

Education, Employment and Small Business Committee

From: Legal Affairs and Community Safety Committee
Sent: Tuesday, 3 December 2019 4:41 PM
To: Education, Employment and Small Business Committee
Subject: FW: Submission: Associations Incorporation and Other Legislation Amendment Bill 2019

Categories: Submission

From: Robert h [REDACTED]
Sent: Tuesday, 3 December 2019 2:37 PM
To: Legal Affairs and Community Safety Committee <lacsc@parliament.qld.gov.au>
Subject: Submission: Associations Incorporation and Other Legislation Amendment Bill 2019

To the Legal Affairs and Community Safety Committee regarding the Associations Incorporation and Other Legislation Amendment Bill 2019,

I consider this to be the companion bill to the Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Bill 2019 introduced on the 28th of November. This bill was also introduced by Attorney-General and Minister for Justice, the Hon Yvette D'Ath MP. The Associations Incorporation and Other Legislation Amendment Bill 2019 introduced on the 26th seems to be contradictory and erases key anti-corruption protections.

The very first object of The Queensland Bar Association is to promote the cause of justice. The Attorney-General proposes to weaken investigative powers. The amendments make it such that a person being investigated may simply store their documents in a vehicle and drive off at the first sign of trouble without hindrance. The Attorney-General proposes to lower numerous offences to a single penalty unit. Given the recent revelations from federal Attorney General, the honourable member Christian Porter regarding non-compliance in the Charity and not-for-profit sector, this is a clear attempt to obfuscate and entrench money-laundering operations and corruption.

While there is still a penalty in effect, the ability to simply provide an incorrect address, company name and details on documents has such a tiny penalty and can be administratively delayed so as to allow incorporated charities to simply pay a sort of tiny regular fee for non-disclosure. I see that The Attorney General has been reading Chinese philosophy, "The pinnacle of strategy approaches the formless: if it is formless, then even the deepest spy cannot discern it nor the wise make plans against it." This bill was incorrectly filed under the Education, Employment and Small Business Committee. How odd? Have you forgotten, Arachne, how very large my eyes are?

The Office of the Attorney General of New York State publishes an annual report, "Pennies for Charity." The 2014 report grants a good insight into the world of charities and non-profits. This bill was introduced as a way to simplify the process of performing charitable work. I give a very sad example from the 2016 report, "The Cancer Fund of America and Cancer Support Services had bilked donors of more than \$75 million...charities had claimed that contributions would go to provide pain medication for children with cancer, and other aid. None of those services were provided. The settlement imposed a judgment of \$75,825,653..."

The ACNC is a complete mess right now. it's inadvisable to transfer reporting to them. Many incorporated entities in Victoria do not report to either the Victorian regulator, ACNC or ASIC because their legislation allows either or both and in the case of ASIC, structuring the charity as a special class of securities broker

exempt from reporting. There is no functional mechanism in place to ensure at least one report is delivered. This bill and inquiry should be delayed until the oversight problems at the ACNC have been remedied.

If I were to make a suggestion for this bill I would suggest that any organization that makes a submission to parliament must declare any grant or funding from the public purse or conflict of interest, failure to do so shall render them liable to a maximum penalty of at least 100 penalty units. This is not an insignificant sum. Neither are the many, "advocacy," or "policy," or, "art," grants frequently granted from councils or government bodies. Even the maximum penalty would often fall short still leaving a tidy profit.

We have people like Malcolm "Panama Papers" Turnbull poking their heads out of their holes. He promotes a republic, denounces the queen, can't wait for her to just die already. I imagine him holding a pillow. Who does he imagine king?

Robert Heron

