

**Fianna Fáil**

**Initial Dáil Reform Policy Paper**

**March 15<sup>th</sup> 2016**

**Creating a 21<sup>st</sup> Century Oireachtas**



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# Creating a 21<sup>st</sup> Century Oireachtas

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# **Introduction**

## **Why Real Political Reform is needed.**

There have been major changes in our political system in the years since independence. These include the adoption of a constitution which can only be amended by the people and Ireland's membership of the EEC, now the European Union. Yet the basic structure of the political system, and the core balance of powers within it, remains largely untouched.

Since 1937 our economy and society have changed in many profound ways. Our people have a dramatically higher level of access to education, they work in industries which have only existed for a short period and they live in different communities.

This document was prepared for the Oireachtas Committee on Reform that was agreed on March 10<sup>th</sup> and it contains commitments from our party's Reform Document which was published in 2013 and commitments made in our General Election manifesto.

***The Irish people and their country have changed but their political system has not.***

The stability of the political institutions of a state is a very positive factor. Ireland should be proud to have one of the oldest written constitutions in the world – which was the first one adopted by referendum in a democracy. However there is compelling evidence that we have failed to evolve our system appropriately. The Irish political system has been too slow to respond to the public demand. We have a 19<sup>th</sup> century parliamentary system in the 21<sup>st</sup> century.

The increased numbers of elected independents demands that the Oireachtas changes how it responds to deal with daily issues. The way the country is governed also needs to change.

In 2011 all parties agreed with this basic analysis and accepted that simply changing the make-up of government would not address the clear flaws which had been revealed. Yet over the course of the last government there was a concerted push to actually reinforce all of the central elements of our political system.

***The lessons of the crisis will not have been learned if the basic structures of the***

***political system remain unreformed.***

Past political failures will continue to reappear if there is no substantive reform. We need to grasp the opportunity of the 32<sup>nd</sup> Dáil to implement real reform.

## **Ireland in an International Context**

There is no set model for how a state's political system must be designed in terms of the balance of powers and responsibilities between different levels of the state and between Government and parliament.

***However it is clear that Ireland's system is unique and fails to meet key criteria found in similar sized and comparable European countries.***

There is effectively no separation between parliament and executive, with the latter exerting near absolute control over the former. They have the ability to adopt or discard procedures nearly at will. The review of policy is limited and government controls every committee which oversees the working of government.

While much of our system is an evolution of the Westminster model, there are now major and growing differences between our systems. While the United Kingdom has increasingly devolved government, significant and independent parliamentary oversight and ways of bringing external expertise into politics none of these can be found in our system.

In other northern European mid and smaller-sized countries the political systems are even more radically different. Measures to ensure parliamentary independence of government are regular features, as are powerful local and regional authorities.

***We believe that Ireland's current balance of powers within the political system is deeply flawed and is at the root of many of the failures of the system in the last decade.***

## **Freeing the Oireachtas from Complete Government Control**

By definition, in parliamentary democracies it is the majority of parliament which determines who forms the executive. As a result there is always a close relationship between them and there is a presumption that government business will form the largest part of parliament's

agenda.

***Where Ireland is different from all other parliamentary democracies is the sheer scale of the domination of parliament by government.***

Article 28.4.1 of Bunreacht na hÉireann says that “The government shall be responsible to Dáil Éireann” but this is completely undermined in practice. For example:

- There is a constitutional ban preventing any non-member of government even getting a vote on a proposal which involves spending money.
- The Dáil’s order of business can only be set or altered on the proposal of government.
- No private member’s bill can be brought to a final vote without government approval.
- Government has the power (highly unusual internationally) to disregard standard time and consultation rules for considering legislation.
- Constitutionally cabinet ministers must be serving members of parliament and this is added to by a statutory requirement that Ministers of State also be members of parliament. This means that in practice that they form nearly 1/5<sup>th</sup> of the Dáil.

The impact of this can be seen every day in the Oireachtas. Ministers rarely accept any substantive inputs from other Oireachtas members and the clearance of a policy or bill by the Cabinet is effectively the same as it being enacted. In a significant change from historical precedent, even constitutional amendments are now produced with little notice or advance debate.

The net effect of this is that legislation and policy are adopted with minimum real review and the work of the Oireachtas is more concerned with political campaigning than governing.

***We believe that freeing the Oireachtas from the absolute control of government is the single most important reform which is required.***

This can be helped through a range of measures which can be adopted immediately, but the most important and radical changes will require constitutional amendments. This short policy paper is based on our 2013 Real Political Reform document. For ease of use it is divided into short, medium and long term measures that should be introduced.

# **Short Term Measures**

## **Reforming the daily work of the Oireachtas**

The primary issue for the Oireachtas is not the amount of time it spends in session but the quality of the work it performs when it is in session. The reforms which we propose to end the government's absolute control of all elements of the Oireachtas would have a transformative effect. Separate from these measures there are many smaller actions which should be taken which would significantly improve the daily work of the Oireachtas, At present the procedures and standing orders directly work against accountability and effectiveness. We believe that these can and should be addressed immediately.

- Rather than being subject to short-term changes by the government chief whip, Dáil sessions should be clearly set out in a calendar at the start of each year and formally adopted. This would include marking specific time for committee work.
- Cabinet meetings should be held on Mondays.
- The Dáil should convene on Tuesday mornings. Questions should be scheduled before lunch with the Order of Business being held at 2.30.
- Topical questions should be answered by the Minister.

## **Reforming Dáil Questions**

Few areas of the Dáil's work are as discredited as the handling of questions to members of the government. Members have no mechanism for ensuring that questions are answered properly and abuses have developed whereby ministers are using loopholes to avoid being accountable for their own statements.

Significant reform is required in order to ensure that Dáil questions achieve the objective of allowing members to oversee the work of government.

- As a basic principle, a session of ministerial questions should be scheduled for every day when the full Dáil meets.
- The removal of the second period for questions to the Taoiseach and the Taoiseach's approach to these questions has meant that it now takes months for questions to be reached and they are mostly placed in very large groups with questions covering disparate topics.
- The second period for questions should be reintroduced.
- Where a member of government makes a request to the Ceann Comhairle to disallow a question, the deputy concerned should be informed of this and given an opportunity to respond before a ruling is made.
- A new Standing Order should be introduced to the effect that the Ceann Comhairle may rule that a member of government has failed to address a clear question asked by a Deputy. We accept that it cannot be required that the answer be to the Deputy's satisfaction, but the subject matter of in-order questions must at least be addressed – even where this amounts to a statement that the member of government does not wish to answer the question.
- Standing Orders should be amended to ensure that a member of government is accountable for all of their personal acts as a member of government rather than purely those areas where they have administrative responsibility. It is not acceptable that, for example, the Taoiseach frequently refuses to answer questions about his statements and meetings on the basis that another member of government has responsibility.
- Standing Orders should be amended to reduce the repeat period to one month. If the answer is unchanged this will involve no cost – but it avoids a situation where ministers can fail to answer a question properly and the issue is ruled out of order for the following four months.
- Standing Orders should be amended to allow Deputies table questions on matters which are scheduled for debate. The prohibition is an unreasonable limit on the ability of Deputies to get direct answers to serious issues.
- Deputies have to give four days' notice when placing a priority question. This needs to be changed to one day's notice.
- Standing Orders should be amended to allow Deputies to address a topic if it is raised by a member of government during a reply.
- Standing Orders should be amended to require that at least 24 hours' notice be given to Deputies of any intention to group a question or questions asked by them into a group with three or more questions. In addition, Deputies should have the right to

appeal to the Ceann Comhairle against such a grouping where they believe that the subject matters addressed in the questions cannot be reasonably related to each other.

- To ensure that basic accountability continues at all times, during Dáil recess periods each Deputy should be entitled to table at least one question per day.
- Standing Orders should be amended to require that the Ceann Comhairle shall endeavour to ensure that members have an opportunity to ask supplementaries relating to each of their questions and that where less than six minutes time has been left to deal with a group which consists of questions the prohibition on reasking the question should not apply.
- Leader's questions should be proportionate and should be rotated in an equal way over an agreed time frame.

## **Reforming the Order of Business**

One of the more absurd facts about Dáil Éireann is that Deputies are only allowed to ask questions about the ordering of business once the business has already been voted on. There is effectively no way for a Deputy to legitimately ask in the Chamber for the scheduling of an item of business or to ask why a particular agenda is being proposed.

- The control of the ordering of Dáil business should be reformed in line with the proposal for a new 'Regular Order'.
- Voting on individual items on the Order of Business should be taken at the end of questions relating to the Order of Business.

## **Reforming Private Members' Business**

The handling of private members' time by the government has increasingly reduced it as a period where non-government parties and groups can put forward a motion and expect to have it considered. Even when private members' legislation is not opposed by the government at second stage, it used its control of full Dáil agenda to prevent it going any further.

- A motion proposed during Private Members' time should be voted on as proposed, subject only to cases where an amendment is accepted by the proposer.
- Once passed, a private members' bill should automatically be scheduled for further stages.



- Where it is not on the Order Paper for that week's Private Members' Time, a member should be enabled to withdraw a motion or piece of legislation from the Order Paper at any time and in writing without having to raise it in the Chamber. This will allow for a more up to date Tuesday Order Paper.

## **Reduce ministerial Control of the parliamentary agenda.**

*Article 17.2 of the constitution states that:*

***“Dáil Éireann shall not pass any vote or resolution, and no law shall be enacted, for the appropriation of revenue or other public moneys unless the purpose of the appropriation shall have been recommended to Dáil Éireann by a message from the Government signed by the Taoiseach.”***

This provision has its origins in early-modern England and the idea that a ministry must fall if it does not fully control the state's finances.

This already restrictive provision is brought much further by the Standing Orders of the Dáil which provide that no Dáil business may be set or amended except on the proposal of the Taoiseach or a Minister.

In addition, government amendments take precedents in all business, so it is rare that a non-government motion is actually brought to a vote. Private Members' motions are nearly always immediately amended by government to praise its own record and opposition Deputies are then required to vote against a motion which they put down.

The current rules also state that when the time allocated for a Committee or Report Stage elapses all proposals in the name of the relevant minister are automatically passed and all in the name of individual deputies automatically fall – whether or not there has been any debate on them.

In practice this means that all parliamentary business is managed directly by the government chief whip's office and government can easily amend procedures on short or no notice in order to suit its own interests. The dramatic extension of the use of guillotine motions, which limit debate, has been so corrosive that even the Chairperson of the Fine Gael Parliamentary Party has referred to his government's treatment of the Dáil as “deplorable”.

Guillotine motions, once limited to proposals of great urgency accelerated in use during the last term. This situation is unique in parliamentary democracies. The predominant model is for formal statutory, and sometimes even constitutional, rules to ensure that proposals brought to a vote in parliament have been subject to standard review. (this wider issue is addressed later in the context of introducing a new principle of 'Regular Order')

The complete control of the parliamentary agenda by government must be removed. Standing Orders should be reformed to include the following requirements:

- The concept of Regular Order should be introduced setting out a strict guideline for consideration of legislation which can only be amended in exceptional circumstances
- No proposal to set or amend the order of business should be made unless there has been a minimum of 2 hours' notice given to all groups. The only exceptions should be where there is cross-party agreement.
- Where the time for debate of amendments has elapsed members should be entitled to request votes on a minimum number of both government and opposition amendments.
- Motions proposed during Private Members' Business should be voted on as proposed and without a government amendment save where the proposer accepts such an amendment.
- Any 20 members of the House should be entitled to propose an amendment to the order of business. To prevent abuse, each member should be limited in the number of times they can propose such an amendment during a given week.
- In the medium-term, and as part of a wider package of reforms to government and the Oireachtas, a referendum on the repeal of Article 17.2 of Bunreacht na Éireann should be held. If passed, this would assert the principle that all members of parliament have an equal role to play in the work of parliament.

## **Allow Independent Committees**

Oireachtas Committees do much good work but their general impact on the legislative and policy agenda set by government is small. Their capacity for independent action is limited by a combination of small resources and tight government control.

There is no consistent model internationally for how parliamentary committees should work,

but the extent of government control in Ireland appears to be unique. In the current Dáil this has reached the extent that, for the first time ever, no opposition TD holds any position on a committee overseeing a government department which would allow them to influence the agenda.

The most important changes required to allow committees to operate independently of government control are:

- The chairpersons of all committees should be allocated between groups on the basis of the d'Hondt proportional allocation process.
- Each committee overseeing the work of government departments should publish a review of the department's work based on research undertaken by the Office of Policy and Economic Oversight.
- Each formal report of a Committee should be debated in the Dáil chamber for at least one hour within a month of publication – which debate would include a formal government response.
- Committees should be formed within one week of the appointment of a government following a general election.

## **Reform Cabinet Procedures**

As outlined in an earlier section, the Irish cabinet is unusually powerful, with legislation clearing the cabinet being effectively enacted.

While little of the work of cabinet is available for public scrutiny, it has become clear that it has largely been reduced to a rubber-stamp exercise for proposals decided elsewhere. The evidence suggests that the most recent Budget was not discussed in any meaningful way by cabinet and a four member committee has become the principal place where decisions are taken.

We believe that there is a need to reform key elements of how cabinet operates in order to ensure that matters are fully discussed.

- The principal weekly cabinet meeting should be moved to Monday, thereby giving more time for the meeting and allowing all proposals relevant to that week's sitting of Dáil Éireann to be circulated in advance of the Tuesday sitting.

- When a measure is published following cabinet approval it should have attached to it a statement of the dates upon which the measure was circulated to ministers and whether a shortened time for consideration was used.
- All cabinet papers should be circulated with enough time for proper consideration and response.

The chairperson of each cabinet committee should appear before a relevant committee each year to outline the specific outcomes of the committees work in the previous year

## **Office of the Ceann Comháirle**

We believe that a strengthened office of Ceann Comháirle is a key element of ensuring the greater independence of the Oireachtas from government control. It is a constitutional office which has the potential to have a much greater impact.

As currently constituted the intent of the Constitution is that the Ceann Comháirle's independence is ensured by removing the need for the office holder to seek reelection at the next general election. This brings with it a number of serious problems. Unlike the Westminster precedent, where the Speaker is a powerful and independent office holder, there is no expectation that the Ceann Comháirle will remain independent of party connections after stepping-down.

Equally of concern is the fact that the representation of individual constituencies is limited when a Ceann Comháirle accepts automatic re-election.

We propose strengthening the Ceann Comháirle's in the following ways:

- All future votes for Ceann Comháirle should continue to be by secret ballot with candidates for the office addressing the Dáil in advance of the vote to set out how they propose to carry out the role.
- A strengthened Office of the Legal Counsel (see above) should be available to assist the Ceann Comháirle in his/her work.
- The Ceann Comháirle should take the primary role in ensuring compliance with the new Regular Order.
- In addition, we believe that the current system of ensuring the reelection of the Ceann Comháirle through the reduction of the number of seats in his/her constituency is unacceptable because it is unfair to constituents to reduce the number of TDs they can choose. Therefore we propose:

- That the automatic re-election of the Ceann Comháirle be continued but that this not be achieved by reducing the number of TDs elected by his/her constituents.

## **Medium Term Measures**

### **Increase independent review of policy by the Oireachtas**

A parliament which is capable of reviewing policy in detail must have an independent and expert policy service available to it. In the last decade a new Oireachtas research section has been developed and it is relied upon by members to provide essential briefing material. It is, however, small and under-resourced in comparison to those available in other parliaments. As a result, members of the Oireachtas rely overwhelmingly on government supplied information to help review fundamental issues such as the fiscal impact of proposals.

In relation to the vital area of fiscal and economic policy, the Oireachtas has an extremely constrained capacity to determine the likely impact of any proposal. In an absurd feature of the Irish system, the Oireachtas is not entitled to see the legal basis for most of the proposals placed before it. The Attorney General, who is effectively a member of the government, provides these legal opinions to ministers but they are never released to legislators.

In the United States the Congressional Budget Office independently reviews all legislative and policy proposals coming from members of Congress and the executive. It is established by legislation and is seen as the most respected and reliable arbiter on policy issues. Similar research offices exist in other parliaments.

There must be an independent counterbalance to Government's control of the documents used to inform Oireachtas actions.

We believe that an *Oireachtas Office of Policy and Economic Oversight* should be

established by legislation under the remit of the Fiscal Advisory Council.. Staffed solely by independent persons with a mix of contract and permanent staff, the Office should have the statutory right and obligation to:

- Give an assessment of the fiscal, economic and wider implications of all proposed legislation including Budgets.
- Publish a regular review of fiscal and economic projections adopted by government.
- Provide members of the Oireachtas with formal statements about specific policy questions (for example whether the research evidence supports a policy announcement of government).
- Within the Office a Regulatory Oversight Division should be established which can provide the required expertise to ensure that the Oireachtas can properly oversee the work of state regulatory authorities.
- Where more than 20 TDs request this, a publication of the Office should be brought to the floor of the Dáil for formal debate within four weeks of publication or before the relevant matter is brought to a vote.

The *Office of the Legal Counsel to the Oireachtas* should be expanded and given a more formal statutory role in relation to the review of legislation and policy. This would include:

- The duty to publish a formal review of the legal basis and background to all proposals to be decided by the Oireachtas.
- Where more than 20 TDs request this, a publication of the Office should be brought to the floor of the Dáil for formal debate within four weeks of publication or before the relevant matter is brought to a vote.

## **Require proper reviews of all proposals before parliament (Regular Order)**

The extent to which our government controls the rules of the Oireachtas means that they can push through legislation without meaningful review. There are many cases internationally where the rules of parliament, and sometimes even constitutional rules, require quite a rigid legislative procedure.

We fully accept that there needs to be an ability to introduce emergency legislation and there must be protections against the filibustering of proposals. However, the current situation is such that more legislation than ever is pushed through in an unacceptable manner. Opposition groups have shown their good-faith to being flexible in timetabling measures, but

the abuse by government of its powers is now out of control.

Even where measures are uncontroversial and the time for debate is not an issue, the current system ensures that legislation is often introduced in a policy vacuum. For example Green and White Papers (which set out options and then proposals on policy areas) are now rarely published. Explanatory and Financial Memoranda provide only the most basic factual statements.

***As a basic principle, before any measure becomes law it should fit within a clear policy strategy, have its impact independently assessed and be subject to detailed parliamentary review.***

In order to meet this standard we believe the concept of Regular Order should be introduced for all proposals brought before the Oireachtas. This would set out a minimum timetable for the consideration of proposals and require the provision of set standards of information before debate could commence.

Regular Order for legislation would require:

- Legislation must be published at least four weeks before the start of parliamentary consideration.
- Legislation must be accompanied with a detailed statement of the policy strategy within which it fits and include an impact assessment. This would go well beyond the proforma explanatory memorandums currently published and should, preferably, involve White Paper statements of strategy.
- The Offices of Policy and Economic Oversight and Legal Counsel should provide an independent assessment of the legislation not less than one week before the beginning of parliamentary consideration.
- Standard minimum times for each stage should be set. Only when these have elapsed should a government motion for ending debate be considered.
- Where a debate is brought to a conclusion by a time limit any amendments standing in the name of the government which involve a substantive policy matter should be open to being voted on (this to be ruled on by the independent Offices). In addition each opposition group should be entitled to insist on at least two further amendments being open to a vote.

- All substantive amendments should be submitted in time to allow a review by the Offices of Policy and Economic Oversight and Legal Counsel.
- Where a Private Members' Bill passes Second Stage it should be automatically entitled to proceed to subsequent stages within set time periods.
- Alterations to Regular Order should require agreement with Opposition Groups.
- Where government proposes a measure as being required due to an emergency situation, set minimum times for debate should be required which should include a period for questions. In addition, a formal statement from the Attorney General stating the legal basis for requiring emergency legislation should be published.



# **Long Term Measures**

## **Reforming the Work of Ministers & Government**

Once nominated by the Taoiseach Irish ministers, both collectively and individually, have an unusually high level of independence and power. The changes we propose to the work of the Oireachtas would radically improve the quality and impact of the review of policy and legislation. We believe that a further series of significant reforms are required to how ministers are appointed, the setting of their work programme and the expertise available at ministerial level.

### **Open Up Ministerial Office to Non-Politicians**

At present the Constitution requires that all members of cabinet be members of the Oireachtas and legislation requires the same for Ministers of State. The Irish political system recognises no distinction between the role of legislators and ministers – and requires that all ministers be politicians. This combination of no separation of roles and closed-access to office is highly unusual in the international context.

We do not believe that there is any reasonable basis for closing off ministerial office to experts who are not, and do not wish to be, politicians. In addition, we believe that the joint roles of legislator and minister undermine parliament by making its work subject to a 'block vote' of ministers and removing nearly 1/5<sup>th</sup> of TDs from the daily work of the Dáil.

We believe that there needs to be a radical opening up of ministerial office and a move to separate the roles of legislator and minister.

- Ministers should not be members of the Oireachtas while they hold office.

- When members of the Oireachtas are appointed to Cabinet they would be replaced by an alternate while serving as a minister. The alternate would be on a list published at the time of the election, in a similar way to European Parliamentary elections.
- Ministers would continue to require approval by the Dáil, attend, answer questions and participate in debates but would not have votes.

This system would allow them to devote significantly more time to their ministerial duties and increase the number of Oireachtas members participating in all parliamentary duties.

- Persons who are not members of the Oireachtas would be allowed to be appointed to serve as ministers.

These changes would require a significant constitutional amendment. However the same is not the case for ministers of state.

- Legislation should be amended to allow for non-members of the Oireachtas to hold the position of Minister of State (this position is referred to as 'State Secretary' in most countries).
- A person proposed by the Taoiseach to hold such an office should be subject to a confirmation hearing in committee and vote in the Dáil within four weeks of being proposed.

## **Reform the Ministerial Appointment Process in the Dáil**

The current procedures for a person taking up office as a minister are simple and involve no discussion of their agenda. When the Taoiseach nominates ministers a short debate is held which is followed by a vote and appointment by the President. The entire process rarely takes more than a few hours.

We believe that there is no need for this rushed procedure. Given the scale and importance of the role of ministers a new approach is required to the appointment process. This can be achieved without requiring a constitutional amendment.

- The debate in the Dáil on a nomination for the role of minister should take place a minimum of 48 hours after the Taoiseach has announced the nomination.
- The person nominated by the Taoiseach should speak near the opening of the debate and set out a brief statement of what they wish to achieve in the office.

- When the Taoiseach is nominating more than one minister, each nomination should be subject to a separate vote.
- Should they succeed in the Dáil vote and be appointed to office, each minister should be obliged to present within four weeks a statement of policy priorities to the relevant committee. Should the committee pass a motion opposing the statement of priorities the full Dáil would consider a motion to end the appointment of the minister – which vote would not be considered a vote of no confidence in the government as a whole.

## **Reforming Voting and Elections**

The regulation of political activity in Ireland has been completely changed in the last 20 years. Ireland now has one of the strongest systems of control of electoral funding and spending in Europe.

In contrast there has been very little change in other aspects of our electoral systems.

In relation to the voting system, we support the retention of the direct link between voters and their representatives. We believe that this could be augmented with a national list in a similar manner to the systems found in many European countries. Given the importance of other reform measures, and the strong public attachment to the existing system, we see this as a longer-term issue.

## **Reform the administration of elections**

While they are run to a very high degree of integrity, there are clear issues which need to be addressed in the oversight of our system of voting.

- The absolute requirement to maintain public confidence in the administration of our elections requires that an independent Electoral Commission be established by legislation.
- The Commission would include the work carried out by the ad-hoc referendum commissions and the Standards in Public Office Commission.

## **Reform Voting Procedures**

With few exceptions, polling is carried out in the same manner today as it was 90 years ago. Voting procedures are not the primary reason why turnout in our elections is lower than in other countries, but it should certainly be made more accessible.

- The constitutional requirement for polling to be, as far as is practical, on one day (Art 16.4.1) should be amended to allow for a more flexible approach.
- We would support a standard polling procedure found in some parts of Europe where polls are open on Friday and Saturday. Counting would be on Sundays.
- The predominant model of voting should remain in-person but greater flexibility should be allowed for casting a ballot on advance.

## **Reform the administration of Referenda**

Referenda are by far the least well managed part of our voting procedures. The recent judgement against the government's information campaign on the children's referendum is one part of this.

However, much more significant is the ability of outside groups with opaque financing to distort referenda campaigns. Political parties operate under a much tighter level of oversight and limits.

- As part of the new system of 'Regular Order' proposed for the Oireachtas, standing orders should require that a minimum of six weeks pass between the publication of a proposed amendment to the constitution and the final passage of the legislation by the Oireachtas.
- No government-funded 'information campaign' should be allowed in the period between the publication of the proposal and polling.
- The Electoral Commission should be responsible for all matters relating to promoting awareness of a referendum proposal and high turnout.
- The Electoral Commission should have the power to audit all records of bodies registered for the purpose of spending during a referendum campaign. The requirement for limits on donations and spending, record keeping and disclosure should be set at the same level as applies to political parties.