

Campaign donations return

Local Government (Elections) Act 1999

Any person who is a candidate for election to an office of a council, must complete this return. A person who fails to furnish a return within the time required, or furnishes a return or other information that contains a statement that is, to the knowledge of the person, false or misleading in a material particular, is guilty of an offence with a maximum penalty of \$10,000.

Please read the instructions and notes over the page before filling in this form.

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Mr Mrs X					
Family name	Miss	Ms Other			
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			Girls of a kind requ	uired to be disclosed was me (re	efer Notes 4 & 5)
Total value of	f those gifts	\$ 0	Number of persons	who gave those gifts	NIL
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		cific details concerning	such girts are provide	d below	
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Instructions/notes

- Any person who is a candidate for election to an office of a council must complete this form and furnish it to the returning officer within the time periods set out in section 80(3) of the Local Government (Elections) Act 1999.
- The period to which the return must relate is called the disclosure period. For the purposes of this return
 - (a) the disclosure period is the period that commenced
 - in relation to a candidate in an election who was a new candidate [other than a candidate referred to in subparagraph (ii)] —on the day on which the person announced that they would be a candidate in the election or the day on which the person's nomination as a candidate was lodged with the returning officer, whichever was the earlier; or
 - (ii) in relation to a candidate in an election who was a new candidate and when they became a candidate in the election was a member of the council by virtue of having been appointed under Chapter 3 of the Local Government Act 1999 – on the day on which the person was so appointed as a member of the council; or
 - (iii) in relation to a candidate in an election who was not a new candidate at the end of 21 days after polling day for the last preceding election in which the person was a candidate,

and that ended, in any of the above cases, at the end of 21 days after polling day for the election; and

- (b) a candidate is a new candidate, in relation to an election, if the person had not been a candidate in the last general election of a council and had not been a candidate at a supplementary election held after the last general election of a council.
- A gift is a disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.
- A return need not set out any details in respect of -
 - (a) a private gift made to the candidate; or
 - (b) a gift if the amount or value of the gift is less than \$500; or
 - a gift disclosed in a large gift return under section 81A of the Local Government (Elections) Act 1999.

A gift made to a candidate is a private gift if it is made in a private capacity to the candidate for his or her personal use and the candidate has not used, and will not use, the gift solely or substantially for a purpose related to an election.

- 5. Two or more gifts (excluding private gifts) made by the same person to a candidate during the disclosure period are to be treated as one
- The return must be forwarded to the returning officer at the following times:
 - (a) within 7 days of the end of the period commencing from the start of the disclosure period for the election (within the meaning of
 - in the case of a periodic election—21 days after the close of nominations; or
 - (ii) in any other case—7 days after the close of nominations; and
 - (b) within 30 days after the conclusion of the election.

The following information must be included:

- (a) the total amount or value of all gifts received by the candidate during the disclosure period; and
- (b) the number of persons who made those gifts; and
- (c) the amount or value of each gift; and
- (d) the date on which each gift was made; and
- (e) in the case of each gift made on behalf of the members of an unincorporated association—
 - (i) the name of the association; and
 - (ii) the names and addresses of the members of the executive committee (however described) of the association; and
- (f) in the case of each gift made on behalf of the members of an unincorporated association—
 - (i) the names and addresses of the trustees of the fund or of the funds of the foundation; and
 - (ii) the title or other description of the trust fund or the name of the foundation, as the case requires; and
- (g) in the case of each other gift—the name and address of the person who made the gift.

NOTE

If a person who is required to furnish a return considers that it is impossible to complete the return because he or she is unable to obtain

- (a) prepare the return to the extent that it is possible to do so without those particulars; and
- (b) furnish the return so prepared; and
- (c) give to the chief executive officer notice in writing -
 - (i) identifying the return; and
 - (ii) stating that the return is incomplete by reason that he or she is unable to obtain certain particulars; and
 - (iii) identifying those particulars; and
 - (iv) setting out the reasons why he or she is unable to obtain those particulars; and
 - (v) if the person believes, on reasonable grounds, that another person whose name and address he or she knows can give those particulars – stating that belief and the reasons for it and the name and address of that other person.