

The Matters relating to Section 44 of the Constitution.

A.

1. Electoral laws and the administration thereof can be improved by Parliament conducting a complete audit of S44 for all current members and then auditing all new members of parliament as they are elected or appointed.
2. The matter can be improved by allowing the AEC to demand proof of compliance with regard to citizenship at nomination time. The other aspects of S44 such as an MP having the rights and privileges of for example the Cayman Islands or an MP getting commonwealth money from a job, position or property portfolios need to be referred to the High Court as they become notified by MPs or members of the public.
3. More trust must be given to ordinary voters who highlight S44 problems and Parliament should investigate all allegations to ensure the place is kept clean of criminals who lie and sign false declarations to become elected.

B.

1. Legislation can be written to allow the AEC to demand proof of compliance at nomination.
2. The Court of Disputed Returns at the moment is limited to a voter in an MP's electorate and action must be instigated within 40 days. This is a ridiculous situation. Either go with 3 above or extend the Court of Disputed Returns to the life of the parliament and allow all voters to take any MP to the court of Disputed Returns, not just voters in the electorate.

C.

1. S44 is part of our constitution, it doesn't need to be changed, the attitude of nominees for election need to be changed and the current penal legislation prosecuted. Any MP found to have breached S44 must repay all salaries and expenses and lose any pension rights as well as face prosecution for false declarations or fraud charges.