




Speech By
Hon. Yvette D'Ath

MEMBER FOR REDCLIFFE

Record of Proceedings, 16 May 2019

MINISTERIAL STATEMENT

Electoral Donations, High Court Decision

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice) (10.18 am): When the Palaszczuk government was elected, we made a commitment to bring back transparency and accountability in our electoral system. One of this government's first acts was to reduce political donation thresholds. This was further enhanced by introducing and leading the country in creating a real-time disclosure system for political donations and banning developer donations. The Palaszczuk government introduced this ban off the back of recommendations from the Crime and Corruption Commission to ban developer donations to local government.

To circumvent that ban, the former LNP president sought to challenge it in the High Court and the Morrison LNP government amended the Commonwealth Electoral Act 1918 in what can only be described as an appalling abuse of power. Although the High Court's decision was released on 17 April, the reasons were reserved at the time. I can now advise the House that the reasons were released yesterday, and I would like to table a copy of those reasons.

Tabled paper: Order of the High Court of Australia regarding *Spence v Queensland* 2019 HCA 15, dated 17 April 2019 [783](#).

The court's reasons show how the LNP at state and federal levels tried to work together to line their coffers and keep their donations secret by attempting to overrule not just Queensland's developer donations ban but also the \$1,000 threshold and real-time disclosure. The court found that the purpose of the Morrison LNP government's amendment was to ensure that political entities may receive donations to fund any activities from any donors who would otherwise be prohibited by state or territory electoral laws from making those donations. Furthermore, the court cited a submission from the federal LNP government that their ultimate purpose was to ensure that political parties had the money to influence the way electors vote in the federal elections.

This High Court decision represents a significant win not only for Queensland but also for the other states and territories and validates the actions of the Palaszczuk government in ensuring that we have the most transparent electoral laws in the country. The Palaszczuk government welcomes the decision and the reasons handed down by the High Court. While the LNP thought they were above the law, it is clear the highest court in the nation disagrees.