



## Return of Electorate Candidate Expenses and Donations for the 2014 General Election

Fill in boxes highlighted in yellow

If completing the form manually - also fill in orange boxes

|                          |  |
|--------------------------|--|
| Candidate name           | The Hon. David Richard Cunliffe MP   |
| Address                  | PO Box 151111, New Lynn, Auckland 0640   |
| Electorate               | New Lynn   |
| Party<br>(if applicable) | New Zealand Labour Party   |
| Donations                | Complete Parts A to E of the Donations section of the return before signing the declaration, even if you have a Nil return |
| Expenses                 | Complete Parts A to D of the Expenses section of the return before signing the declaration, even if you have a Nil return  |

### DECLARATION

I declare that to the best of my knowledge this return, filed pursuant to section 205K and 209 of the Electoral Act 1993, is an accurate record of the candidate donations made to me, or on my behalf, and of election expenses incurred by me, or on my behalf, for the 2014 General Election and is not false in any material particular.

Signed:

  
(Candidate)

Date:

  
(dd/mm/yyyy)

Where you have completed the return electronically you will need to print the return. The return needs to be signed and dated by the candidate. The signed return must be received by the Electoral Commission by **Tuesday, 20 January 2015**. Returns can be filed:

- By post at PO Box 3220 Wellington 6140
- Delivered to Level 10, 34-42 Manners Street, Wellington
- By fax to 04 495 0031
- By email to [enquiries@elections.govt.nz](mailto:enquiries@elections.govt.nz)

Please note, where the return is sent by fax or email the original signed return should also be sent or delivered to the Electoral Commission.

#### CHECKLIST

|   |     |
|---|-----|
| Parts A to E of Donations completed (if no donations, then answer Nil for each section)                       | Yes |
| Parts A to D of Expenses completed (if no expenses answer Nil for each section)                               | Yes |
| If you have completed the return electronically, print off the Declaration, Donations and Expenses sections   | Yes |
| Sign and date the return. Send or deliver it to the Electoral Commission to arrive by Tuesday 20 January 2015 |     |



## Donations

Complete sections A to E. Write 'Nil' if you have no donations to declare in a section. If there is insufficient space you can add additional rows to any section. See instructions in Blue bar above that is visible if you are completing the return electronically. Alternatively if you are completing the return manually, please attach a separate sheet with the detail.

More information about donations that must be disclosed can be found in the Guidance Notes section of the return and in the Electoral Commission's *Candidate Handbook - General Elections*.

### Part A Candidate donations of more than \$1,500

|  |                          |   | Total for Part A   | \$ 4,020.00   |
|--|--------------------------|---|--|---|
| Donor's name   | Donor's address          | Date donation received (or dates received if aggregated donations) dd/mm/yyyy | Does the donation contain contributions of more than \$1,500?<br>Enter Yes or No<br>(if YES complete Part B or Part E below) | Amount of donation or total aggregated donations (including GST) \$0.00 |
| Write 'Nil' if you have no donations to declare in this section. → |                          |   |  |   |
| Dr Di Nash   | PO Box 60456, Titirangi  | 24/07/2014<br>16/08/2014  | No   | \$ 2,020.00   |
| Mrs Olga Beckett   | 13 Nacton Lane, Avondale | 11/09/14  | No   | \$ 2,000.00   |
|  |                          |   |  |   |
|  |                          |   |  |   |

### Part B Contributions of more than \$1,500

|  |                       |   | Total for Part B |  |
|--|-----------------------|---|------------------|--|
| Contributor's name   | Contributor's address | Date the related donation funded from contributions was made dd/mm/yyyy | Name of donor    | Amount of each contribution (including GST) \$0.00 |
| Write 'Nil' if you have no candidate contributions to declare in this section. → |                       |   |                  | Nil  |
|  |                       |   |                  |  |
|  |                       |   |                  |  |
|  |                       |   |                  |  |
|  |                       |   |                  |  |

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**Part C Anonymous candidate donations of more than \$1,500**

|  |  |   | Total for Part C                                |     |
|--|--|---|---|-----|
| Date anonymous donation received<br>dd/mm/yyyy                             | Amount of anonymous donation<br>(including GST) \$0.00 | Amount paid to the Electoral Commission<br>(including GST) \$0.00 | Date paid to Electoral Commission<br>dd/mm/yyyy |     |
| Write 'Nil' if you have no anonymous donations to declare in this section. |  |   | →   | Nil |
|  |  |   |   |     |
|  |  |   |   |     |
|  |  |   |   |     |
|  |  |   |   |     |

**Part D Overseas candidate donations of more than \$1,500**

|   |                           |   | Total for Part D   |  |
|---|---------------------------|---|--|--|
| Name of overseas donor  | Address of overseas donor | Date overseas donation received (or dates received if aggregated donations)<br>dd/mm/yyyy | Amount of donation or total aggregated donations<br>(including GST) \$0.00 | Amount returned to overseas donor or paid to Electoral Commission and date of that return or payment |
| Write 'Nil' if you have no overseas donations to declare in this section. |                           |   | →  | Nil  |
|   |                           |   |  |  |
|   |                           |   |  |  |
|   |                           |   |  |  |
|   |                           |   |  |  |

**Part E Contributions from overseas person of more than \$1,500**

|   |                                 |   | Total for Part E   |  |
|---|---------------------------------|---|--|--|
| Name of overseas contributor  | Address of overseas contributor | Date the related donation funded from the contribution was made and name of donor<br>dd/mm/yyyy | Amount of contribution (or total amount of aggregated contributions)<br>\$0.00 | Amount returned to overseas donor or paid to Electoral Commission and date of that return or payment |
| Write 'Nil' if you have no overseas contributions to declare in this section. |                                 |   | →  | Nil  |
|   |                                 |   |  |  |
|   |                                 |   |  |  |
|   |                                 |   |  |  |
|   |                                 |   |  |  |

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## Expenses

between a candidate and party/other candidate, and for advertisements published both before and during the regulated period (20 June to 19 September Handbook - General Elections.

**Total Expenses Parts A + B + C + D** \$ **9,949.62**

### Part A Newspaper advertising

|  |   | Total for Part A   | \$ 1,491.80               |
|--|---|--|---------------------------|
| Name of newspaper and brief description  | Total cost inc GST<br>(including preparation, design,<br>composition, printing, publishing,<br>and postage) | % apportioned to candidate<br>(Enter number only e.g. 20 for<br>20%) | Candidate Total<br>\$0.00 |
| Write 'Nil' if you have no newspaper advertising to declare in this section.   |   |  |                           |
| Western Leader and Central Leader - share of advertising<br>with other Labour candidates for Auckland and Maori<br>electorates, Sept. 2014 | \$ 1,151.00   | 38.688   | \$445.30                  |
| The Fringe (Titirangi), Aug. & Sept. 2014 (3242)   | \$ 1,046.50   | 100  | \$1,046.50                |

### Part B Radio and television advertising

|  |   | Total for Part B   |                           |
|--|---|--|---------------------------|
| Name of broadcaster and brief description  | Total cost inc GST<br>(including preparation, design,<br>composition, printing, publishing,<br>and postage) | % apportioned to candidate<br>(Enter number only e.g. 20 for<br>20%) | Candidate Total<br>\$0.00 |
| Write 'Nil' if you have no radio or television advertising to declare in this section. |   |  |                           |
|  |   |  | Nil                       |

### Part C Internet advertising

|   |   | Total for Part C   |                           |
|---|---|--|---------------------------|
| Name of provider and brief description                                      | Total cost inc GST<br>(including preparation, design,<br>composition, printing, publishing,<br>and postage) | % apportioned to candidate<br>(Enter number only e.g. 20 for<br>20%) | Candidate Total<br>\$0.00 |
| Write 'Nil' if you have no internet advertising to declare in this section. |   |  |                           |
|   |   |  | Nil                       |

### Part D Other forms of advertising / publicity

|  |   | Total for Part D   | \$ 8,457.83               |
|--|---|--|---------------------------|
| Name of supplier and brief description   | Total cost inc GST<br>(including preparation, design,<br>composition, printing, publishing,<br>and postage) | % apportioned to candidate<br>(Enter number only e.g. 20 for<br>20%) | Candidate Total<br>\$0.00 |
| Write 'Nil' if you have no other forms of advertising/publicity to declare in this section.  |   |  |                           |
| Candidate corflutes produced for 2014 election<br>campaign by Labour Party (50 x 240cm x 120cm + 75 x<br>90cm x 60cm)  | \$ 1,362.50   | 80   | \$1,090.00                |
| Party Vote corflutes produced for 2014 election<br>campaign by Labour Party (50 x 240cm x 120cm + 75 x<br>90cm x 60cm)   | \$ 1,362.50   | 0  | \$0.00                    |
| Party Vote corflutes produced for 2014 election<br>campaign by Northbridge Signs (2002) Ltd (20 x 240cm x<br>120cm + 92 x 90cm x 60cm)                               | \$ 2,047.00   | 0  | \$0.00                    |
| West Auckland campaign launch corflutes (52 x 90cm x<br>60cm) for hoardings - share of advertising with other<br>Labour candidates for West Auckland, 26 July (3305) | \$ 1,345.50   | 90   | \$1,210.95                |
| Letter to Mt Roskill constituents, 7 July. Produced in-<br>house (3192)  | \$ 29.04  | 100  | \$29.04                   |
| Party Vote targeted mailings 1 to 3 (amount allocated by<br>Labour Party. Total cost \$147,276.10)   | \$ 171.34   | 100  | \$171.34                  |
| PlaceMakers - nails and staples for election signs   | \$ 426.24   | 100  | \$426.24                  |
| Hirepool - trailer hire to remove election sign corflutes<br>and timber on 19 Sept.  | \$ 47.43  | 100  | \$47.43                   |
| The Warehouse + Two Degrees Ltd - mobile phones for<br>phone canvassing and monthly plan charges   | \$ 787.70   | 100  | \$787.70                  |
| DLE candidate flyers (x 20,000) produced by Ready Press<br>Print Ltd (3601)  | \$ 1,712.35   | 70   | \$1,198.65                |
| Signage on candidate campaign van produced by<br>Westad Signs Ltd (3046)   | \$ 1,242.80   | 60   | \$745.68                  |
| Vault Investments Ltd - rent for Campaign HQ (14 Todd<br>Plaza, New Lynn), July to Sept.   | \$ 2,300.00   | 100  | \$2,300.00                |
| NZ Labour Party T-shirts (x 64)  | \$ 640.00   | 0  | \$0.00                    |
| NZ Labour Party rosettes (x 146)   | \$ 465.00   | 0  | \$0.00                    |
| NZ Labour Party car flags (x 20)   | \$ 70.00  | 0  | \$0.00                    |
| Words Inc invoices dated July 31, August 28 and<br>September 30 2014 for advertising in Newstalk<br>Blockhouse Bay paper   | \$ 450.80   | 100  | \$450.80                  |

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## INFORMATION ON CANDIDATE DONATIONS AND ELECTION EXPENSES

### Who must file a return?

All candidates in the 2014 General Election must file a return of candidate donations and election expenses. Even if a candidate has no donations or expenses to declare, he or she must still complete and file the candidate return recording 'nil' donations and or expenses.

### What is the deadline?

Candidate returns must be filed with the Electoral Commission by **Tuesday, 20 January 2015** (within 70 working days of election day). Candidates who fail to comply with these requirements commit an offence and may be referred to the Police.

### Keeping records of expenses and donations

Candidates must keep good records of all candidate election expenses and candidate donations (it is an offence not to). Candidates must obtain and retain an invoice and a receipt for all election expenses of \$50 or more. Records have to be retained for three years after election day.

## PART I

### CANDIDATE DONATIONS

#### What are candidate donations?

A candidate donation includes any money, goods or services that are donated to a candidate, or a person on the candidate's behalf, for use in the candidate's campaign for election. The following are candidate donations:

- free goods or services that have a reasonable market value greater than \$300;
- discounted goods or services where the reasonable market value of the goods or services is greater than \$300;
  - the difference between the contract or agreed price and the reasonable market value of those goods and services is a donation;
- the purchase of goods or services from the candidate at a value that exceeds their reasonable market value;
  - the difference between the price paid and reasonable market value is a donation.
- extending credit to a candidate on favourable terms.
  - the value of the favourable terms is a donation.

The provision to a candidate of volunteer labour or free goods or services that have a reasonable market value of \$300 or less is not a candidate donation. Nor is money provided by the candidate for his or her own campaign.

#### Candidate donations return

Candidates are required to include in the candidate return every candidate donation or contribution to a candidate donation of more than \$1,500 (including GST), including a series of donations or contributions made by one person that adds up to more than \$1,500.

For donations of more than \$1,500 (other than anonymous donations or overseas donations), the candidate will need to provide the following details:

- the name and address of the donor; and
- the amount of the donation or, in the case of aggregated donations, the total amount of the donations; and
- the date that the donation was received or, in the case of aggregated donations, the date each donation was received; and
- whether the donation is made up of contributions from another person of more than \$1,500; and if so:
  - the name and address of each contributor; and
  - the amount of each contribution made by the contributor or, in the case of aggregated contributions, the total amount of aggregated contributions; and
  - the date on which each donation funded from the contributions was made.

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### Anonymous donations

An anonymous donation is a donation made in such a way that the candidate who receives the donation does not know the identity of the donor and could not, in the circumstances, reasonably be expected to know the identity of the donor.

If a candidate receives an anonymous candidate donation greater than \$1,500, he or she may retain \$1,500 of that donation. The balance of the donation must, within 20 working days of receipt, be paid to the Electoral Commission for payment into a Crown bank account. In the candidate return, the candidate must disclose:

- the date the donation was received; and
- the amount received; and
- the amount paid to the Electoral Commission and the date payment to the Electoral Commission was made.

### Donations from overseas persons

An overseas person is:

- an individual who resides outside New Zealand and is not a New Zealand citizen or registered elector; or
- a body corporate incorporated outside New Zealand; or
- an unincorporated body that has its head office or principal place of business outside New Zealand.

If a candidate receives a candidate donation from an overseas person exceeding \$1,500, he or she may retain \$1,500 of that donation. The balance of the donation must, within 20 working days of receipt, either be returned to the overseas person who made the donation, or if this is not possible, be paid to the Electoral Commission. In the candidate return, the candidate must disclose:

- the name and address of the overseas person; and
- the amount of the donation or, in the case of aggregated donations, the total amount of the donations; and
- the date that the donation was received or, in the case of aggregated donations, the date each donation was received; and
- the amount returned to the overseas person or paid to the Electoral Commission, and the date that such payment was made.

If a candidate receives any donation from a donor who is not an overseas person that includes a contribution from an overseas person greater than \$1,500 (either on its own or when aggregated with all other contributions to the donation by the same overseas person), the candidate must return the whole donation to the donor. If that is not possible, the candidate must forward the whole donation to the Electoral Commission. In the candidate return, the candidate must disclose:

- the name and address of the overseas person; and
- the amount of the contribution or the total amount of aggregated contributions; and
- the date on which the related donation funded from the contribution was made; and
- the amount paid back to the donor or paid to the Electoral Commission, and the date that such payment was made.

## PART 2

### CANDIDATE ELECTION EXPENSES

#### What are election expenses?

Election expenses are the costs of advertising in any medium that:

- may reasonably be regarded as encouraging or persuading voters to vote, or not to vote, for a constituency candidate (whether or not the name of the candidate is stated); and
- are published or continue to be published during the regulated period (starting on Friday, 20 June and closing on Friday, 19 September 2014); and
- are promoted by the candidate or with the candidate's authority.

Election expenses include –

- the costs incurred in the preparation, composition, printing, postage and publication of the advertisement; and
- the reasonable market value of any material used or applied towards the advertisement provided to the candidate for free or below reasonable market value; and
- the apportioned costs for advertisements that promote two or more candidates, or a party and a candidate.

But a candidate's deposit or the costs of food, hall hire, the conduct of surveys or opinion polls, free labour, the framework that supports hoardings (other than a commercial framework) or replacing materials that have been destroyed through no fault of the candidate are not election expenses.



If a person or organisation gives or pays for goods or services that would otherwise be candidate election expenses, or a candidate's party gives or pays for expense items, the reasonable market value of those items, whatever their value, must be recorded as an election expense. If the reasonable market value of the items exceeds \$300 it must also be recorded as a donation in Part 1 of the return.

None of the following will count towards a candidate's election expenses:

- Contact information published in any medium by a member of Parliament that satisfies certain requirements as set out in section 3A of the Electoral Act 1993.
- Editorial content of:
  - a periodical
  - a radio or television programme, or
  - a publication on a new media internet site.
- Personal political views published on the internet or other electronic medium by an individual who does not make or receive a payment in respect of the publication of those views.

### **Expenditure limit**

The amount electorate candidates can spend on their election expenses is limited to **\$25,700** (including GST). It is a serious offence to exceed this limit.

### **Apportionment of expenses**

Expenses paid for before the commencement of the regulated period before election day must be included in the return to the extent to which they relate to election advertisements published during the regulated period. Where a candidate advertisement is published before and during the regulated period, the candidate is responsible for apportioning the election expenses so that only a fair proportion of the expense is attributed to the regulated period.

Apportionment of costs will be required where an election advertisement promotes both the candidate and the candidate's party or two or more candidates. Election expenses must be apportioned based on the proportion of coverage. Wherever apportionment is required, liaise closely with the party secretary/other candidate before entering the amount in the candidate expense return. Where an expense item has been apportioned between the candidate and the party, or between two or more candidates, consult with the party secretary/other candidate to ensure a consistent item description. Indicate the percentage of the costs that have been apportioned to the candidate.

Expenses cannot be apportioned between elections. If materials such as banners are purchased and then re-used in subsequent elections, at each subsequent election you must account for the reasonable market value of the materials as an election expense. We recommend that candidates either use the price that was originally paid for the item, or if this is not known, what the item would cost to purchase now based on two quotes.

Expenses cannot be apportioned with third party promoters. If you authorise someone else to publish advertising encouraging people to vote for you, the cost of the advertising will form part of your candidate election expenses. The same costs will also be an election expense of the third party.

### **Payment of expenses**

Invoices for election expenses must be sent to a candidate within 20 working days of the declaration of the official result. The Electoral Commission expects that the deadline will fall on Monday, 3 November 2014, unless there are recounts. The candidate must pay any invoices for election expenses within 40 working days of the declaration. It is an offence not to. The Electoral Commission expects that the deadline will fall on Monday, 1 December 2014, unless there are recounts. The Electoral Act sets out a procedure to be followed where an invoice is disputed (sections 205H and 205I).