




Speech By
Daniel Purdie

MEMBER FOR NINDERRY

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ELECTORAL LEGISLATION (POLITICAL DONATIONS) AMENDMENT BILL

 **Mr PURDIE** (Ninderry—LNP) (6.42 pm): I rise to make a short contribution on the Electoral Legislation (Political Donations) Amendment Bill 2018. The LNP opposes the bill. As a member of the committee that deliberated on this bill, I acknowledge all committee members, particularly the committee chair, the honourable member for Logan; the deputy chair, the honourable member for Mermaid Beach; the very honourable member for Bonney; the honourable member for Redlands; and I believe the honourable member for Pine Rivers was with us at the time and helped deliberate on this bill. I acknowledge the secretariat and Hansard for their help.

Obviously the Economics and Governance Committee recommended that the bill not be passed. The committee concluded that the bill proposes to restrict the implied freedom of political communication without sufficient justification for the restriction to be considered appropriate. The policy objective of the bill purports to be to eliminate the widely perceived risk of corruption within Queensland as a consequence of corporate donations to politicians, candidates and political parties; to help restore Queenslanders' confidence in their political system; and to build upon the 'restrained reforms' of the government's Local Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill. The policy objectives of the bill are achieved by amending the Electoral Act 1992 and Local Government Electoral Act 2011 to prohibit the making of political donations by for-profit corporations to candidates in state or local government elections, groups of candidates in local government elections, third party political parties, councillors and members of state parliament; and making it unlawful for a prohibited corporate donor to solicit a person to make a political donation and for a person to solicit, on behalf of a corporate donor, another person to make a political donation.

The Greens believe that the proposed amendments will eliminate the risk of corruption within Queensland's political donation system. However, that is just a perception, as these amendments do the opposite. They encourage corruption by treating the political donations from different sources unequally. That is unfair. Fairness should be one of the core values of any government.

The amendments restrict corporate donations only to political parties. This includes companies registered under the Corporations Act 2001 or an industry representative organisation in which a majority of members represented by industry organisations are corporate companies. However, unions will be able to continue to donate large amounts of money. How is this fair?

I know that this bill fails to provide any reliable evidence to support the reason for banning donations by for-profit corporations. Under this bill, corporations are prohibited from making donations to state political parties, but unions are still allowed to make unlimited donations. A bill that bans political donations from corporations but continues to allow donations from unions demonstrates how one-sided and self-interested the Greens really are, particularly when the Australian Labor Party, including the Queensland branch, is the main beneficiary of large amounts of donations from unions.

In his explanatory notes, the member for Maiwar asserts that there is a risk of corruption when a donation is received by a political party as the donor would expect that the recipient, in this case a political party, would in return make a favourable decision to benefit the donor. I note that the member

for Maiwar did not talk about the founder of Wotif, who donated over \$2 million to the Greens party over the past few years. I acknowledge the member for Toowoomba South who elaborated on how, when receiving that donation, the Greens leader at the time said that he would be forever grateful.

Why would a union, a not-for-profit or a charity be any different? Is it the member for Maiwar's view that unions have no vested interest in their cause and that unions would not expect more favourable decisions to help their members? More importantly, would not union officials approving donations expect some direct benefits for transferring money from their union to a political party? It is laughable to suggest that a union that has a specific objective in mind would make a political donation for no reason and with no expectation of receiving something in return. Surely they would have better ways to use the hundreds of thousands of dollars they donate to Labor if they do not expect any benefit? Couldn't that money go to providing improved services for its members?

Unions have a stated interest to protect workers' rights. That is a genuine and respectable interest, but all too often union officials have a non-stated vested interest in filling their pockets through systemic corruption, such as we have seen with the CFMMEU, which is facilitated at various levels, including at the state and federal levels. It is clear that the Greens and Labor have an agenda to enhance and strengthen their own political donations and will do anything in their power to achieve that goal. Otherwise, this bill would have been applied equally to all entities outside of individual donors or there would be no restrictions on any particular entity, such as we see in South Australia, Western Australia, Tasmania, the ACT, the Northern Territory and at the federal level.

The bill completely disregards the implied right to freedom of political communication derived from the Constitution and High Court precedents. The High Court decision of *Lange v Australian Broadcasting Corporation* 1997, also known as the Lange test, and other New South Wales precedents are being infringed. Those precedents have the support of the Crime and Corruption Commission. I encourage the member for Maiwar to persuade the House how his justification trumps that of the High Court. This bill is not based on any evidence and ignores input from the Crime and Corruption Commission.

The Crime and Corruption Commissioner, Mr Alan MacSporran, stated in his submission to our committee—

The CCC acknowledges that one of the matters the Committee's current inquiry may consider is whether there is sufficient evidence to conclude that the Bill's provisions prohibiting political donations by for-profit corporations in State or Local Government elections is a proportionate response to any demonstrated threat of actual or perceived corruption in those areas of government. However, at the time of preparing this submission, the CCC is not aware of, and does not consider it holds, sufficient evidence in this regard.

There is no reason to pass this bill. It may create new opportunities for real or perceived corruption in Queensland—corruption opportunities that we do not need and do not want. We should be a fair state now and in the future.