

## **Submission Relating to the Joint Standing Committee on Electoral Matters Regarding the Electoral Legislation Amendment (Electoral Funding And Disclosure Reform) Bill 2017**

**Submitted by:** John Gale, retired Commonwealth Public Servant.

This legislation is a bit like the book of Leviticus from the Bible. Prescriptive without dealing with the overall problem

### **Summary**

I am a 67 year old Australian. I have seen it all from Billy McMahon Malcolm Bligh Turnbull. I expect the Committee to reject the establishment of a public register for key non-party political actors and to:

#### **Protect the rights of citizens to -**

- take part in public affairs and elections
- have freedom of association with others

#### **Serve a genuine public interest by protecting:**

- the free, fair and informed voting essential to Australia's system of representative government;
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### **Rationale**

1. Political parties have, rightfully, become less respected because they have pushed their own agenda. As such they have become less representative of society. Limiting or removing the legitimate advocacy is not going to change that. This bill is an attempt to gag freedom of speech

2. To have a healthy democracy you must have a civil society where public advocacy is allowed equally between business and the population.

3. These amendments pose a threat to the freedoms of these individuals and groups, especially in relation to free speech and rights of association with others concerned with the same political issues.

### **Discussion**

#### **The bill has the following unacceptable objectives**

##### **•Creates an unfair playing field in lobbying and advocacy**

This bill puts restrictions on the legitimate right of charities and activists groups to promulgate their opinion. But no mention of business associates which gather and spend large amounts advocating for their positions.

##### **•Creates an illegitimate restriction on international philanthropy**

There are many international philanthropic organisations that give money to all sorts of groups and charities, The Most visible that comes to mind is the Bill & Melinda Gates Foundation If accepting money these organisations diminishes or stops the ability of an

Australian organisation or charity to advocate on issues then their ability to represent their constituencies is much reduced.

•**Attacks fundamental democratic freedoms**

The GetUp clause will force organisations that advocate on public issues to be deemed to be associated with political parties. In the case of GetUp, which advocates on policies, not party political lines, it may lead to the ludicrous situation where GetUp is deemed to be associated with all the major and possibly minor parties because at various times the parties have policies GetUp supports !!

•**Imposes significant compliance costs on charities**

This is a bit of a no-brainer. If you tie up charities etc. With compliance with the unnecessary red tape, they will be diverting money away from their charitable activities and towards administration. Does that make sense?

•**Creates dangerous new subcategories for political campaigners and third-party campaigners**

the bill creates two types of charities, those that can advocate but cannot have financial support from overseas and those who can advocate but are starved of money.

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**Recommendations:**

***At a bare minimum***

- 1.The committee rejects the establishment of a public register for key non-party political actors.
- 2.Protect the rights of individuals and groups to participate in issue-driven policies, unimpeded by the restrictions of the register and associated expensive accounting procedures.
- 3.The concept of ‘associated entity’ should be rejected as it restricts political involvement and freedom of speech.

In the end, I look for good Governance and good Policy. Diminishing the ability to engage in public advocacy is an attack on our Civil Society and poor Policy. Using this Legislation to diminish the proactive activities of organizations such as charities is poor Governance.

This legislation is deeply flawed. I see no merit in it and **REQUEST THAT IT BE WITHDRAWN.**

**John Gale**

