

Statement by the Chairperson

22 May 2023

2023 NSW State election pre-election political donations information

Information about pre-election donations published by location

More than \$6.5 million in political donations were disclosed to the NSW Electoral Commission (Electoral Commission) in pre-election donations disclosure for the 2023 NSW State election.

Under the *Electoral Funding Act 2018*, the Electoral Commission is required to publish these disclosures as soon as practicable and may publish any other information it considers relevant on the Electoral Commission's website.

All disclosures and amendments that have been made up until 5 May 2023 are published on the Electoral Commission's website as received. To view these pre-election disclosures go to the [Electoral Commission's website](#) and choose the following search options:

- *Relevant Reporting Period: 2022/2023*
- *Disclosure Types: Pre-Election Donation*

To complement these published disclosures, the Electoral Commission has also published a map that provides a data visualisation of the value of political donations based on the location of donors. Donations have been [included on the map](#) according to the electoral district in which the individual donor was enrolled, or in which the entity/business donor offices were located. Electoral districts in which many head offices are located can be expected to show a higher value of total donations (illustrated by darker shading) but it cannot be assumed from that that these donors are donating to candidates contesting that district. Donation recipients can be readily identified, however, by another list that has also now been made [available on our website](#) (view CSV file) to complement the published disclosures by presenting the disclosed information in another format.

Some pre-election donation disclosures amended before and after election day

More than \$4.5 million in donations were reported in 414 pre-election period disclosures before or on election day and more than \$2 million in donations were reported in 72 disclosures submitted within 21 days after election day.

Before election day there were fifty-five amendments made to previously lodged pre-election disclosures. There were twenty-five amendments made within 21 days after election day. An amendment to a disclosure might be made by the person responsible where an error or omission has been identified. The original disclosure and the amendment are both published on the Electoral Commission website.

Pre-election disclosures, including amendments made before or after election day, will be assessed in accordance with the Electoral Commission's compliance and enforcement policies and procedures.

The Hon Arthur Emmett AO KC
Chairperson of the NSW Electoral Commission

Background Information

Pre-election disclosures

As part of the NSW electoral funding, expenditure and disclosure legislative scheme, all reportable political donations of \$1,000 or more, made or received in the lead-up to the 2023 NSW State election (from 1 October 2022 to 25 March 2023), were required to be disclosed to the Electoral Commission within 21 days and published on the Electoral Commission's website. This includes multiple donations made by the same donor to the same recipient that in aggregate are valued at \$1,000 or more in one financial year.

Pre-election period donation disclosures must be made by elected members, candidates, groups, political parties, third-party campaigners and associated entities but not by major political donors. Major political donors will be required to submit an annual donor disclosure by 11 August 2023.

Caps on political donations

Political donations are capped in NSW and the caps are adjusted for inflation annually. The caps that applied at the 2023 NSW State election were \$3,300 for donations made to candidates, elected members, third-party candidates, unregistered parties, parties registered for less than 12 months, and associated entities; and \$7,000 for donations made to registered parties and groups of candidates.

It is an offence for a political party, elected member, candidate, group, associated entity, or third-party campaigner to accept a political donation that exceeds the applicable donation cap. Indirect campaign contributions that exceed these amounts are also prohibited.

Electoral expenditure caps and disclosures

Electoral expenditure, including for the 2023 NSW State election, is subject to caps and must be disclosed by 22 September 2023 by all elected members, candidates, groups, political parties, third-party campaigners and associated entities in NSW.

More information about the electoral funding, expenditure and disclosure scheme in NSW is available on the [Electoral Commission website](#).

About the NSW Electoral Commission

The Electoral Commission is constituted by three members, one of which is the NSW Electoral Commissioner. The Commission's Chairperson is the Hon Arthur Emmett AO KC, a former judge of the Federal Court of Australia and of the Supreme Court of New South Wales. The Electoral Commission is an independent statutory entity responsible for maintaining registers of NSW election

participants with legislative electoral funding obligations, receiving and publishing disclosures of political donations and electoral expenditure, enforcing NSW electoral and lobbying legislation, undertaking and publishing research and guidance about electoral matters, maintaining the Register of Third-Party lobbyists and assessing applications for public funding by eligible State election participants.

View information about the independent [Electoral Commission's work](#).

Media contact

02 9290 5936

nswecmedia@elections.nsw.gov.au