



New South Wales

Election Funding Amendment Act 2002 No 101

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Election Funding Act 1981 No 78	2
4 Amendment of Election Funding Regulation 1999	2
Schedules	
1 Amendment of Election Funding Act 1981	3
2 Amendment of Election Funding Regulation 1999	5



New South Wales

Election Funding Amendment Act 2002 No 101

Act No 101, 2002

An Act to amend the *Election Funding Act 1981* and the *Election Funding Regulation 1999* with respect to the payment of public funding for candidates endorsed by a political party. [Assented to 29 November 2002]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Election Funding Amendment Act 2002*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of Election Funding Act 1981 No 78

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

4 Amendment of Election Funding Regulation 1999

The *Election Funding Regulation 1999* is amended as set out in Schedule 2.

Schedule 1 Amendment of Election Funding Act 1981

(Section 3)

[1] Section 68 Maximum amounts payable

Insert after section 68 (2):

- (3) Subsection (1) applies to a payment to a candidate even though the candidate has directed that the payment be made to a party under section 76A.

[2] Section 69 Entitlements to advance payments

Insert after section 69 (2):

- (3) For the purposes of subsection (2), the total amount to which a party was entitled under this Part does not include any amount payable to the party under section 76A.

[3] Section 76A

Insert after section 76:

76A Making of payments to party at the direction of candidate

- (1) A candidate to whom a payment is to be made under this Part for an election for an electoral district may direct the Authority to make the payment to a party that:
 - (a) endorsed the candidate in that election, and
 - (b) was a registered party as at the polling day for that election.
- (2) In that case, the party becomes entitled to the payment and the payment is to be made to that party instead of to that candidate.
- (3) A direction under this section:
 - (a) may be made in anticipation of an entitlement to a payment under this Part, and
 - (b) is required to be made in writing, and
 - (c) may be revoked by the candidate by notice to the Authority given with the written consent of the registered agent of the party.

[4] Section 77A Prepayment on lodgment of claims

Insert after section 77A (2):

- (2A) For the purposes of subsection (2), the total amount estimated by the Authority to be payable to a party does not include any amount payable to the party under section 76A.

Schedule 2 Amendment of Election Funding Regulation 1999

(Section 4)

Clause 7 Part 5 payments generally

Insert after clause 7 (2):

- (3) Subclause (2) does not apply to a payment referred to in section 76A of the Act.

[Second reading speech made in—
Legislative Assembly on 31 October 2002
Legislative Council on 21 November 2002]