*, including those that ban political donations from any person or entity other than an enrolled voter.

I note that the Government has no current plans to repeal Division 4A of Part 6 of the *Election Funding, Expenditure and Disclosures Act*, which bans political donations from certain prohibited donors such as property developers as well as their close associates. The Government will of course consider any implications of the High Court's decision once it is known.

The Government intends to introduce the Bill for a new electoral Act into Parliament next year. The Bill will be developed in close consultation with the Electoral Commissioner.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Barry O'Farrell'.

Barry O'Farrell MP
Premier