Fact Sheet

Electoral Disclosure and Funding Amendment (Spending Limits) Bill 2026

The Electoral Disclosure and Funding Amendment (Spending Limits) Bill 2026 (the Bill) amends the Electoral Disclosure and Funding Act 2023 (the Act).

The Bill underpins the Tasmanian Labor Party's commitment to better government in Tasmania by promoting equality of opportunity for all Tasmanians to participate in political debate and communicate their views on political matters during elections. This is fundamental to the integrity of our electoral system and the preservation of our democracy.

The Bill introduces limits on electoral expenditure by political parties and candidates, including caps on spending within individual electoral divisions and across an election as a whole. It also establishes expenditure caps for independent candidates and third party campaigners, including individuals, trade unions, industry groups and corporations.

The Bill defines the expenditure captured by these limits, specifies when the caps apply in the context of an election, and provides for civil and criminal remedies for breaches.

These reforms seek to create a level playing field in Tasmanian politics. It will get the big money out of politics and mean election campaigns are a battle of ideas, not a battle of who has the biggest bank balance or donors.

<u>The Bill amends the Act by:</u>

- Providing a definition of an 'election campaign funding period', 'electoral advertisement' and GST.

- Introducing expenditure limits for House of Assembly election campaigns, including a global expenditure cap for registered political parties that encompasses spending by the party and its endorsed candidates.

- Establishing a base expenditure cap of $50,000, rising annually by the Consumer Price Index (CPI)

- Establishing a cap for registered political parties of 1 times the base cap per House of Assembly candidate ($50,000), up to a maximum of 35 candidates.

This will encompass everything a registered party can spend, including anything spent by their individual candidates.

- Limiting the amount a registered political party can spend in any one of Tasmania's five House of Assembly divisions.

- Introducing an expenditure limit for independent House of Assembly candidates and Members of 1.2 times the base expenditure cap ($60,000)

- Introducing an expenditure limit for other campaign entities, including third-party campaigners and associated entities, of 1.5 times the base expenditure cap ($75,000) statewide.

- Preventing related entities, including companies within the same corporate group, from obtaining separate expenditure limits. Related entities will be treated as a single entity with just one $75,000 cap total.

- Defining the 'assembly electoral expenditure' that counts towards the applicable expenditure limit, including providing a mechanism for regulations to prescribe additional inclusions and exclusions and to address potential conflicts.

- Ensuring gifts in kind are counted towards the applicable expenditure limit as if they were electoral expenditure.

- Establishing rules for valuing electoral expenditure, including gifts in kind and items used across multiple election campaign periods.

- Requiring the disclosure of House of Assembly electoral expenditure and providing for the Tasmanian Electoral Commission to request further information in relation to election campaign returns, with penalties for non-compliance.

- Introducing penalties for exceeding an applicable expenditure limit. A person or entity that exceeds the limit will be liable to a penalty equal to twice the amount spent above the applicable limit.

- Creating an offence relating to exceeding House of Assembly electoral expenditure limits, punishable by up to 200 penalty units, imprisonment for up to two years, or both.

- Strengthening existing provisions prohibiting schemes intended to circumvent expenditure limits or other restrictions under the Act.

- Providing for the annual adjustment of expenditure caps in line with the CPI, with the adjusted amount to be published in the Gazette and on the Tasmanian Electoral Commission website.

The Bill will commence on a day to be proclaimed or, if it has not commenced by 1 July 2027, on that date.