



Submission to Senate Finance and Public Administration Committee

On

Citizen Initiated Referendum Bill 2013

The Liberal Democratic Party supports the Citizens Initiated Referendum Bill 2013. We recommend that it be:

1. Expanded to apply to legislation generally (as detailed below), or
2. If this is not achievable, adopted as proposed on the grounds that it would establish the principle of citizen initiated referendums.

We fully agree with the proposition that Citizens Initiated Referendums (CIR) promote greater accountability in public decision making, given the assumption that Government is a servant, not a master. CIR would introduce a new discipline on politicians and bureaucrats.

We also consider CIR would encourage greater democratic participation by the general public.

Our reservations regarding the Bill are as follows.

1. It would only apply to proposals to amend the Commonwealth Constitution rather than legislation in general.

We recommend that CIR be applicable to all laws to enable them to be struck down. We have complete faith in the Australian public to know better than bureaucrats and politicians as to which laws should no longer remain in effect.

2. The Bill will require a petition containing the signatures of at least 1% of all Australian electors.

We prefer this to be 2% in order to reduce the potential for referendums to be conducted on matters viewed as trivial by most electors.

3. The Bill requires that a referendum must satisfy S128 of the Constitution, meaning it must be passed as an Act and achieve a majority of votes in a majority of states.

This is unavoidable if CIR is limited to constitutional matters. However, if it is expanded to allow the striking down of legislation, a referendum should not require parliamentary approval.

The purpose of CIR is to engage the citizenry as a part-time, voluntary, “third house of parliament” that exercises a “citizen’s veto” over bad government policy.

We recommend amending the Bill to allow CIR in the case of all legislation, with constitutional amendments the only category requiring prior parliamentary approval.

4. The Bill specifies the dates on which referendums may be held, being the first Saturday of October in 2016 and every fourth year thereafter.

This is restrictive and will lead to unnecessary expense.

We recommend referendums be held concurrently with federal elections (House of Representatives). This will enhance participation and minimise logistical issues and the cost to taxpayers.

Contact

David Leyonhjelm
Registered Officer