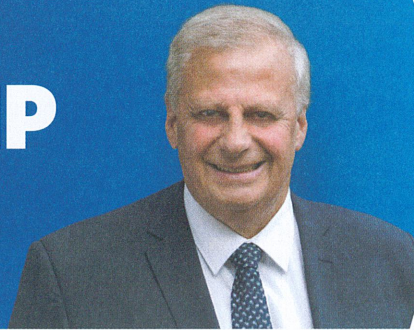


Kim WELLS MP

MEMBER FOR ROWVILLE

Shadow Special Minister of State
Shadow Minister for Counter Terrorism
Leader of Opposition Business



Monday, 7th December 2020

Warren McCann
Chair
Victorian Independent Remuneration Tribunal
Suite 1, Ground Floor, 1 Treasury Place, Melbourne, VIC 3000

Dear Chair,

RE: Liberal Nationals response to Members of Parliament Guidelines Consultation Draft 2020

Thank you for your work in preparing the Members of Parliament Consultation Draft 2020, and the ability for us to provide feedback. On behalf of the Liberal Nationals Coalition, I am seeking further clarification on the following sections:

Section 9 Prohibitions on Party Political Activity

- 1) (g) Communicate attacks or make non-factual derogative or personalised statements against political opponents.

The Opposition's role is to hold the government to account and therefore assume that we can use the Electorate Office and Communication (EO&C) Budget to be critical of *policies of the government* in our flyers to our Electorates without being in breach of 9 (1) (g).

The Opposition is not questioning the undesirability of funding 'attacks,' or non-factual or personalised statements against political opponents through the EO&C Budget, but the identification and promotion of an alternative policy position can be made more difficult, if one is prohibited from illustrating how current laws may be deficient.

Could the Tribunal please clarify this point?

Section 13 Authorship and Identification requirements for Communication Materials

- (3) A member may include the name or logo of their political party in communication materials in whatever manner the Member wishes to refer to their political party.

This change is welcomed by the Opposition. For clarification, if the Government wishes to refer to itself as the "Andrews Labor Government", are Opposition MP's then allowed to refer to the Government in our flyers and communications to the Electorate, as the "Andrews Labor Government"? The section refers to "their political party" which we accept but seek clarity on which terms we may use to refer to the Government, or other political parties.

Section 15 Distribution of Communications Materials

(1) Subject to guideline 15(2) a Member may only distribute communication materials claimed under the EO&C Budget within their electorate.

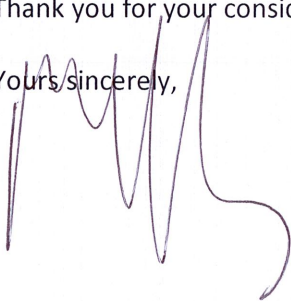
Shadow Ministers are disadvantaged by this section, due to its restrictive nature. For example, the Shadow Minister for Emergency Services may want to consult Statewide on CFA reforms and wishes to communicate Statewide accordingly. This section prevents him from doing so, however the Minister for Emergency Services can use departmental resources to perform the same role.

If it is permissible for an office holder to attend and be compensated for legitimate public duties outside of their electorate and for an office holder's staff to assist with the development or review of legislation or proposed legislation then so too it should be permissible for an office holder's EO&C Budget to be used in a similar manner.

We seek advice on how this inequity can be resolved.

Thank you for your consideration and I look forward to your response to our three queries.

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'KIM WELLS', written in a cursive style.

KIM WELLS MP
State Member for Rowville
Shadow Special Minister of State
Shadow Minister for Counter-Terrorism
Manager of Opposition Business
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