

Tuesday 17 July 2018

Matthew Sedgwick

Consumer and Corporations Policy Division

The Treasury

Langton Crescent

PARKES ACT 2600

Dear Mr Sedgwick

Re: Trevor Kingsley Ferdinands – Submission re Modernising Business Registers

In the world of social media many people own a .com or a .com.au web page that feeds of a web site that is free. A good example would be wordpress.com or facebook.com.

What is now required is for the business registry to register all potential or all developing or all developed business across Australia in the .com or the .com.au business format.

The registration is free.

But what the registration gives is acknowledgement of copyright to all materials thus it removes the power and control of the account from the owner of the web page to the account user.

This now constitutes the most important part of modern business registration in world history.

It also means every name as an individual is marked as a business name. The business does not have to trade, send out invoices, own bank accounts or pay tax but all it does is gives a person holding the account exclusive rights in law to hold the account.

Recently in Europe a person died. They had a web page with facebook.com. The family asked for the password and wanted to keep the Facebook web page alive. Facebook said no. The family took Facebook to court. The Family won the rights to have the web page kept alive and well. What did the judge say? Interestingly he said it was inheritance law and that every user had a will and had a right to dispose of his property to his family thus the .com that he owned that was part of Facebook was now not actually part of Facebook but part of an estate and a will. This is so important because account users are creating accounts daily with great creative works and those works are being shut down by Facebook moderators. Works including hate speeches, racism, violence and suicide are all art. If you

don't like it go read Mary Poppins or watch the Sound of Music for the umpteenth time but in the modern world children don't have money and because Facebook and all others lure them and entice them to open accounts these accounts now need to be protected in law.

I now propose a fine of \$100,000.00 for any social media company that has shut down an account or is threatening to shut down an account. The fine is two-fold, \$50,000 is passed on to the account user, and \$50,000 is passed on to the Federal Government to bring an action in the Federal Court of Australia to protect the account and account user.

There are some dozen new laws and proposals I have for the major social media companies operating from the USA in Australia.

Sadly I cannot pass on all I want in this Treasury report but should there be a full blown social media inquiry in Australia then I will submit my proposals including \$1 billion dollar fines against social media companies for illegally selling data to China and other foreign counties, and selling data to other Fortune 500 companies without consent.

With some social media giants having almost 50% to 80% per cent of the population then there appears to be a lot of work for the new business registrar and business registrations.

WHAT IS THE POINT OF SOCIAL MEDIA BUSINESS REGISTRATION

The point is it gives people a start-up. As they grow and develop they have access to markets. Today many shops are closing, even the big shops because rents are too high. Many people shop online. There are no rents online. If any government decided to bring in rents on line they would be voted out. The internet is free and should be free of all sorts of business taxes, charges and levies. There have been people in the past who have sought to capitalise on the booming internet and bring in charges, levies and fees and these people simply have no idea about the internet and are only in law and politics for the quick buck.

When certain retailers in Australia were going broke they winged because all their money and sales were being done on the internet and the government (Turnbull government) wanted its finger in that pie. Thus were glean from this that where ever business is doing well government want to tax, and tax and tax the people for their initiative and creativity. This off course is communism. There are many communists in federal politics who call themselves Liberals.

The internet should be a free trade zone. But not a free from law or laws zone because fraud and misrepresentation are as big an issue with the community and stock market as they are with the internet.

The point is also protection of copyright including photos, music, plays and songs even conversations. The social media companies have skipped around copyright and abused copyright. Now, with business registrations each person has a right to stat in court that their copyright attached to a .com or a .com.au has been breached and they seek royalties.

A business registered early does not need to undergo a change and can easily be given an ABN number to support the Business Registration number. Again, a BRN need not trade but it can have protections in law as an entity. As one knows to bring an action one must be a person or an entity. Here lies the problem with so many users who are non-entities but have created art works not for themselves but for the greater world. Thus, within the entity of the .com or the .com.au they are able to bring an action.

CAN A DOT COM OR A DOT COM AU BRING AN ACTION IN THE FEDERAL COURT OF AUSTRALIA?

Yes. The answer is yes because it is an entity and as seen in the inheritance law court case it has rights within itself and those claiming it as part of an estate have rights as well over the web site owners and proprietors.

WHAT HAPPENS IF FACEBOOK OR GOOGLE GO BROKE?

Bankruptcy is a part of life. Even the richest man on the earth will go bankrupt. Bankruptcy means that there shall be a new player on the block to fill the void in the market place. Any company can fold and become bankrupt. Any company can be susceptible to hackers and lose clients or face court actions and billions in fines. If the whole show goes broke then what happens to all the art work? That is the risks people take with the .com and the .com.au.

The risk is avoided if they start their own .com or own .com.au but they do not have internet traffic. With a social media company with say 300 million users or more there is always traffic....24 hours a day. If I owned www.kingsleyferdinands.com/ then there may be no traffic or very little traffic because I am not attached to Facebook or Twitter or Instagram or Snapchat or WhatsApp or YouTube or My Space.

Again, all of this is substance not fickle. As long as social media exists and opportunity exists to register and assist then there is an avenue for support from government. It would be great for all who own a social media web page with a social media web site company to be given a business registration number. Then the government can have other programs later in helping people grow their business like teaching them how to market and how to open bank accounts and transact using the net. All of this is savvy to the Sydney and Melbourne banker or investor but what about the new kid on the block who has not seen the potential of his art work or creativity or his service.

I think stage one must be to agree to link social media accounts to business registrations.

Stage two is after agreement then contact all social media companies and determine how much it will cost to place an add on all social web pages used by Australians.

Stage three is pay for those advertisements and get a program whereby from the social media web page people can click on a button and the program does the rest and transfers

data to the business registrar to create the business registration. Once that is done then regular information sessions or video or pamphlets can be made up and sent to people to develop that business.

All of this is voluntary. Many people don't even have a business or a business idea when using the internet. It is more of a look and learns experience than a learning experience. Many people do no sales on the internet. I have been on the net since 1982 and only bought anti-virus software thus I spend \$100 per annum.

But there may be others who want to build a business from home and sell goods and services. I think they need to be firstly registered and secondly protected.

This idea means that the Copyright Act 1968 (Cth) must be amended to include the words .com and .com.au.

I look forward to a reply and draft legislation being sent to me for assessment.

Yours faithfully

TK FERDINANDS