

## Statement

By the Chairperson, NSW Electoral Commission

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In February 2017 media reports alleged that Mr Ray Williams MP had collected or accepted illegal donations from property developers for the benefit of the Liberal Party of Australia (NSW Division) (the Liberal Party). Donations from 'property developers', as defined in the *Election Funding, Expenditure and Disclosures Act 1981* (the Act) are prohibited by the Act.

The New South Wales Electoral Commission (the Commission) has conducted an investigation into these allegations.

The usual practice for the Commission is not to comment on individual investigations. However, in view of the media reporting in relation to this matter, the Commission believes it is in the public interest that a statement be made concerning the results of its investigation.

The Commission has not found any evidence that Mr Williams committed an offence under the Act.

Donations made to the Liberal Party by seven individuals were examined as part of this investigation. Four of these individuals were found not to have been property developers, as defined by the Act, at the time of making their donations.

In relation to the remaining three individuals whom the Commission considers were property developers at the time of making their donations:

- One donation was returned by the Liberal Party to the relevant individual in the same year in which it was made.
- An amount equal to the donation made by one individual had previously been recovered by the Commission from the Liberal Party.
- Legal action in relation to the donation by one individual was statute barred. When that donation was made the Act required any proceedings to be instituted within three years of the alleged offence (following amendments made to the Act in 2014 the time limit for instituting such proceedings has been increased to 10 years).

The Commission has now concluded its investigation in relation to this matter and, in light of the above, no further action is proposed.

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### ABOUT THE NSW ELECTORAL COMMISSION

In December 2014, the three member Electoral Commission was constituted. It is separate to the agency led by the Electoral Commissioner. The Commission is an independent, statutory authority. It approves public funding to the political parties and others and enforces the provisions of three NSW Acts. These provisions govern electoral funding, expenditure and disclosures, the conduct of State elections and the lobbying of government officials. The Commission's Chairperson is the Hon Keith Mason AC QC, a former President of the NSW Court of Appeal (1997 to 2008). The Deputy of the Commission's Chairperson is Adjunct Professor Joseph Campbell, a former judge of the NSW Court of Appeal and the Supreme Court of New South Wales (2001 to 2012). Information about this independent Commission's work can view viewed at:

[www.elections.nsw.gov.au/about\\_us/work\\_of\\_the\\_commission](http://www.elections.nsw.gov.au/about_us/work_of_the_commission).

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