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Acting Committee Secretary
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000
26 October 2017.

**SUBMISSION TO Local Government Electoral (Implementing Belcarra) and
Other Legislation Amendment Bill 2017.**

The proposed alterations to relevant legislation following the recommendations of the CCC Operation Belcarra findings appear to have been made in haste without due consideration to many of the issues and corrupt behaviour of candidates during the Council elections of 2016.

DONATIONS:

QLGRA supports the banning of Developer donations, and banning donations from any associated indenty or corporation to devleopers, however Third Party Trusts and the like must als be banned.

To allow third party trust to continue leaves room for continued deception and the blurring of the money trail of donors.

While candidates have a responsibility to report (in real time) donations and the details of their donors, third party sources of donor funds are not subject to the same

legislated requirements and do not have to declare their sources of funding until 15 weeks after an election.

These avenues must be banned to insure the supposed transparency of candidate funding.

Donations from any single source, or associated entities, should be capped at \$5000 per annum per candidate.

Donations should only be made by direct deposit from the donor(s) to the candidates Dedicated Election Bank Account. No other method is permissible.

Donations in excess of \$200, in total, to be declared. Eg 4 X \$50 or any accumulated total of \$200 is to be declared.

Failure to comply with the above is a prosecutable offence with a minimum 6 months imprisonment and immediate dismissal from office.

Failure to comply should also incur a fine equal to the donation illegally obtained plus 50% and unable to contest any future elections at any level.

INDEPENDENT CANDIDATE:

No candidate shall advertise themselves as being "Independent" if they have, or have had, held membership or had close association to a recognised Political Party or legitimately registered group.

All candidates shall be required to prominently display their affiliation with these groups on all promotional, advertising, How to Vote Cards or any other media utilised during an election campaign.

Eg. A member of a political organisation shall prominently display "Member of (ALP, LNP, Greens etc) with the party logo. Members of a legitimately registered group shall display the group's logo. "Unity Team (Cairns) Your Community First (Moreton) or as per their association with any group(s).

If a candidate uses the promotion of "Independent" during an election campaign they must be able to clearly satisfy the Electoral Commission of their true independence from any and all political entities.

Failure to comply will have the candidate declared ineligible to hold office with prosecution via the courts, exemption from eligibility to contest future elections at any level.

TIME ELAPSED FOR PROSECUTION:

This 12 month period for action to be taken against those found to have breached the Electoral Act in any way whatsoever to be removed.

There is no statute of limitation for prosecution of other crimes and none should apply to those who are found to have breached their legislated responsibilities during an election.

As it stands at this time, candidates only have to draw out investigations, as we have

witnessed with the wasted CCC investigations, to not only be allowed to remain in office but escape prosecution.

Any breach of the legislation should incur time in prison and immediate dismissal from office and exempted from contesting future elections at any level.

FAILURE TO PROSECUTE:

Under no circumstances can persons found to be in contravention of the law be excused from prosecution.

The current stance from the CCC and the Government to fail to prosecute those who have been found to have cases to answer demonstrates the lack of morals and integrity from both parties.

For the [REDACTED] to have condoned and supported this gross miscarriage of justice warrants the immediate dismissal of the [REDACTED] and the [REDACTED] it is a direct contribution to corruption within the ranks of councillors and politicians.

Both these parties should face charges of 'Perverting the course of justice'.

CONFLICT OF INTEREST (CoI):

Any Mayor or Councillor who has received donations from any source connected to business before council is to be considered to have a Conflict of Interest and must not, under any circumstances, be involved in any discussion or vote on the proposed business pertaining to their donor that comes before council for consideration.

The Mayor or Councillor must remove themselves from meetings (of any kind) relative to the said business.

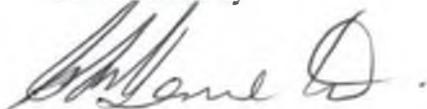
If there is any doubt as to CoI it must be determined by an Independent Assessor and not by fellow councillors.

Failure to comply incurs 2 years imprisonment, immediate dismissal from office with the person ineligible to contest future elections.

As QLGRA is a volunteer organisation without the facilities of a funded organisation we have not had sufficient time to cover all the aspects of the proposed changes to legislation in this submission.

We respectfully request the opportunity to make a direct presentation to the committee prior to it making its final decision.

Yours sincerely



Colin Hewett

President

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