

# Inquiry into the 2022 federal election

Thank you for allowing comments from the public in relation to this matter.

## **Terms of Reference Part B**

In relation to the Terms of reference, part (b) reforms to political donation laws, I would like to start out by pointing out the simple fact that Australia is meant to be a democracy.

The use of massive donations by any person, corporation or union is contrary to that basic premise. Australia should not just be talking about the real time disclosure and a reduction of the disclosure threshold to \$1,000 but should also be talking about a maximum cap for each individual, corporation or union to be able to give in total in political donations. I believe this cap should be the amount allowed for a taxable donation, currently \$1500

These are not charities, these are political parties and the wealth of those who most often receive a return on their investment, despite section 44 of the Australian constitution that states “ has any direct or indirect pecuniary interest in any agreement with the Public Service of the Commonwealth otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons;”, political donations which are little more than kickbacks means that those receiving such large political donations should not even be eligible to sit in parliament.

The current ability for a person to give millions to a political party disrupts the basis of democracy.

The same can be said for the use of taxpayer’s funds to pay political parties as is currently being done. While paying political parties a per vote reward for those over 4% is in the spirit of democracy, paying political parties for voter profiling software or for that matter for anything else is not.

There should be a level playing field where the grass roots support of parties is what funds those parties, however what we have today is politicians selling out to gain political donations for themselves and their parties. This is not a democracy.

## **Terms of Reference Part C**

Truth in political advertising laws and truth in reporting is another concept that is needed for the safety of Australia’s democracy. It is in a lot of regards surprising that this has not always been in force in a democracy.

Australia’s Federal Parliament should at its core be based on the protection of our democracy, unfortunately it is based on the protection of politician’s jobs.

Political advertising and lies in reporting should be treated the same as misleading or deceptive conduct in any advertising and be subject to the Competition and Consumer Act 2010.

There is no logical reason to allow lies and mistruths in political advertising and the reporting of political matters. Allowing it is contrary to one of the pillars of a democracy, a well informed populous.

## **Terms of Reference Part G**

Proportional representation is also a basis for a democracy. All votes should be equal and in the case of the Australian Constitution, the Senate is decided on proportional representation of the people in the states and the House of Representatives should be based on proportional representation of the people of all the states combined.

Part 3 of the Australian Federal Constitution States.

“24. Constitution of House of Representatives

The House of Representatives shall be composed of members directly chosen by the people of the Commonwealth, and the number of such members shall be, as nearly as practicable, twice the number of the senators.”

It does not say that the states shall be divided into small parts to ensure the larger political parties can maintain their power, it says that the members shall be chosen directly. Commonwealth Electoral Act 1918, Part 3, Division 3 has interfered with that direct selection for the last 100 years.

Australia should be striving towards a better democracy, not allowing one person to become a dictator, controlling the ministerial powers of multiple departments secretly.

## **Conclusion**

Again, thank you for allowing my submission.

I would hope that given the damage to our democracy in the last 40 years the current parliament will do its best to restore the pillars of democracy. These being

- Sovereignty of the people
- Government based on the consent of the people
- Guarantee of human rights
- Free and Fair elections
- Equality before the law
- Due process of law
- The government following its constitutional limits

Unfortunately, we have not seen much of this in the last 40 years and it has been practically extinct in the last 10. It has become clear that Australia is in desperate need of a bill of rights and part of that being FREE and FAIR elections and FREEDOM OF SPEECH, where you can speak without government surveillance or raids by the Australian Federal police.