

**ELECTORAL AMENDMENT (ACCESS TO MINISTERS) BILL 2017**

*Second Reading*

Resumed from 7 September 2017.

**HON DIANE EVERS (South West)** [10.32 am]: The Electoral Amendment (Access to Ministers) Bill 2017 aims to stop one small undemocratic issue within our system. The bill amends the Electoral Act to put an end to the ability to host a function at which ministers are advertised as being accessible in their capacity as a minister, whereby the event is intended to raise funds for a political party or campaign. That is it; it is just one small step in our Electoral Act.

**The ACTING PRESIDENT (Hon Matthew Swinbourn)**: Member, can I interrupt you. Are you the lead speaker for your party on this bill?

**Hon DIANE EVERS**: Yes.

**The ACTING PRESIDENT**: Okay; thank you.

**Hon DIANE EVERS**: This bill amends the Electoral Act on one issue and one issue only, which is to stop the government of the day from advertising that a minister will be available at an event that is designed to raise money for a party or a campaign. We know that this has happened. I have heard of people being charged \$10 000 and up to \$25 000 to attend an event at which they will have access to a minister. That is it. We know that ministers have special powers; they can grant permits, approvals, licences, land rezoning, loans and immunity and have a wide range of other legal powers that could benefit individuals and corporations. This really has to stop. It just does not make sense that somebody should be able to pay to be able to talk to a minister.

This cash-for-access scheme means that corporate donors with vested interests in things like mining, gambling and property development are paying to chat with ministers behind closed doors. What reason can there be for that, other than that deals are going to be made? Other people do not have that access. The majority of people in our communities cannot have that access. Our community and not-for-profit organisations are not going to be able to come up with, or justify spending, \$25 000 to be able to have five or 10 minutes with a minister. The people who pay for access have an opportunity to possibly make tens or hundreds of millions of dollars in profit, and they want to talk to a minister and get their issue through. Sometimes it pertains to the environment—it is about letting through a development that really should not be allowed to go through—and it is just wrong.

This issue is even more important now because, of course, we have made a number of changes during the COVID pandemic. These changes address many different issues and give the government greater power to make further changes, and therefore greater power to cause damage through inappropriate and undemocratic decisions under the guise of COVID. This will potentially enable developments, approvals and subsidies for corporations and industries that are not in the greater good or the long-term interests of the state, and it is really something we should be on the lookout for. I am sure that everybody in here thinks they are very trustworthy, but bad things have happened in the past and bad things can happen. Selling a minister's time for \$25 000 is outrageous.

As I understand it, we will soon see a reform bill from the government regarding donations. Unfortunately, it appears that the only meaningful changes in it will be to close the loophole that allows parties to disclose based on the watered-down Australian Electoral Commission threshold and not the stricter threshold of the Western Australian Electoral Commission. Also, the bill may lower the threshold to \$1 000, but, really, we can do so much better than this. This is simply not enough. We need electoral reform. In this day and age, when things are changing with COVID, social media, lawsuits and people buying and selling their rights in a way that undermines the state and the people of this state, it is just not enough. More change has to happen. Things are changing and we need to change with them.

I would like to talk about our desired policies. This is a step. I am really pleased with this bill. It is a great step, but there are many more things we can do. As we have said, we could ban the ability to pay cash for access to ministers. We can move on from that. Ministers need to listen to the entire community, not just the people who have the money to buy their time. We need to get this bill through, but we also need to get the dirty money out of politics by banning donations from certain industries. We could easily put in place measures to ensure that certain industries—the gaming and gambling industry; real estate developers—would not be able to buy political influence. If a real estate developer donates \$100 000 or even \$10 000 to a political party, it suggests that they expect something out of it. In the mining and resources industry, we are talking about billions of dollars of revenue and profits to be made, yet a minister's time can be bought for \$10 000. If a minister is going to sell their time, it is probably worth a lot more than that, but I suggest that the money should come back to the state. I am not at all suggesting that we should sell ministers' time, because that is not the way we should do this, but I think that maybe it has happened in the past, and it should not continue. We should just say no to mining and resources companies. That is it: no donations from mining and resources companies or from the big four accounting consulting firms—KPMG, Deloitte Australia, Ernst and Young Australia and PricewaterhouseCoopers. Those firms work on behalf of those organisations and they do not come cheap. They are going to be working on behalf of the aforementioned industries

and many others that are trying to get through government whatever it is that they want to get through. Maybe it is policy, maybe it is legislation, but they are able to donate to a political party to try to get that. These guys are not silly; they donate to both parties. They want to make sure that they can get their changes through regardless of what might be good for the general population of Western Australia.

We also need transparency around donations. We need to know where the money comes from. We have to come up into the twenty-first century in terms of the use of technology. We could have real-time reporting of political donations—we should not have to wait for 18 months. So much can change in 18 months. We do not have third party appeals. Not only can decisions not be appealed, but also, for instance, when a notification comes up after 18 months that a particular developer donated \$200 000 to a campaign, the building is already in the process of being built. It cannot be turned back. We cannot replace the trees that were cut down to allow that development to happen. We need more accountability in government. We allow corporations to make donations to political parties, which are not required to report them immediately. At what point is that done? Eighteen months later? Come on! We could have done that back in 1850. We are now in 2020 and we could have that information up there on the day that the money changes hands.

We should also ban donations via associated entities and third parties, such as the 500 Club and the Minerals Council of Australia. There is no sense in banning certain industry donations, like those from mining corporations, if those industries can simply donate via another organisation. It just keeps going around. They should not be donating to other people who then pay for the election campaign. We need to keep them in there, too. We know how easy it is to shift money from one place to another with a handshake and a few words of agreement. That is what we should be trying to stop. That is what a government should be doing, not selling itself off to the highest bidder. We should also mandate reporting of payments of \$1 000 or larger, similar to donations, that are exchanged for services. Donors can currently give money to political parties in exchange for a service. For example, Woodside will pay WA Labor \$10 000 for a subscription to the party newsletter or a series of seminars. Since they are classified as services and not donations, they were not required to be reported in 2018–19. Of WA Labor's \$4 million in total earnings, \$3 million was grey money that was not disclosed. It seems like the party is being really clever about how it gets money to fund it, but when it is coming from people who are trying to buy that party's favours, where is the integrity in that? I have high hopes for government. I guess that is what we are here to do—to keep working toward a better form of government.

The next one would be to stop the revolving door of influence. There is nothing to stop a mining lobbyist from becoming a staffer in a minister's office and vice versa. This happens all the time. It has been documented. We know it happens. It would be ludicrous if it were not so terrible.

**Hon Stephen Dawson:** That is not in the bill before us.

**Hon DIANE EVERS:** No, but it should be in the legislation. I am talking about changes to the Electoral Act.

**Hon Stephen Dawson:** Are you going to move amendments to your colleague's bill?

**Hon DIANE EVERS:** No, I will move amendments to the bill that the minister has not yet tabled in here. I hope that some words will be heard and that maybe the legislation can be strengthened.

**Hon Stephen Dawson:** Why not amend the one that is before us?

**Hon DIANE EVERS:** This is a good bill. This is a good start. This is what we should be looking at, but there is much more that we could do. I am looking forward to changes happening along those lines.

I was talking about stopping the revolving door. Influence is coming from many different sectors. Corporate influence is not about ensuring that government decisions are in the interests of the community; corporate influence is about ensuring that the decisions help them. We must implement something like a two-year waiting period before ministers and their staff can become industry lobbyists and vice versa. That just makes sense. I think this would pass the pub test—people out on the street would be quite happy to say that this influence should not be passed back and forth. Stopping this would lessen the influence of personal corporate ties, which often impact the decision-making of government officials who are meant to be regulating the industry.

Another step that we might consider adding to another bill at another time would be to publish ministerial diaries. There could be quarterly reporting of ministerial diaries to ensure transparency around who government ministers are meeting with. When these decisions are made behind closed doors, they are not transparent, they are not accountable and they do not have integrity. The public would not want it to be that way. We live in a democracy, which is a system that I know we all believe in, but being in a democracy does not mean that the person with the most money should have the rules fixed for them, yet that is what is happening. It is not a democracy when those who can afford a \$25 000 payment get decisions in their favour at the cost of other people or the environment. I doubt that a single person in here would not be a bit more generous with their time and attention if they were offered \$25 000, but the question that arises is: how would that \$25 000 influence the actions of that person?

**HON TIM CLIFFORD (East Metropolitan)** [10.45 am]: I rise in support of my colleague's bill, the Electoral Amendment (Access to Ministers) Bill 2017. This debate is quite timely in the context of what is going on in the world today with the COVID-19 pandemic—some significant decisions are being made in the interests of the community and some decisions are being made that are not in the interests of the community. Some of those decisions are being made under the undue influence of different vested interests, which deeply concerns me. Many people in the community are deeply concerned about what is going on in the world, given that we are dealing with not only a pandemic but also climate change and the absolute erosion of trust in our political system. That is why I absolutely believe that our democracy is sick.

A lot of people believe that our democracy should serve the community and not vested interests or political interests. That is why it is really troubling that I have not seen any government minister or member come out in support of this bill. The bill makes sense, because buying access to ministers and elected officials should not happen in this state, but unfortunately it does. I was chatting to a friend of mine in the United States—they have their own issues over there—and she asked what it is like in Australia. I said that she should look at our laws. She had to stop for a second and then said, “I actually thought Australia did a lot better than us, but obviously it doesn't.” We have issues with the disclosure time frame and how people can access ministers. We should be a shining light in the world, but we are not, and that is very troubling.

If members want to know about the absolutely sickening level of influence in recent times in our state, they do not have to cast their minds back too far. In March last year, the Environmental Protection Authority put forward recommendations on greenhouse gas emissions that would have regulated some of the biggest polluters in the world, being Chevron and Woodside. It detailed how it would take into account scope 3 emissions. These recommendations were put forward at the time by the Environmental Protection Authority because we are dealing with a climate crisis. Instead of listening to corporate interests, the EPA listened to the science and put forward recommendations that would deal with what is going to be one of the largest carbon bubbles in the world. This project has already been earmarked as one of the significant projects that will continue to add to the climate crisis. I will touch on a few of the events in last year's time line. I have a few articles that highlight what happened. I never thought I would see events unfold like those last year, given that in 2017, when we were elected to this place, the community had high hopes that the government would take strong action on climate change and reinstall trust in our political system. After all, that was one of the platforms on which the current government came to power—to make sure that it was the leader and the adult in the room. I am also surprised that the Liberal Party has not put up its hand to support this bill, because its members always come out and say that they are the adults in the room and responsible folk. They have been silent. I will be very interested to see how they respond. Of course, they want to win elections, so they want to pay for things like corflutes and ensure that they can keep running their political machine. But that has obviously come at the expense of the community.

Fast-tracking from 2017 to March 2019, one headline from the ABC reads “WA Premier Mark McGowan attacks EPA guidelines aimed at cutting carbon emissions”. This is quite shocking, considering that these guidelines are supposed to be a safeguard for our community to ensure that we do not continue to see the shocking events of late 2019 and into 2020 with the significant environmental and community damage brought about by the fires on the east coast. The Environmental Protection Authority was only doing its job, but the Premier has attacked it. I will get to the influence of these companies in a moment and how they get this proportion of influence.

Another headline is “EPA chairman Tom Hatton defends carbon emissions plan despite Premier Mark McGowan's rejection”. Obviously, he was put on the back foot. Other headlines are “EPA drama: The heat is on McGowan” and “WA's rejection of carbon-neutral guidelines leaves LNG emissions booming”. The backtrack of the EPA under the attacks of the McGowan Labor government led to us facing the prospect of becoming one of the largest emitters, if not the largest emitter, of greenhouse gases in the world, if we take into account export emissions. Another article is headed “A week of shame: how the fossil fuel lobby runs Western Australia”. Another article is headed “CME applauds WA Government's rejection of EPA emissions guidelines”. Of course it would, because it is acting in the interests of these companies, not in the interests of the community. These are the people who said that these guidelines would cost WA so many jobs—they were spouting unfounded numbers at the time. They turned around and applauded the government because this will ensure that they maintain their profit margins. Another one says “EPA scraps new carbon emissions guidelines for resources companies amid industry pressure”. It goes on: “EPA buckles under pressure from WA government, oil and gas sector” and “WA Environment Minister Stephen Dawson hits out at EPA over new carbon emissions standards”. That headline was on the front page of *The West Australian*. The Minister for Environment was attacking our own EPA to get an outcome. I remember the events of that week.

**Hon Stephen Dawson:** What was the context?

**The ACTING PRESIDENT:** Order, members!

**Hon TIM CLIFFORD:** The EPA put out guidelines and instead of the government addressing the people it should have been addressing—that is, the community and the scientists who know what they are talking about in addressing the crisis that is looming, or is already here, as we can see with the environmental damage and everything else that comes with the effects of climate change—the government rushed into meetings with the heads of Woodside and Chevron to talk about how the EPA had overstepped its mark and was going rogue and all the other comments that were being thrown around this place. That is the power of this industry over the government. It seems like the government would rather side with the oil and gas sector than with its own EPA, which offers significant advice to the government to ensure that the community is protected from the worst effects of climate change.

Another article is headed “WA environmental watchdog clears way for higher emissions”. Our Premier, Mark McGowan, should be calling out this behaviour at a federal level. The Prime Minister has established the National COVID-19 Commission Advisory Board, which is supposedly heading the recovery from this pandemic that has smashed our economy and many different communities within this country. It is headed by Nev Power, who is an industry man and is involved heavily in the gas industry, along with a whole bunch of other what I call gas hawks. These people are supposedly advising the Prime Minister and our federal government on how best to recover from a pandemic. These people are from the industries that donate a lot of money to our political system and have a disproportionate influence over it.

This headline reads “Government advised to underwrite new investment in gas pipelines”. Another article from 11 August, which is only a couple of days ago, reads “Australia’s Covid commission downplays ‘green recovery’ and confirms gas push”, even though economists and the people who know what they are talking about are advising the federal and state governments on where we should be heading—that is, towards renewable energy and all the things that will benefit the community. Instead, an industry man is heading our recovery and saying that we should use taxpayers’ dollars to underwrite our recovery and build infrastructure. In my mind, these guys are just rent-seekers. These industries are using taxpayers’ dollars to underwrite their own industries and profit margins at the expense of the community.

The bill that we are debating today would limit that sort of influence. It is important to note that if these people did not have direct access to our political leaders, we would not have the situation we have today in which climate change is out of control and folks from the fossil fuel industry are heading up the recovery of this country. This is shameful. The state government should be calling out this stuff. These are the people who obviously have direct access to our ministers and elected officials. They do have the loudest voice in the room because they can pay \$25 000 to go to the dinners and they get to call an emergency meeting with those in this place and override the recommendations from our own government department, which is acting on the advice of the scientists, not on the advice of an industry that donates too much money and has too much influence over our government. That is absolutely galling. It is shameful.

I can understand why so many people in our community would feel hard done by when elected officials have shown, through their own actions, that they listen to the folks in the oil and gas industry and the coal industry—for example, Adani on the east coast—more than they listen to the community and scientists just because these people give them more money so that they can run their election campaigns and do whatever else. Mind you, these lobbyists are also former politicians. It is important to note that these former politicians usually get jobs in the resources sector. I am sure there is a list somewhere. There is a revolving door of politicians who go into the fossil fuel industry and then come back to these events and have influence over our ministers in this place and the outcomes of the policies. That is one of the reasons we have an “aspirational” target to reduce our emissions over a hard legislated net zero emissions target to reduce our emissions. This industry has influence over our resources minister. Obviously, if he were listening to the science instead of industry, he would have legislated it. However, these people came crawling to him, crying because they were worried about their profit margins and, all of a sudden, we had an outcome that led to an aspirational target.

**Hon Stephen Dawson:** Are you talking about me?

**Hon TIM CLIFFORD:** No; I am talking about the aspirational target that the minister’s government put forward last year.

**Hon Stephen Dawson:** Are you suggesting that people are paying for access and I am not acting? Is that what you are suggesting?

**Hon TIM CLIFFORD:** I am suggesting that industry is —

**Hon Stephen Dawson:** You have to be very careful what you’re suggesting.

**The ACTING PRESIDENT (Hon Dr Steve Thomas):** Order, members! I might take this opportunity to reflect upon standing order 45, “Imputations and Personal Reflections”, which states —

All imputations of improper motives and all personal reflections on Members shall be considered highly disorderly.

I have listened to the member quite carefully in this regard and, generally speaking, my view is that he is being critical of politics in general and politicians in general, but I think that the most recent reference to direct influence of the resources sector on specific ministers was a stretch. I do not think the member was necessarily speaking about the Minister for Environment, but it is highly disorderly to reflect upon any minister or member of Parliament. I urge him to make sure that he makes a general reflection rather than a specific reflection on any particular MP, because that would be disorderly. I return the call to Hon Tim Clifford.

**Hon TIM CLIFFORD:** I have spoken about the broader influence over our political system of the resources sector, which has donated a lot of money and has a disproportionate influence over our government and elected officials. To put that into perspective, I will go through a few disclosures of donations according to the Australian Electoral Commission. I think it is important to note that it is quite a bit of money. Quite a few dollars are on the table here. This information outlines Chevron's and Woodside's donations over the previous few years. The information goes from 2011–12 to 2017–18. I note that that is the only information recorded because we have pretty woeful disclosure laws. I think it is 18 months for disclosure. As the previous speaker said, we live in the twenty-first century, so there is no reason why we cannot have donation disclosures in real time so that people can see where the money is going. The money is donated and disclosed 18 months later. That delay is there for a reason and it is not to ensure that we have a proper and transparent system.

I refer to Woodside Energy Ltd. In 2015–16, Woodside donated \$110 000 to the Australian Labor Party and \$13 500 to WA Labor. In the same year, it donated \$110 000 to the Liberal Party of Australia and \$16 980 to the Western Australian Liberal Party. In 2016–17, Woodside donated another \$110 000 to the Australian Labor Party and \$25 500 to WA Labor. The Liberal Party of Australia also received another \$110 000 and the Western Australian Liberal Party received \$17 700. In 2017–18, the Australian Labor Party received, again, \$110 000 and WA Labor received \$7 700. Again, the Liberal Party of Australia received another \$110 000 and the Western Australian Liberal Party received around \$7 500.

In 2016–17, Chevron donated \$25 000 to the Australian Labor Party and \$12 408 to WA Labor. It donated \$2 500 to the Liberal Party of Australia and roughly \$23 500 to the Western Australian Liberal Party. In 2017–18, Chevron donated \$32 050 to the Australian Labor Party and \$26 900 to WA Labor. It donated \$35 290 to the Western Australian Liberal Party.

It has been commented on before that this is a small investment compared with the profit margins of these companies. They donate, get access to our ministers and get outcomes that negatively impact our community. Let us look at what is going on. I have spoken about this before and gone through a bit of a time line. In March last year, the Environmental Protection Authority put forward guidelines that were rejected by the government and industry, which has an interest in those guidelines not going ahead. We got watered down legislation. Months later, we got an aspirational net zero emissions target, but it should have been a hard net zero emissions target considering what will happen if we do not address climate change. Late last year and into 2020, fires happened on the east coast that were worldwide events. The impact of climate change cost millions of dollars and thousands of people were displaced. We were left with communities that still want action to ensure that we address the greatest challenge of our time—that is, climate change. One of the major reasons that we do not have action is that these industries have a disproportionate influence over our elected officials.

Going forward a few months into March, the pandemic hit and we tried to react to this pandemic. All of a sudden, the fossil fuel industry descended on Canberra, wanting to be part of the recovery because, of course, it was going to act in the best interests of our community! However, at the end of the day, from draft leaked reports and comments made by the head of the supposed recovery committee that is supposed to act in the interests of our community, we got recommendations to use massive taxpayer-funded subsidies to subsidise the oil and gas industry going forward. Economists and scientists—people who know what they are talking about and who do not have profit margins on their minds—are advising the government, but are being ignored, so, potentially, we will have a gas-fired recovery at the expense of the community. We will have more fires and huge taxpayer-funded subsidies going to the oil and gas industry for energy systems that need to be phased out. They will be the outcomes.

We need to think that when these people brush shoulders with our government and our ministers or the Prime Minister and cabinet—whoever—and they go to events and spend money, they are spending money for a reason. Why would they give hundreds of thousands of dollars to political parties if they were not going to get an outcome? If we look at the numbers compared with their profit margins, we can see that it is a pretty good investment. If the industry spends \$110 000 on a donation to a party in one year and gets to completely push aside any form of recommendations from the government's own Environmental Protection Authority, that is a really good investment. It is absolutely shocking! I think we need to have a long hard think about our role in this place. If our government acted and did the right thing by the community, questions like this would not be raised.

This is a very reasonable bill. It is reasonable to ensure that these people do not have access to our ministers or have that disproportionate influence. That is why I am shocked that no-one has stood and said that we should adopt

this, because this is worthwhile and will restore confidence in our political system and ensure that the community will be protected from the worst effects of climate change.

In conclusion, I support this bill and believe that it should be supported by all levels of government. If members of the community were asked about any aspect of it and whether it was reasonable, they would say that it is absolutely reasonable and that there is no reason why we should not pass it. I support the bill and hope that the government will come out and support it too, although I doubt it. I hope we can get to a place in which representatives from companies like Chevron and Woodside cannot pay certain amounts of money for access to ministers and get the influence that we have all seen, because the outcomes are real. I have already mentioned some of them today. If these people continue to have that access and continue to do what they are doing, we will all be negatively impacted. It is up to us to show leadership and do the right thing by the community.

**HON PIERRE YANG (South Metropolitan)** [11.10 am]: It gives me great pleasure to make a few remarks on the Electoral Amendment (Access to Ministers) Bill 2017. At the outset, I advise that I am not the lead speaker for the Labor Party. I thank Hon Alison Xamon for introducing the bill and Hon Diane Evers and Hon Tim Clifford for their contributions this morning.

As members know, Hon Alison Xamon and I attended the same articulated clerk training back in 2008.

**Hon Alison Xamon:** That's a true story.

**Hon PIERRE YANG:** Indeed.

A government member interjected.

**Hon PIERRE YANG:** She is, my learned friend.

During one of the icebreakers we had in a smaller group, I introduced myself and she introduced herself and she very pleasantly and surprisingly told me that she was elected in the 2008 election as a member for the East Metropolitan Region. Fast-forward 12 years and I have the great pleasure of sitting in this wonderful place—or standing right now—with Hon Alison Xamon. As members know, Hon Diane Evers, Hon Tim Clifford and I were elected at the 2017 election. I can see that those honourable members have a passion for electoral reform. They have a strong sentiment to do the right thing by our community and by those who elected us, and I share that sentiment. As members may recall, during my inaugural speech, I said in conclusion —

If all people were created equal, it should be self-evident that in a modern democracy all votes should be given the same weight when voters are selecting their representatives. However, a non-metropolitan vote for the Legislative Council at the 2017 state election was weighted, on average, at three times that of a metropolitan vote, and some non-metropolitan votes are worth almost six times. Hon Dr Geoff Gallop, AC, once said —

It does not make sense either logically or ethically to establish the right of a person to vote and then diminish the value of that vote in relation to the votes cast by others.

Hence if you believe that all people are created equal, you have to believe it all the time. Electoral reform about the method used to elect members of the Legislative Council is needed in order to achieve that equality.

As members heard then, I share that desire to have a better electoral system so that we can better represent those who elected us. This legislation, as presented to us, was moved by Hon Alison Xamon. I commend her sentiment and that of the bill to do the right thing. In my Army days, the Chief of Army at the time, Lieutenant General David Morrison, said that the standard you walk past is the standard you accept. I still remember that. If you see something, you say something. Certainly, we have heard the desire and strong views on certain issues of the honourable members we heard from this morning and that of the mover of the bill.

We live in a democracy, which is a privilege. One of the fundamental pillars of a liberal democracy is its electoral system and how fair, efficient and important it is to the functioning of our democracy and our community. As I mentioned in my contribution on 14 May this year during the Firearms Amendment (Airsoft) Bill 2019, we live in a liberal democracy and we all believe in freedom and liberty. That is fundamental to our democracy. People should have the right to express their views and to go through the process and put forward their views for debate. That certainly is what we have today.

I wish to turn to the bill itself. The short title reads —

This is the *Electoral Amendment (Access to Ministers) Act 2017*.

The honourable member who moved the bill said in her second reading speech that it is a very simple bill, and that is correct. It is a bill containing three pages with four clauses. I will turn to the substantive part of it later, but the short title, in my humble opinion, does not reflect as a mirror image the intent of the bill. I wish to clarify that that is not a criticism. The bill intends to limit access to ministers and the short title says “access to ministers”. I would think that a more accurate reflection of the intent of the bill would include in its short title words such as

“Electoral Amendment (Limited Access to Ministers)” or “(No Access to Ministers) Act 2017”. I wish to emphasise again that this is not a criticism and I am not saying it sarcastically. One of the most important laws that we have seen in multicultural Australia is the commonwealth Racial Discrimination Act 1975. The purpose of that legislation is to stamp out and take a strong stance against racial discrimination. In my humble view, that could be called the “Anti-discrimination Act 1975”, but that is just my personal view.

I will now turn to the substantive part of the bill. Clause 1 is the short title, clause 2 is the commencement, clause 3 concerns the act the bill intends to amend, and the substantive mechanism of the bill is in clause 4, which reads —

**Section 176 inserted**

At the end of Part VI Division 5 insert:

**176. Ministerial access not to be used to raise political funds**

(1) In this section —

*Minister* means a Minister in the Government;

*political fundraising event* means a function, gathering, meeting or other event a purpose of which is to raise funds for —

- (a) a political party or an associated entity; or
- (b) a candidate or group in an election; or
- (c) a person to whom section 175Q applies.

I wish to ask a question of the mover of the bill and, hopefully, in her second reading reply, she will provide some clarification. I assume that the term “an associated entity” means an organisation related to a political organisation, and I presume that that could include a labour union or a fundraising entity such as the 500 Club. Would that definition also include an organisation that has a close association with a political party? Let us say, in the case of the Greens party, would a donation from an environmental group be included in the definition of “an associated entity”?

**Hon Alison Xamon:** If the purpose is to promote access to the minister in order to be able to fundraise directly into the party’s coffers, yes, it could be any number of those organisations. It is about the purpose of that fundraising. If, however, as the bill says, it is for another purpose, such as a charitable purpose—so in actual fact no party is a beneficiary of those funds—it does not apply. It is specifically to prevent access to ministers for the purpose of filling up party coffers.

**Hon PIERRE YANG:** I thank the honourable member for the clarification. I wish to continue with proposed section 176(2), which reads —

A person must not promote a political fundraising event in a way that indicates —

- (a) that a Minister will be present at the event; and
- (b) that other persons attending the event will have access to the Minister at the event or in association with the event.

Penalty for this subsection: a fine of \$10 000.

That outlines the operation of the prohibition of the access to ministers at fundraising events.

Proposed subsection (3) gives, I would say, a defence to this offence. It reads —

Subsection (2) does not apply if the promotion of the event indicates that the Minister will be present at the event in the Minister’s capacity as a member of Parliament and not in the Minister’s capacity as a Minister.

Proposed subsection (4) reads —

A person must not organise, hold or conduct a political fundraising event that is promoted in a way that contravenes subsection (2).

Penalty for this subsection: a fine of \$10 000.

That concludes the bill. As I mentioned, the honourable member correctly said in her second reading speech that the bill is a simple one. I want to again thank the member for her desire for, and interest in, electoral reform in Western Australia. There is another bill on the notice paper in the name of Hon Alison Xamon, titled the Electoral Amendment (Ticket Voting and Associated Reforms) Bill 2019.

I want to apologise to Hansard. As members know, English is my second language and I try my best to speak in a way that will make it easier for Hansard to report my remarks. From time to time there will be words that Hansard will find it hard to pick up, and I do apologise. I thank Hansard for having done a very wonderful job over the past three years trying to capture what I say. I do thank Hansard very much for that.

I now come back to the bill. I want to look at the intent of the bill in two parts. The first part is in relation to the mechanism that is outlined in the bill. I want to see how effective that mechanism would be if this bill were to pass. I want to also look at a different part, which is the unintended consequences of the bill if it is passed. I will have to rely on the honourable member's second reading speech to guide me in delivering my questions and concerns. Therefore, I thank the honourable member for a very comprehensive and easy-to-read second reading speech, which she delivered some time ago.

**Hon Peter Collier:** Filibustering.

**Hon PIERRE YANG:** It is absolutely not. I have a deep interest in electoral reform and that is why I want to ask these questions.

Several members interjected.

**Hon PIERRE YANG:** That is very disappointing.

**The PRESIDENT:** Order! The member on his feet has the right to continue his speech and to be heard in silence, with respect.

**Hon PIERRE YANG:** Thank you, Madam President, for your protection.

In her second reading speech, Hon Alison Xamon said —

It should go without saying that selling access to ministers for the purpose of political fundraising is a fundamental breach of democratic principles.

I listened quite carefully to the contributions of other members. I hope I did not miss any relevant contributions by Hon Diane Evers or Hon Tim Clifford. I want to ask about fundamental breaches of democratic principles, and, firstly, about the categorisation of people who attend events.

Debate adjourned, pursuant to standing orders.