

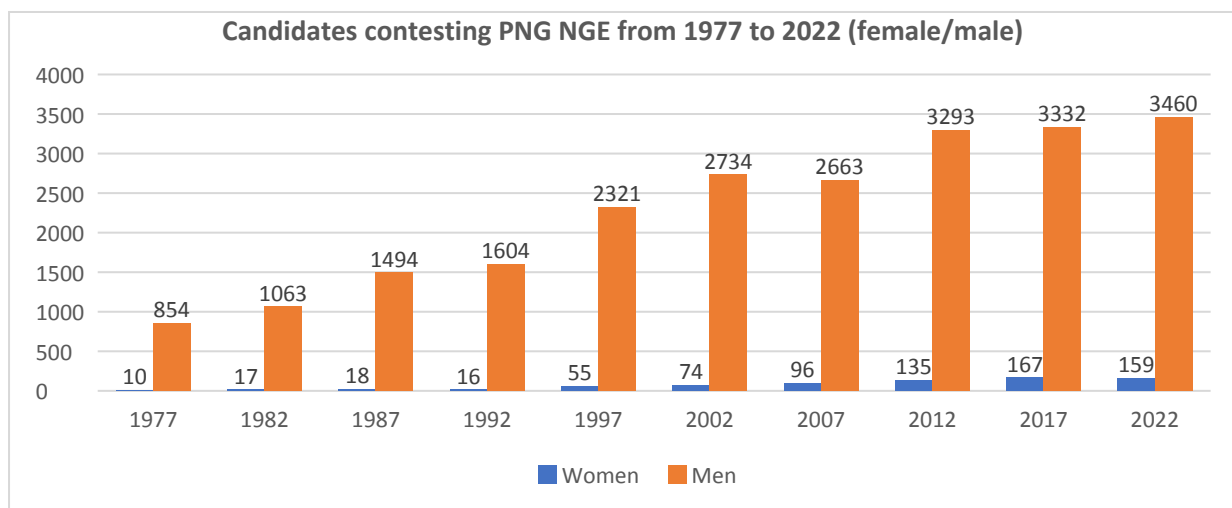
Submission to PNG Parliamentary Committee of Inquiry into the 2022 National General Election

This submission is made by Dr Lesley Clark, a former Member of the Queensland State Parliament and a technical expert on women’s political participation in PNG, and Ms Charmaine Rodrigues, the former UNDP Pacific regional specialist on gender and governance from 2007 to 2012, and a recognised expert on promoting women’s political participation globally and in the Pacific.

Women’s participation in the PNG 2022 National election

There was a consensus by election observers that the 2022 national general election (NGE) was one of the worst on record. It was characterised by violence, bribery, vote rigging, stolen ballot papers, and manipulation of counting at counting centres all of which further disadvantaged women who are generally not regarded a suitable for public office as a result of deeply embedded gender stereotypes¹.

Women were particularly affected by the violence, including women candidates, many of whom have alleged that vote tampering and counting irregularities undermined their successful campaigns and prevented their election. There are varying statistics on the total number of female candidates who contested in the 2022 NGE. According to the *National* newspaper on 3 June 2022, a total of 142 female candidates ran in the 2022 NGE.² However, data supplied by Integrity of Political Parties and Candidates Commission, suggests that a total of 159 female candidates nominated in the 2022 NGE.³ Regardless of the discrepancies in the figures of total female candidates in 2022 NGE, there were less female candidates contesting the 2022 NGE compared to the 2017 NGE, where a total of 167 female candidates contested.



According to the IPPCC data,⁴ of the total female candidates in the 2022 NGE, 64 women (40.3%) were endorsed by political parties, with the rest contesting as independents. This is an increase from 2017 when only 38 women (22.8%) of were endorsed by political parties out of the total of 167 women candidates. Most parties endorsed between 1 to 4 female candidates, but an interesting

¹ Orovu Sepoe, Lesley Clark & Teddy Winn (2022) “Women in the 2022 PNG elections”, ANU DevPolicy blog, 22 August, <https://devpolicy.org/women-in-the-2022-png-elections-20220822/>

² <https://www.thenational.com.pg/women-candidates>

³ This data was included in a UNDP report on the Election Diagnostic Workshop with Women Candidates organized by the IPPCC and UNDP in September 2022 in Port Moresby.

⁴ Ibid.

trend noted in this year's election is that 14 political parties (out of the 64 registered political parties) endorsed more than two female candidates. PANGU endorsed 7 women candidates, National Alliance endorsed 5 women candidates, PANGU endorsed 7 women candidates, and the newly registered People's Resource Awareness Party (PRAP) endorsed a total of 9 women candidates. This was record-breaking for PNG where no parties have previously endorsed more than five female candidates. Despite these endorsements however, the level of tangible support provided to each female candidate by their political party is still unknown. Anecdotal feedback suggests that many women candidates were unhappy with the lack of financial and other support they were given, though some high-profile women were seen on the campaign trail with their male leaders.

Thirty female candidates finished in the top 10 of the races in their respective electorates and 10 women finished in the top 5 of their races. Two women were successfully elected: Honourable Kessy Sawang for Raicoast Open seat and Honourable Rufina Peter as Governor for Central Province. With these women included, there have now been nine women ever elected to PNG's National Parliament since Independence in 1975. The 9th Parliament (2012-2017) had the highest number of women to date since the first post-independence Parliament which also had 3 women MPs.

Table 1: Summary of female candidates' nominated per province in the 2022 NGE and political party endorsement – UNDP research identified only 131 of 159 women candidates⁵					
HIGHLANDS REGION					
EASTERN HIGHLANDS	8	6	2	3	5
ENGA	1	1	0	1	0
HELA	0	0	0	0	0
JIWAKA	3	2	1	0	3
SOUTHERN HIGHLANDS	1	0	1	0	1
SIMBU	6	2	4	2	4
WESTERN HIGHLANDS	1	0	1	0	1
Sub-Total	20	11	9	6	14
MOMASE REGION					
EAST SEPIK	4	4	0	2	2
MADANG	6	4	2	3	3
MOROBE	22	18	4	7	15
WEST SEPIK	5	2	3	1	4
Sub-Total	37	28	9	13	24
NEW GUINEA ISLANDS REGION					
AROB	4	4	0	1	3
ENB	7	5	2	2	5
MANUS	7	6	1	2	5
NEW IRELAND	7	6	1	1	6
WNB	2	1	1	1	1
Sub-total	27	22	5	7	20
SOUTHERN REGION					
CENTRAL	10	7	3	4	6
GULF	8	8	0	3	5

⁵ This data was collected by a UNDP researcher and has been shared with the authors. It is accurate based on the available data. Any mistakes are inadvertent.

MILNE BAY	8	6	2	6	2
NCD	10	8	2	6	4
ORO	7	3	4	3	4
WESTERN	4	2	2	2	2
Sub-total	47	34	13	24	23
TOTAL	131⁶	95	36	50	81

Introducing temporary special measures to promote more women

Barriers to ensuring women’s active participation in national development, including in politics, means that PNG is missing a vital opportunity to harness the full potential of all of the country’s human resources. Leaving in place institutional, cultural and practical barriers that limit women’s opportunities to effectively contribute to the decision-making and development processes results in a failure to maximise national economic opportunities. In this regard, a 2015 report found that \$12 trillion could be added to global GDP by 2025 by advancing women’s equality.⁷

PNG women have a tangible contribution to make to politics; their lived experiences as workers, daughters, mothers and citizens often give them different perspectives from male MPs which can benefit law-making, decision-making and policy-making.⁸ Women MPs can offer specific perspectives in enacting gender responsive laws, for example, in relation to gender-based violence, sexual harassment, labour laws and family law. In the current context of trying to address the scourge of gender-based violence through parliamentary action, the lack of women’s voices in the discussion over what is best to do is incredibly problematic.

Introduce 22 reserved seats for women in the National Parliament

Recommendation 1: Pass a constitutional amendment, supported by amendments to relevant Organic Laws, to introduce 22 reserved seats for women in the National Parliament. All voters would vote for the women’s seats. The SIP entitlements of the women MPs would be clarified by regulation.

The provision of reserved seats for women is not a new concept globally, nor in PNG. In Bougainville, three seats have been reserved for women since 2005. Even though these women represent less than 10% of the members elected, they have been very successful in influencing gender policies of the Bougainville Government. Women MPs have served as Ministers in every Bougainville Cabinet since and a woman Deputy Speaker was chosen in 2015. There has never been any suggestion in Bougainville that this approach is disempowering, tokenism or does not value the women of Bougainville. In the PNG National Capital District (NCD), there are two reserved seats for women in the Motu Koitabu Assembly and they are fiercely contested as well. In both Bougainville and the Motu Koitabu women are also allowed to contest all the other seats with men. Had the reserved seats not been created, the Motu Koitabu Assembly might be a replica of PNG Parliament with an all-male Assembly.

There have been three main proposals to reserve seats for women in the PNG National Parliament:

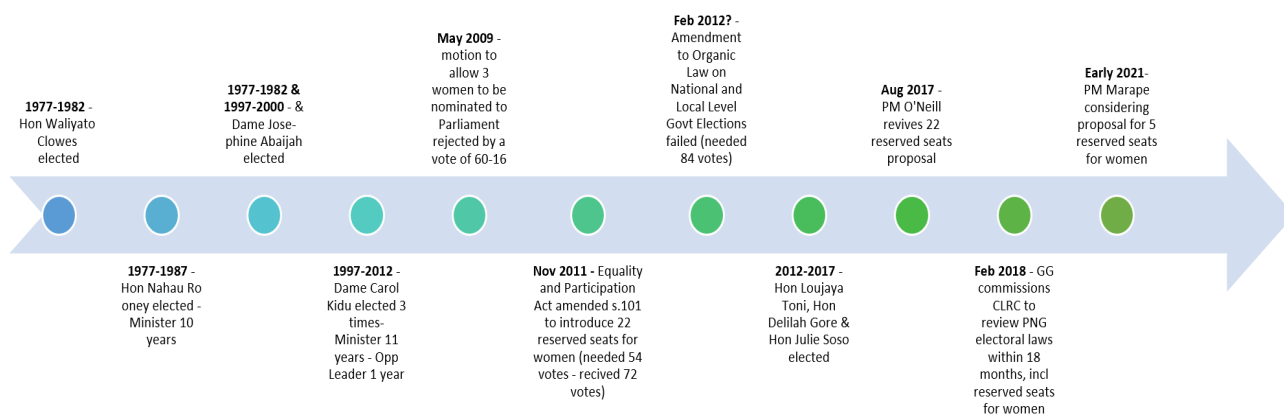
⁶ UNDP’s research identified only 131 of the 159 women candidates that the IPPCC says were nominated. This analysis is based on data collected from 131 women candidates.

⁷ “How Advancing Women’s Equality Can Add \$12 Trillion to Global Growth”, <https://www.mckinsey.com/featured-insights/employment-and-growth/how-advancing-womens-equality-can-add-12-trillion-to-global-growth>.

⁸ Morna CL and Makaya-Magarangoma M, “Impact of Women’s Political Leadership on Democracy and Development: South Africa” (Commonwealth Secretariat, London, UK, 2013) at p.6, https://www.thecommonwealth-ilibrary.org/commonwealth/governance/the-impact-of-women-s-political-leadership-on-democracy-and-development_9781848591677-en.

- In 2007/8, a proposal was introduced to nominate three women to Parliament, using an existing provision in sections 101 and 102 of the National Constitution. This proposal was defeated in a vote on the floor of Parliament, which was needed to confirm the nomination process.
- From 2008 to 2012, considerable advocacy was given to introducing 22 seats reserved for women in the National Parliament. These 22 seats were proposed to be additional to the existing 109 seats at that time. They would be voted upon by all voters (men and women) and each seat would represent one province plus the National Capital District, in the same way that Governor’s seats currently do. Each seat would have full voting rights within the Parliament. A constitutional amendment was passed in November 2011 to allow the 22 seats for women to be added. However, amendments to the *Organic Law on Provincial and Local-level Government* and the *Organic Law on National and Local-level Government Elections* to create the new seats were never passed, in large part due to the high voting majorities required to amend the relevant Organic Laws (between 2/3 and 3/4 of the whole Parliament).
- At the May 2021 public hearings, the Deputy Secretary of the Department of Justice and the Attorney General (DJAG) advised that the Government had approved in principle a proposal to reserve 5 new seats in the National Parliament for women, but that this proposal is still being fleshed out and converted into a draft Bill. The regions for the five seats would be New Guinea Islands, Momase Highlands, East Papua and West Papua regions. There would be a change to divide the Highlands and Papua regions into three regional seats for women: Highlands (Jiwaka, WHP, Enga, EHP, Simbu), the West Papua region (SHP, Hela, Gulf, Western) and the East Papua region (NCD, Milne Bay, Oro). The Constitution would need to be amended to change section 101 to allow for 5 regional women’s seats rather than 22 provincial women’s seats. The Government proposed to pass ordinary legislation to create the new reserved seats, rather than amending related Organic Laws.

Figure 3: Summary of TSM efforts to date



In reality, the proposal which had the most support from the women’s movement and which was the most legislatively well-developed is the reservation of 22 seats for women – namely, 20 provincial seats, one for Bougainville and one for NCD. Reserving that number of seats would see the female membership of the parliament immediately increase to around 18%, which is still below the recommended global minimum of 30% women in all decision-making bodies, but much better than the current 1.7% women’s representation in the National Parliament.

Notably, increasing the numbers of MPs would require a constitutional amendment to increase the current maximum ceiling of 120 MPs. However, it was recently flagged by the Prime Minister that his Government intends to table legislation to add another 5 seats to Parliament, in addition to the 7 seats already added for the 2022 NGE. That would also require a constitutional amendment. Hence,

the same amendment could deal with the increase required to introduce more seats for women. There were also concerns raised when the proposal was initially being developed regarding whether and how much SIP funding the women elected to reserved seats would be entitled to. Noting however, that the Government has already indicated its willingness to increase the SIP funding amounts, and to apply those to the 7 new MPs added for the 2022 election and the 5 new MPs mooted to be added in 2027, it appears that increasing SIP funding is not currently a major concern for the Government.

Introduce minimum quotas for political parties to nominate women candidates

Recommendation 2: New provisions should be included in OLIPPAC requiring:

- (i) a minimum percentage of at least 10% women candidates are nominated by political parties at the 2027 NGE, a minimum of 20% women candidates are nominated at the 2032 NGE and a minimum of 30% women candidates are nominated in all subsequent NGEs.***
- (ii) a minimum percentage of women are members of key decision-making bodies within the political party;***

Political parties are increasingly the vehicle through which candidates are successfully elected. In the 2022 NGE, only 9 out of 118 Members of Parliament were elected as independents. This shows the increasing brand recognition amongst voters of many political parties. Conversely though, 11 political parties only elected one MP (effectively an independent, supported by a small party machine). Only 3 parties elected more than 10 MPs – Pangu Pati has 39 MPs, PRC has 17 MPs and URP has 11 MPs.

The *Organic Law on the Integrity of Political Parties and Candidates* (OLIPPAC) was intended to strengthen the functioning of political parties, in order to help stabilise Parliament through the development of an ideologically based (rather than personality based) political culture. There is clearly considerable work to do, with only 7 parties running candidates in more than half of the country's electorates.⁹ As noted earlier, only 64 women (40.3%) were endorsed by political parties, with the rest contesting as independents.

With data showing that more candidates are elected when they are endorsed by political parties, it becomes even more imperative that incentives are developed to encourage political parties to endorse more women candidates. This is quite a common approach globally, in countries with a strong political party system.¹⁰ The Integrity of Political Parties and Candidates Commission (IPPCC) which is responsible for strengthening political parties and ensuring that they follow the law, has been developing legislation for some time to introduce a requirement that all political parties nominate a minimum quota of at least 10% women candidates in order for the party itself to be eligible to run in the national elections. This amendment should be passed urgently, but any such reforms should also give the IPPCC powers to sanction political parties that do not comply (either by imposing a substantial fine or by disallowing the political party's entire slate of candidates). At the time of writing, it does not appear that any sanctions have been included in the draft OLIPPAC reform law. Although 10% is a positive starting point, it is certainly not sufficient. It is also proposed that over time, the quota be increased until a minimum 30% quota is reached, which is in line with minimum global benchmarks.

⁹ Maholopa Laveil (2022) "Party politics in Papua New Guinea", *The Interpreter*, 7 November, <https://www.lowyinstitute.org/the-interpreter/party-politics-papua-new-guinea>.

¹⁰ Maree Overall (2021) "Quotas – How Affirmative Action Changed the Labor Party for the Better", *Emily's List*, 31 March, https://www.emilyslist.org.au/quotas_how_aa_changed_the_alp

While the main thrust of this submission focuses on increasing women’s representation in the National Parliament, the Committee is encouraged to consider additional reforms which would strengthen the commitment of political parties to gender equality more broadly. This would require amendments to OLIPPAC which would encourage internal democratisation and inclusion of more women.

Specifically the Committee should recommend that:

- (a) OLIPPAC should require that all registered Political Parties include a rule setting out how the party will work towards achieving gender equality using affirmative action in the form of temporary special measures. (Adoption of temporary special measures aimed at accelerating de facto equality between men and women is not considered discrimination as defined in the Convention on the Elimination of All Forms of Discrimination against Women).*
- (b) OLIPPAC should set targets with a time frame for political parties setting out the proportion of women that should be included on all internal party decision making bodies (e.g. party executive committee) or forums (e.g. conferences or conventions). An initial target of 30% women in political party decision making positions by 2027 would provide a 4 year time frame for parties to increase gender equality and improve the status of women.*
- (c) OLIPPAC should include the sanction of Party deregistration if it fails to achieve the affirmative action targets as set out by OLIPPAC. Annual reports by parties should include progress towards meeting the affirmative action targets.*
- (d) OLIPPAC should require all parties to establish and resource internal party units to encourage the participation of women and youth within the party. These units should have representation on all party decision-making bodies or forums.*

Political party funding incentives to nominate more women

One of the most common issues raised by women candidates as a barrier to their effective participation in national election campaigns is access to finance. This has become an even more critical issue with the huge increase in funding to incumbent MPs through SIP funding, with allegations that many incumbent Members have been able to use SIP funds to support their campaigns.¹¹

Without addressing the challenges that many women face accessing finance to support their campaigns, it is unlikely that large numbers of women will be successful competing against well-funded opponents. This was feedback provided by women candidates themselves during the post-election diagnostics supported by UNDP in 2007, 2012, 2017 and 2022. A number of women candidates during the 2022 election held their own fund-raising events and were impressively successful at raising money, but anecdotal feedback indicates the funds raised were still much smaller than their male opponents. The following proposals seek to address the fundraising gap that continues to undermine women’s successful campaigning.

Amend OLIPPAC to provide campaign funding for female candidates

Recommendation 3: Amend OLIPPAC to ensure a minimum amount of funding is provided to every women candidate, based on expenditure as described in their financial return lodged with the

¹¹ Maholopa Laveil (2022) “MP slush funds used to maintain power in PNG”, *The Interpreter*, 9 December, <https://www.lowyinstitute.org/the-interpreter/mp-slush-funds-used-maintain-power-png>.

Registrar as required under section 89 of OLIPPAC. Different options for calculating and disbursing the amount are discussed below.

OLIPPAC already includes provisions specifically aimed at encouraging political parties to nominate more women as candidates. Specifically, in accordance with s.83:

- Where a registered political party endorses a female candidate in an election; AND
- Spends an amount as election campaign expenses on her behalf, THEN
- As long as the female candidate obtains at least 10% of the votes cast in the electorate in that election, the party is entitled to receive 75% of the K10, 000 that is otherwise only payable to successful candidates.
- To be entitled to receive this funding, the Registry needs to receive paperwork requesting the reimbursement and showing that the party actually did expend funds on behalf of a female candidate.

Unfortunately, it has been widely acknowledged that the existing provisions in OLIPPAC in respect to reimbursement to political parties of campaign finances for women candidates have not been effective in increasing the number of women candidates nominated by political parties. It is understood that the IPPCC has never actually paid out any amount to any political party in relation to unsuccessful female candidates. Clearly the provision needs fixing and women need financial support at the beginning of their election campaigns, not after the election, as recognised below.

If a mandatory quota for candidates is implemented, there may be less need to provide financial incentives to political parties to nominate women candidates. However, in reality there is the concern that political parties may still endorse women candidates – if they are required to do so by the OLIPPAC – but then not provide adequate financial resources for their election campaign. In any case, independent women candidates will always require access to election campaign finances.

To ensure proper financing for women candidates, it is therefore recommended that the following amendments to OLIPPAC could be considered:

- (a) All women candidates are eligible to receive up to K25,000 each from the Central Fund of the IPPCC for election campaign expenses based on expenditure as described in their financial return lodged with the Registrar as required under section 89 of OLIPPAC. The reimbursement of expenses would be paid directly to the women candidates and would not be dependent on the number of votes received.*
- (b) Funding from the Central Fund is provided to all candidates based on the number of votes that they receive (the amount per vote to be set by IPPCC). In the case of female candidates the amount is provided directly to the candidate rather than through political parties.*
- (c) This alternative provision would replace the current payment of K10,000 to political parties for each MP elected and allocate that funding to ensure that all women candidates receive public funding to offset election expenses.*

Creation of an IPPCC-managed Women’s Election Support Fund

Recommendation 4: Use the existing provisions in OLIPPAC to establish a specific internal Fund that would be managed by the IPPCC and provide support to women candidates. The Government would allocate at least K 5 million every year to the Fund, which could be used for direct funding to women candidates and/or to build their capacities. Guidelines would need to be developed to guide how funding would be provided and according to what criteria.

The Central Fund was established under s.76 of OLIPPAC in an effort to reduce corruption in political party fundraising by providing a source of public funding for political parties which they could use to run their operations and pay for activities. In accordance with s.77, the Central Fund can hold funds provided:

- through the National Budget, with a minimum K 10,000 provided per Member of Parliament plus other amounts to determine by the IPPCC to cover the costs of the Registry and other activities;
- by national citizens (see s.79 for more);
- by international organisations (see s. 80 for more); and
- from the proceeds of investments.

Using the same provisions, it is recommended that internal regulations and guidelines are developed to use the provisions relating to the IPPCC Central Fund, to establish a subsidiary funding stream designed to work as a “Women’s Election Support Fund”. This would likely require setting up some type of separate account, but the funding would still be managed by the IPPCC. Transparency and accountability of funds collected, administered and spent by political parties and women candidates would be of fundamental importance to the success of any such initiative.

For the Women’s Election Support Fund to work, at a minimum, the Government would be required to provide annual funding to the IPPCC. This proposal suggests a bare minimum of K 5 million per year which is a very small total amount compared to the current funding provided to each MP as PSIP and DSIP. This funding could be used to work with political parties and with women candidates to build their commitment and capacities over the five year electoral cycle. The IPPCC would also be expected to use the funding to find practical ways to support the women with logistics and campaign costs during campaigning, including for example, by managing the fund to support printing of posters and other such campaign materials.

Interestingly, OLIPPAC also allows ordinary citizens to provide funding into the IPPCC Central Fund, as well as civil society organisations, business houses and corporations, and international development partners. Donations to the IPPCC Women’s Election Support Fund could be encouraged through a major campaign undertaken by government, IPPCC, political parties and other stakeholders. During the August 2017 National Women’s Forum, there was also a recommendation that mobile phone companies become partners to the campaign, to enable crowd-funding for women candidates, whereby people could be encouraged to contribute via their mobile phone credits.

One of the most critical challenges in administering any Women’s Election Support Fund, would be determining how to allocate funds, in order to ensure that they are effectively used to support women candidates. It is important that political parties do not simply see the Fund as a source of “free money” and that any funding is meaningfully directed towards enhancing the campaigns of women candidates endorsed by the Party. It will also be important to ensure that the funds are seen to be distributed fairly and transparently, to avoid any allegations of political favouritism or corruption..

More discussion is needed with political parties and women candidates to agree a practical approach which would also maximise accountability and limit corruption. Legal advice should also be requested from DJAG to officially confirm the legality of establishing a Women’s Election Support Fund by the IPPCC under OLIPPAC and provide clear guidance on how individuals, corporations and national and international organisations can legally donate to the fund, including the nature of allowable donations of monies and other assistance. A requirement could be included that political parties and candidates make submissions to the IPPCC for funding, subject to clear criteria specifying

the use to which funds may be used and allowed limits. The Commission (rather than Registrar) would then consider all applications and approve those that meet the criteria.

Annex 1: Current PNG legal framework regulating campaign donations to political parties and candidates.

Constitution of Papua New Guinea

Sections 129 and 130 of the Constitution require the provision of Organic Laws that regulate the financing of political parties and their candidates. Relevant parts of Sections 129 and 130 are shown below and identify limitations on financial donations or other assistance to political parties and candidates from non-PNG citizens and corporations that should be included in an Organic Law.

Section 129: Integrity of political parties.

- (1) An Organic Law shall make provision—
- (b) requiring any such party or organization to disclose to the Ombudsman Commission or some other authority prescribed by the law in such manner, at such times and with such details as are prescribed in or under the law—
 - (i) its assets and income, and their sources; and
 - (ii) its expenditure on or connected with an election or the support of a candidate; and
 - c) prohibiting non-citizens from membership of, and from contributing to the funds of any such party or organization; and
 - (d) defining the corporations and organizations that are to be regarded as non-citizens for the purposes of a provision made for the purposes of paragraph ©; and
 - © limiting the amount of contributions that such a party or organization may receive from any source or sources; and
 - (f) requiring persons who have made, or may have made, contributions to any such party or organization to give to the Ombudsman Commission, or some other authority, details of any such contribution.
 - (g) authorizing the funding of registered political parties from the National Budget and establishing a body to manage and distribute the funds in accordance with established procedures; and
 - (h) authorizing the payment in certain circumstances of a percentage of electoral expenses incurred by a female candidate in an election.

Section 130: Integrity of candidates

- (1) An Organic Law shall make provision—
- (a) requiring a candidate or former candidate for election to the Parliament to disclose to the Ombudsman Commission or some other authority prescribed by the law, in such manner, at such times and with such details as are prescribed by or under the law—
 - (i) any assistance (financial or other) received by him in respect of his candidature, and its source; and
 - (ii) the amount or value of his electoral expenses; and
 - (b) prohibiting a candidate or former candidate for election to the Parliament from accepting from a non-citizen assistance (financial or other) in respect of his candidature; and

© defining the corporations and organizations that are to be regarded as non-citizens for the purposes of a provision made for the purposes of paragraph (b); and
(d) regulating or restricting the amount or kind of such assistance that may be received from any source other than a registered political party; and

Organic Law on Integrity of Political Parties and Candidates 2017

PART 6. – FUNDING POLITICAL PARTIES.

Division 1. Central Fund and Contribution.

67. FUNDING OF POLITICAL PARTY ONLY IN ACCORDANCE WITH THIS LAW.

- (1) A political party shall be funded only in accordance with this Law.
- (2) Only a registered political party is eligible to receive an amount of K20,000.00 funding from the Central Fund and such funding shall be made to a political party for each Member of Parliament that the registered political party successfully endorsed at the most recent general election or by-election; and
- (3) The funding of a registered political party shall consist of: –
 - (a) funding from the Central Fund where applicable in accordance with this Law; and
 - (b) any contributions made to the registered political party under Section 71(1)(b) and Section 71(2)(a); and
 - (c) such other income as is not inconsistent with the provisions of this Law.
- (4) The Registrar of Political Parties shall, out of monies appropriated in accordance with Section 70(2)(e), pay for the salaries and allowances of the non-parliamentary executives of the registered political parties.

68. ESTABLISHMENT OF CENTRAL FUND.

- (1) A fund to be called the Central Fund is hereby established.
- (2) All monies –
 - (a) required to be paid to the Central Fund under this Law; and
 - (b) otherwise available for payment to the Central Fund under this Law,shall be paid into the Central Fund and all payments authorized to be made under this Law shall be met by the Central Fund.

69. SOURCE OF FUNDS IN CENTRAL FUND.

- The Central Fund shall hold funds contributed from the following sources: –
- (a) monies appropriated in the National Budget in accordance with Section 70; and
 - (b) contributions made by citizens in accordance with Section 71(1)(a); and
 - (c) contributions made by an international organization in accordance with Section 72; and
 - (d) funds raised by the Commission; and
 - (e) proceeds received by the Commission from investments made by it.

70. PUBLIC FUNDING.

- (1) In the National Budget for each year funds shall be appropriated in accordance with this section for the purposes of the Central Fund.
- (2) The amount of funds to be appropriated in each year for the Central Fund shall be calculated as follows: –

- (a) K20,000.00 in respect of each Member of the Parliament that a registered political party, successfully endorsed at the most recent general election or by-election; and
- (c) an amount to cover any potential increase that the Commission may introduce under Section 73(4); and
- (d) an amount to cover the administration of the Central Fund; and
- (e) an amount, as determined by the Commission, to cover the Central Fund's commitments under Section 74; and
- (f) an amount, as determined by the Commission, to cover for salaries and allowances of the non-parliamentary executives of the registered political parties under Section 67(4).

71. CONTRIBUTIONS FROM CITIZENS.

(1) Subject to this section, a citizen may contribute to –

- (a) the Central Fund, to an unlimited extent; and
- (b) a political party, to an extent provided by Subsection (2)(a); and
- (c) a candidate, to an extent provided by Subsection (2)(b).

(2) Subject to Subsection (4), contributions made by a citizen –

- (a) under Subsection (1)(b) – shall not exceed the sum of K500,000.00 in total in any calendar year; and
- (b) under Subsection (1)(c) – shall not exceed the sum of K500,000.00 in respect of any one election, but such contributions must be made six months before the date set for the issue of writs for the next general election.

(3) The Registrar shall issue directives to individuals or corporate citizens to cease making contributions or other political donations to registered political parties and candidates intending to contest the next scheduled general election at least two months before the issue of writs for that general election.

(4) Subject to Subsection (5), a citizen shall not enter into any scheme to defeat the provisions of Subsection (2).

(5) Subsections (2) and (5) do not apply to a loan made to –

- (a) a political party; or
- (b) a candidate at an election,

by a corporation which is licensed as a bank or financial institution under *Banks and Financial Institutions Act 2000*, where the loan and the terms of the loan are similar to those available in the normal course of business of the bank or financial institution.

(6) A citizen, who makes a contribution to –

- (a) a political party; or
 - (b) a candidate at an election,
- under this Section shall, within 30 days of making the contribution, inform the Registrar of –
- (c) the amount of the contribution; and
 - (d) the name of the political party or candidate, as the case may be, to which or whom the contribution was made; and
 - (e) the date on which the contribution was made; and
 - (f) such other matters concerning the contribution as may be prescribed.

(7) A person, who fails to comply with Subsections (3) and (6), is guilty of an offence.

Penalty: A fine not exceeding the amount of the contribution in relation to which the offence was committed or an imprisonment for two years or both.

(8) A –

- (a) registered political party; or
 - (b) candidate at an election,
- shall, within 30 days of receiving a contribution from a citizen, inform the Registrar of –
- (c) the amount of the contribution; and
 - (d) the name of the citizen from whom the contribution was received; and
 - (e) the date on which the contribution was made; and
 - (f) such other matters concerning the contribution as may be prescribed.

(9) A –

- (a) registered political party which; or
- (b) candidate who,

fails to comply with Subsection (8), is guilty of an offence.

Penalty: A fine not exceeding the amount of the contribution in relation to which the offence was committed.

(10) Fundraising activities by political parties and candidates must be:

- (a) reported to the Registry 7 days prior to the event
- (b) declared to the Registry the total amount raised
- (c) the donations to be included in the annual financial returns
- (d) no government entities including state owned enterprises to donate to the fundraising activities

72. CONTRIBUTIONS FROM INTERNATIONAL ORGANISATIONS.

(1) An international organisation may contribute to the Central Fund.

(2) An international organisation shall not contribute directly to a registered political party.