

Executive Officer  
Victorian Parliament Law Reform Committee  
Parliament House  
Spring Street  
EAST MELBOURNE VIC 3000

### **Submission to Review of the Members of Parliament (Register of Interests) Act 1978**

WEL notes that the Members of Parliament (Register of Interests) Act 1978 was introduced in 1978 and has not been updated since.

While the Act was a considerable initiative in its time, the provisions now appear limited in their scope and application. We recommend that the Committee refer to the 2008 Commonwealth Standards of Ministerial Ethics, which, like the Act, deals with Ministerial conduct. In several important aspects, the Standards require Commonwealth Ministers to accept higher levels of conduct than are called for in the current Victorian legislation. In particular, WEL notes that:

- Lobbyists will be required to register their details publicly on a Register of Lobbyists to be established by the Department of the Prime Minister and Cabinet before seeking access to Ministers or their offices;
- Ministers will be required to undertake that, when they leave office, they will not seek to have business dealings with members of the Government, the Public Service or the Defence Force on any matters that they dealt with in an official capacity in the preceding 18 months;
- Electoral fundraising at The Lodge and Kirribilli House will be prohibited;
- Ministers will be required to divest themselves of all shareholdings other than through investment vehicles such as broadly diversified superannuation funds or publicly listed managed or trust arrangements.

We believe that the conduct of the Parliament would be enhanced by the appropriate adaptation of the Commonwealth standards to Victorian circumstances.

The Committee should also consider

- a provision for government members to report to their electorate on a 6 monthly basis on how they personally have performed in the past 6 months, particularly in regard to any promises made. These promises may have been altered but this information needs to be made available to each electorate. This measure is aimed at greater accountability of members to the voting public.
- a requirement for Parliamentarians to invite members of their electorate on at least a yearly basis to make known their ideas, complaints etc. This should involve cost free access to all members of their electorate. This particularly should apply to ministers.
- a requirement that Parliamentarians affirm their commitment to equal opportunity for all Australians after being sworn in or elected for the first or subsequent times. The

opening of parliament on each occasion would be a suitable time for such commitment

- sanctions for subverting the democratic process by means of bribes, branch stacking or such practices.
- sanctions --even dismissal of any member who receives or gives monies to any party identified as associated with him or her.
- An independent body should be developed to manage, and assess the codes of conduct and the register of interests and any complaints about any conflict of interest.
- Members who meet lobbyists should also arrange to meet relevant community lobby groups so that a balanced approach is maintained.
- Restrictions of employment of ex politicians and their staff members for an 18 month period on working for a lobbying group, company, boards that are or intend to be under contract with government.

We also believe that Section 2 (e) needs to include all financial organisations not just trusts. Finally, well notes that as a consequence of its age the Act has been drafted using gender exclusive language.

WEL appreciates having had the opportunity to make its views known to the Committee.