

11th August 2019

Manager,
Black Economy Division,
The Treasury.

Dear Manager,

I am writing to you to express my strong concern for, and opposition to, the following recent legislation proposed by the Treasury:

- Exposure draft - Currency (Restrictions to the Use of Cash) Bill 2019;
- Exposure draft - Currency (Restrictions to the Use of Cash - Excepted Transactions) Instrument, 2019; and
- Exposure draft - Currency (Restrictions on the Use of Cash) (Consequential Amendments and Transitional Provisions) Bill, 2019.

It is my understanding that the proposed bills are intended to lessen the threat and impact of the black economy within Australia, however it would seem to me that, in doing so, the introduction of this new legislation would act as major limitations upon the fundamental civil and economic freedoms and rights of the everyday Australian, such as myself. Upon reading the recent exposure drafts of the aforementioned bills, I am not convinced that there is sufficient evidence to support the claims of the treasury in that the proposed laws will have a significant impact upon the black economy and that their introduction would be worth the damage to the freedoms and choices of the Australian people. I instead share the views put forth by the Australian Chamber of Commerce and Industry in their response to the Commonwealth Treasury's consultation paper last year (*Introducing and Economy-Wide Payment Limit*. Australian Chamber of Commerce and Industry, 2018. Access at: https://www.australianchamber.com.au/wp-content/uploads/2018/06/Australian-Chamber-submission_Introducing-an-economy-wide-cash-payment-limit.pdf).

Given the current state of the nation's economy, it is my belief that economic freedom and choice within Australia is more important now than ever. With the current 1% cash rate, where a 3-6% cash rate is ordinarily utilised to stabilise an economy, and the looming prospect of a future recession, it is my belief that every Australian should have the right and choice to protect their hard-earned wealth and be able to bypass Australia's Economic Banking System and avoid proposed future bail-in policies or negative interest rates from organisations such as the International Monetary Fund, if they so choose (*Enabling deep negative interest rates to fight recessions*. Ruchir Aqarwal & Miles Kimball, April 2019. Access at: <https://www.imf.org/~media/Files/Publications/WP/2019/WPIEA2019084.ashx>). I believe that the proposed legislation hinders the individual Australian from doing this and, in doing so, could have the potential for ordinary, hard-working Australians to unfairly suffer significant losses to their personal wealth and circumstances through no fault or choice of their own. This hardly seems to correspond to the core Australian values of respect for the equal worth, dignity and freedom of the individual and, in particular, freedom of association (*Life in Australia: Australian Values and Principles*. Commonwealth of Australia, 2016. Access at: https://immi.homeaffairs.gov.au/support-subsite/files/life-in-australia/lia_english_full.pdf).

I also raise concerns regarding the differences between the legislative instrument and the proposed bill regarding the cash transaction ban. Given the vague structures of the two documents, coupled with the misleading terminology, it appears that, if the current drafts pass as they currently stand, there could be the ability for future changes to this legislation without parliamentary objection. This is concerning as this could potentially serve as a starting point for future restrictions to the Australian public, such as the further lowering of the cash ban cap, without any public right or say. This is supported by KPMG's recommendations in its submission to the Treasury's consultation paper last year, that the \$10, 000 cap could be lowered to \$5, 000 or even \$2, 000 at some point (*Cash payment limits of \$5000 or \$2000 proposed in black economy breakdown*. Tom McIlroy, 2018. Access at: <https://www.afr.com/politics/cash-payment-limits-of-5000-or-2000-proposed-in-black-economy-crackdown-20180629-h121r0>). I understand that these changes would be aimed towards protecting the Australian economy, however in the current uncertain and unstable economic climate, I do not believe that the threats posed by a black economy should outweigh individual Australians' financial rights and choices.

In conclusion, I am strongly opposed to the aforementioned draft bills and urge the treasury and the Black Economy Division to reconsider the proposed legislation and the drastic impacts, both financially and psychologically, they could have upon undeserving, hardworking Australians in an uncertain economic climate. I suggest instead that the treasury seek to restore Australia's confidence in the banking system by properly scrutinising and reforming the system, rather than trapping innocent people within the system so that they are unable to avoid potential future negative interest rates and bail-in policies, as it is my belief that this grossly conflicts with Australia's core values.

Kind regards,
Rebecca Stockwell.
(Diagnostic Medical Sonographer)