



21<sup>st</sup> November 2011

The Hon Daryl Melham MP  
Joint Standing Committee on Electoral Matters  
Parliament house

Dear Mr Melham

**Re: Alterations to the Electoral Act**

I would like to suggest an alteration that will remove a perceived bias in the electoral act

Under the present arrangements, candidates who stand for election to either the House of Representatives or the Senate will only receive funding from the Australian Electoral Commission if they receive 4% or more of the primary vote. It is the view of the Democratic Labor Party and me that the 4% criteria is a necessary one but that it fails to adequately address an bias in the electoral process when it is applied to smaller parties such as ours.

We would like to suggest that the criteria for funding be altered to include the circumstances when a candidate receives less than 4% of the primary vote but is elected after distribution of preferences. This would confirm the importance we give to the preferential system by demonstrating that parliamentarians elected on preferences other than first preferences are as validly elected as those elected only on first preferences.

I will cite the last Federal election in which I received approximately 2.33% of the primary vote but after distribution of preferences I received a full quota and was elected. For this the DLP received a refund of the \$1000 nomination fee. In the same election there were a number of candidates who gained over 4%, such as Family First in South Australia with 4.08%, and thereby received funding from the AEC, but were not elected.

In the 2004 Federal election Family First in Victoria gained 1.88% of the primary vote and had Senator Steve Fielding elected on preferences and yet they received no funding from the AEC.

This is a matter I believe should be addressed to remove any perceived bias against smaller parties and to reinforce the importance of each constituents vote under the preferential system.

Sincerely

John Madigan  
Senator for Victoria