

FUNDRAISING

Code of Conduct

for Liberal Party Members of the Tasmanian Parliament

Introduction

1.1 This Code of Conduct (the “Code”)

- applies to all Tasmanian Ministers, Parliamentary Secretaries and Liberal Party members of the Tasmanian Parliament (collectively, “Members”);
- notes that unlike most other states, Tasmania does not have public funding legislation to support administrative and campaigning activities by political parties;
- recognises that it is appropriate for Members to voice the need for funds or services to support the administrative and campaigning activities of political parties, including signing appeal requests and attending fundraising functions;
- formalises long-established principles which are regarded as absolutely fundamental to maintaining the integrity of the Liberal Party and the integrity of Members; namely that
 - the Liberal Party does not accept funds that are donated subject to political conditions of any kind;
 - under no circumstances will the Liberal Party accept funds which, even if only by inference, are intended to obtain support for specific government decisions, actions or attitudes;
 - donors have a right to put their views to the Liberal Party and its Members, but a right to no more than that;
 - Members must not personally accept on the Liberal Party’s behalf or for their own campaigning purposes money or donations in kind or donations of services. Only the Liberal Party Secretariat or a person authorized by the State Director of the Liberal Party (an “Authorised Person”) may accept any of these forms of support. However, Members are clearly entitled to accept the services of volunteers.

Members and Political Parties

2.1. Most, but not all, members of the Tasmanian Parliament are active and engaged participants in political parties. They are endorsed as candidates by their parties and are supported by voters on that basis.

2.2. As such Members of Parliament have legitimate interactions with their parties just as they do with their local constituents and many other non-political associations, groups, clubs and organisations in the wider community.

2.3. All political parties are subject to law and are required to meet their obligations with respect to their electoral activities, including extensive legal obligations on campaigning and fundraising and the public disclosure of donations. Like many other institutions in our society political parties are subject to public scrutiny.

3. Principles

3.1. Members may participate in fundraising events and activities for the Liberal Party.

3.2. In doing so Members should ensure that they comply with the *Tasmanian Electoral Act 2004*, the *Commonwealth Electoral Act 1918* and with the protocols set out in this Fundraising Code of Conduct and other protocols and codes established from time to time by the Liberal Party.

3.3. Members must also have regard to the oath of office they took when sworn in and ensure that they comply with the provisions of the *Parliamentary (Disclosure of Interests) Act 1996*.

3.4. In addition, Members must be conscious of possible conflicts of interest and ensure that their participation in any fundraising event or activity is conducted in a manner consistent with their overall obligations to the people of Tasmania for honest, efficient and effective government.

4. Framework

4.1. In the normal course of their duties Members interact with many individuals and organisations.

4.2. People will engage with Members in different ways; for example at formal meetings, at community, social or sporting events, or will raise matters through a Member of Parliament or political party. Some representations will be on behalf of community groups, others will reflect the interests of particular individuals, associations or businesses.

4.3. Whatever the motivation it is the democratic right of citizens to raise issues and to have them dealt with on their merits, and it is the responsibility of Members to consider those issues appropriately.

4.4. Irrespective of the context, and whomever the person or business, community group, association or entity involved, Members should always ensure they act in accordance with their overall obligations to the people of Tasmania for honest, efficient and effective government.

4.5. Most such contacts have nothing to do with fundraising either for political parties or other community organisations. Many of the people who approach Members have no interest and no involvement in political organisations and it is important that they be able to raise issues and make representations to Members and/or their offices if they have matters meriting attention.

4.6. From time to time, Members will be asked to assist with fundraising events and activities for many different organisations including community, charitable sporting or educational institutions, as well as for their own political parties. When participating in any such events it is important for Members to ensure that they act appropriately.

5. Fundraising Guidelines

5.1. On occasion, Members will be asked to participate in fundraising events, functions and activities for the Liberal Party.

5.2. As Members, they will be well aware that the Liberal Party does not accept funds that might be offered subject to political conditions of any kind.

5.3. At no time and under no circumstances will funds be accepted by the Liberal Party which, even if only by inference, are conditional upon support for specific government decisions, actions or attitudes.

5.4. A Member who is approached on that basis should report the matter immediately to the Secretary of the Department of Premier and Cabinet.

5.5. Members must not personally accept on the Liberal Party's behalf or for their own campaigning purposes money or donations in kind or donations of services. Only the Liberal Party Secretariat or an Authorised Person may accept any of these forms of support. However, Members are clearly entitled to accept the services of volunteers.

5.6. Members who are asked to participate in fundraising events, functions and activities of any kind should ensure that their own conduct is in accordance with these guidelines.

5.7. This is particularly the case when asked to attend a smaller event such as a boardroom lunch or dinner.

5.8. Members attending a fundraising event, function or activity should ensure that any requests to consider issues are subsequently dealt with in a proper manner in accordance with the requirements of Clause 3.4 of this Code of Conduct. Members should have careful regard to relevant probity requirements relating to tenders, the issuing of approvals or licences, the making of determinations and similar matters, and to any statutory requirements.

5.9. Members invited to attend a fundraising event should make it clear to those organising it that their participation must be consistent with their obligations as Members.

5.10. Materials produced to invite attendance may identify the guest but should not represent the function or event in a way which claims privileged access to a Member over and above that already available to a member of the public or member of the organisation issuing the invitation. Those organising functions and events should be provided with a copy of this Fundraising Code of Conduct so they are aware of the context in which Members may participate.

5.11. Where a Member is uncertain about fundraising events, functions or activities they should consult the State Director of the Liberal Party in the first instance.

5.12. Ministers and Parliamentary Secretaries are provided with "ministerial" office facilities at public expense in order that public business may be conducted. Similarly, Members of Parliament are provided with electorate offices. It is recognised that it is not always possible for Members to clearly delineate their role as Member of Parliament from their role as a member of a political party. Accordingly, Members should take care that any use of public funded offices for functions, events or activities that may involve fundraising does not involve additional expenditure of public funds. For example, it may be appropriate to hold a small function in an

electorate office but the cost of food, drinks etc it must not be a charge on public funds.

5.13. In the case of offices in Parliament House, the Presiding Officers may set usage rules for all parliamentarians.

6. Lobbyists

6.1. With respect to professional lobbyists who may attend fundraising events, functions or activities, Members should ensure that any dealings are conducted consistently with the Tasmanian Government Lobbying Code of Conduct.

7. Administration

6.1. To ensure integrity in the conduct of political fundraising and to avoid potential conflicts of interest and to facilitate full compliance with funding and disclosure legislation and the proper accounting and auditing of funds raised, Members are obliged to follow the procedures set out below.

6.2. Members must not personally accept on the Liberal Party's behalf or for their own campaigning purposes money or donations in kind or donations of services. Only the Liberal Party Secretariat or an Authorised Person may accept any of these forms of support. However, Members are clearly entitled to accept the services of volunteers.

6.3. A Member must not operate an account for the receipt and distribution of campaign or political fundraising proceeds. In particular, a Member must not be a signatory to either a private account or a Liberal Party account, including supporter club accounts.

6.4 All donations must be received by an Authorised Person and banked in an official Liberal Party account operated by the Liberal Party Secretariat.

6.5 All funds arising from fundraising events, functions or activities must immediately be forwarded by the Authorized Person to the Liberal Party Secretariat for banking in an official Liberal Party account.

6.6. These accounts are to be professionally managed and audited and available for inspection by the Australian Electoral Commission, according to law. The detailed administration of the Liberal Party's finances is prescribed in its Constitution and Rules.

7. Donations

7.1. The receipt and disclosure of donations is governed by Commonwealth legislation which currently sets the regulatory framework for political parties throughout Australia. Maintaining one overall system assists with integrity, transparency and accountability by preventing anomalies and inconsistencies which arise if there are separate state and federal systems. At present the Commonwealth Electoral Act sets the disclosure threshold (currently \$12,400) and a system of public disclosure and compliance audits.