

Queensland



Electoral Act 1992

ELECTORAL REGULATION 2002

**Reprinted as in force on 1 September 2002
(includes amendments up to SL No. 223 of 2002)**

Reprint No. 1A

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

Information about this reprint

This regulation is reprinted as at 1 September 2002. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.

Queensland



ELECTORAL REGULATION 2002

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	5
2	Commencement	5
PART 2—ELECTORAL ROLLS		
3	Declaration of restricted information—Act, s 3	5
4	Prescribed information for electoral rolls—Act, s 58	6
PART 3—REGISTRATION OF POLITICAL PARTIES		
5	Prescribed documents for application for registration—Act, s 70	6
PART 4—PRESELECTION BALLOTS		
6	Model procedures for preselection ballots—Act, s 148H	7
PART 5—MISCELLANEOUS		
7	Fees	7
8	Approval of forms	7
9	Transitional provision	7
SCHEDULE 1		
MODEL PROCEDURES FOR THE CONDUCT OF A PRESELECTION BALLOT		
<i>Division 1—Preliminary provisions</i>		
1	Interpretation	8
2	Purpose of model procedures	10
<i>Division 2—Returning officer</i>		
3	Returning officer for a preselection ballot	10
4	Appointment of returning officer	10
5	Returning officer retains any right to vote in preselection ballot	11

<i>Division 3—Nomination of preselection ballot candidate</i>		
6	Calling for nominations	11
7	Matters to be stated in call for nominations	12
8	Nominations	13
9	Withdrawal of nomination	14
10	Acceptance of nominations	14
11	Closing time for membership roll	14
<i>Division 4—Preparation for preselection ballot</i>		
12	Application of div 4	15
13	Notice to candidates	15
14	Matters to be stated in notice to candidates	15
15	Preselection roll	16
16	Inspection of preselection roll	17
17	Preselection ballot papers	17
<i>Division 5—Preselection ballot</i>		
18	Voting	18
19	Preselection ballot box	18
20	Issuing ballot papers	18
21	Issuing a postal vote	18
22	Declaration envelope for postal vote	19
23	Postal voting	19
24	Attendance voting	20
25	Voting assistance	20
26	Counting votes for a preselection ballot	21
27	Scrutineers for a preselection ballot	22
28	How preselection ballot result is decided	23
29	Certification of result and preselection ballot report	23
30	Documents to be retained	24
	SCHEDULE 2	26
	FEES	

ENDNOTES

1	Index to endnotes	27
2	Date to which amendments incorporated.	27
3	Key	27
4	Table of earlier reprints	28
5	List of legislation	28
6	List of annotations	28

ELECTORAL REGULATION 2002

[as amended by all amendments that commenced on or before 1 September 2002]

PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Electoral Regulation 2002*.

2 Commencement

(1) This regulation, other than section 10(2),¹ commences on 6 June 2002.

(2) Section 10(2) commences on 30 June 2002.

PART 2—ELECTORAL ROLLS

3 Declaration of restricted information—Act, s 3

For section 3 of the Act, definition “**publicly available part of an electoral roll**”, paragraph (b), the following information about a person whose name is on the roll is declared to be restricted information—

- (a) the person’s sex, occupation and date of birth; and
- (b) the date on which the person is enrolled on the roll.

1 Section 10 (Repeal)

4 Prescribed information for electoral rolls—Act, s 58

For section 58(3)(e) of the Act,² each electoral roll must set out, in relation to each person, the date on which the person is enrolled on the electoral roll.

PART 3—REGISTRATION OF POLITICAL PARTIES

5 Prescribed documents for application for registration—Act, s 70

(1) For section 70(4)(g) of the Act,³ an application for registration of a political party that is not a Queensland parliamentary party must be accompanied by—

- (a) for each person who is an elector and whose name is set out in the application as being a member of the party, a copy of each of the following—
 - (i) the person’s application for party membership;
 - (ii) unless the party’s constitution provides that acceptance of an application for party membership is automatic, a document evidencing the party’s acceptance of the person as a member in accordance with the party’s constitution;
 - (iii) if the application for registration is made more than 1 year after the person’s application for party membership, a document evidencing that the person is a member of the party as at the date of application for registration; and
- (b) a list of the party’s associated entities.

(2) In this section—

“associated entity” has the same meaning as in the Act, schedule, section 287.⁴

2 The Act, section 58 (Commission to keep electoral rolls)

3 The Act, section 70 (Applications for registration)

4 The Act, schedule (Election funding and financial disclosure based on part XX of the Commonwealth Electoral Act), section 287 (Interpretation)

PART 4—PRESELECTION BALLOTS

6 Model procedures for preselection ballots—Act, s 148H

The procedures in schedule 1 are prescribed as the model procedures for the conduct of a preselection ballot.

PART 5—MISCELLANEOUS

7 Fees

The fees in schedule 2 are payable to the commission.

8 Approval of forms

(1) The commissioner may approve forms for use under the Act.

(2) In the Act, a reference to an approved form is a reference to a form approved under subsection (1).

9 Transitional provision

Despite its repeal, the *Electoral Regulation 1992*, part 3⁵ continues to apply to a return for section 314AB of the schedule to the Act⁶ in relation to the financial year ending on 30 June 2002.

5 *Electoral Regulation 1992*, part 3 (Annual returns by registered political parties)

6 The Act, schedule (Election funding and financial disclosure based on part XX of the Commonwealth Electoral Act), section 314AB (Annual returns by registered political parties)

SCHEDULE 1

MODEL PROCEDURES FOR THE CONDUCT OF A PRESELECTION BALLOT

section 6

Division 1—Preliminary provisions

1 Interpretation

In this schedule—

“address for receipt of nominations”, for a preselection ballot, means the address stated in the call for nominations as the address at which nominations must be received.

“address for receipt of postal votes”, for a preselection ballot, means the address stated in the call for nominations as the address at which postal votes must be received.

“call for nominations”, for a preselection ballot, means the call for nominations of candidates for the preselection ballot.

“closing time”, for a membership roll for a political party’s preselection ballot, means the time stated in the call for nominations as the time when the political party’s membership roll closes for the preselection ballot.

“closing time”, for a preselection ballot, means the time stated in the call for nominations as the time when the preselection ballot closes.

“closing time”, for nominations, means the time stated in the call for nominations as the time when nominations close.

“closing time”, for postal voting, means the time stated in the call for nominations as the time by which postal votes must be received at the address for receipt of postal votes.

“declaration envelope” means a declaration envelope mentioned in section 22.⁷

⁷ Section 22 (Declaration envelope for postal vote)

SCHEDULE 1 (continued)

“eligible postal voter”, for a political party’s preselection ballot, means an eligible preselection voter, who, under the party’s constitution, is eligible to vote in the preselection ballot by postal vote.

“eligible preselection voter”, for a political party’s preselection ballot, means a party member who, under the party’s constitution, is eligible to vote at the preselection ballot.

“give”, for a postal vote, includes send.

“issuing officer”, for a preselection ballot, means a person authorised by the returning officer to give preselection ballot papers to eligible preselection voters.

“preselection roll”, for a preselection ballot, means the roll of eligible preselection voters prepared for the preselection ballot under section 15.⁸

“return envelope” means an envelope given to an eligible postal voter by the returning officer so that the voter may comply with section 23.⁹

“returning officer”, for a preselection ballot, means the person appointed as returning officer for the preselection ballot under section 4.¹⁰

“voting material”, for a postal vote, means—

- (a) a ballot paper; and
- (b) a declaration envelope; and
- (c) a return envelope; and
- (d) a statement about—
 - (i) the closing time for postal voting; and
 - (ii) the address at which the return envelope must be received.

8 Section 15 (Preselection roll)

9 Section 23 (Postal voting)

10 Section 4 (Appointment of returning officer)

SCHEDULE 1 (continued)

2 Purpose of model procedures

The purpose of this schedule is to provide model procedures, for the conduct of a preselection ballot, that apply the general principles of free and democratic elections.¹¹

*Division 2—Returning officer***3 Returning officer for a preselection ballot**

(1) There must be a returning officer for a preselection ballot of a political party.

(2) The returning officer is responsible for ensuring the proper conduct of the preselection ballot.

(3) The returning officer must not improperly influence the outcome of the preselection ballot.

4 Appointment of returning officer

(1) A returning officer may be appointed for a particular preselection ballot or for all preselection ballots that close during a particular period.

(2) If a political party's constitution provides for the way in which a returning officer for a preselection ballot is to be appointed, a returning officer must be appointed in accordance with the party's constitution.

(3) Otherwise—

11 The Act, section 73A—

(1) A political party's constitution is a “**complying constitution**” if it contains the following—

(e) the rules for selecting—

(ii) a candidate to be endorsed by the party for an election or an election for a local government;

(f) a rule requiring that a preselection ballot must satisfy the general principles of free and democratic elections.

The Act, section 73A(2) states the general principles of free and democratic elections as applied to a preselection ballot.

SCHEDULE 1 (continued)

- (a) a returning officer must be appointed by resolution of the party, or the section of the party for which the preselection ballot is being held, at a meeting held in accordance with the party's constitution; and
 - (b) the appointment must be recorded in the minutes of the meeting.
- (4) For an appointment under subsection (3), the following details in relation to the returning officer must be recorded in the minutes—
- (a) the returning officer's name;
 - (b) the address of the returning officer's place of operation;
 - (c) if the appointment is for a particular preselection ballot, the preselection ballot for which the returning officer is appointed;
 - (d) if the appointment is for all preselection ballots that close during a particular period, the period of the appointment.

5 Returning officer retains any right to vote in preselection ballot

(1) If a person appointed as the returning officer for a political party's preselection ballot is otherwise eligible to vote in the preselection ballot, the person remains eligible to vote despite the appointment.

(2) Subsection (1) does not apply if the party's constitution provides that a returning officer is ineligible to vote because of the appointment.

*Division 3—Nomination of preselection ballot candidate***6 Calling for nominations**

(1) The returning officer for a political party's preselection ballot must call for nominations of candidates for the preselection ballot in writing.

(2) If the party's constitution provides for the way in which nominations of candidates for a preselection ballot are to be called for, nominations must be called for in accordance with the constitution.

(3) Otherwise, the call for nominations must be—

SCHEDULE 1 (continued)

- (a) if the party publishes and gives its members a journal or newsletter free of charge, by advertisement in the journal or newsletter; or
- (b) by advertisement in a daily newspaper circulating in the area for which the preselection ballot would be held if the number of nominations accepted is greater than the number of candidates required to be selected by the preselection ballot.

7 Matters to be stated in call for nominations

A call for nominations of candidates for a political party's preselection ballot must state the following—

- (a) the number of candidates required to be selected by the preselection ballot;
- (b) any criteria about who may nominate as a candidate;
- (c) when nominations open;
- (d) when nominations close;
- (e) the address at which any nomination must be received;
- (f) that a nomination must—
 - (i) be in writing; and
 - (ii) state—
 - (A) the nominee's surname and given names as they appear on the electoral roll on which the nominee is enrolled; and
 - (B) if the nominee would prefer names by which the nominee is commonly known to appear on any ballot paper instead of the nominee's given names as appearing on the electoral roll—the preferred names; and
 - (iii) be signed by the nominee; and
 - (iv) be received at the address for receipt of nominations by the closing time for nominations;

SCHEDULE 1 (continued)

- (g) that, if the preselection ballot is necessary because the number of nominations accepted is greater than the number of candidates required to be selected by the preselection ballot—
 - (i) how the preselection ballot will be held; and
 - (ii) when the membership roll for the preselection ballot will close; and
 - (iii) any criteria about who is eligible to vote in the preselection ballot; and
 - (iv) when and where the roll of eligible preselection voters for the preselection ballot will be available for inspection; and
 - (v) if the preselection ballot includes attendance voting, when and where a person will be able to vote; and
 - (vi) if the preselection ballot includes postal voting, the address at which, and the time by which, postal votes must be received; and
 - (vii) when the preselection ballot will close;
- (h) any other matter required under the party's constitution to be included in a call for nominations.

8 Nominations

The nomination of a candidate for a preselection ballot must—

- (a) be in writing; and
- (b) state—
 - (i) the nominee's surname and given names as they appear on the electoral roll on which the nominee is enrolled; and
 - (ii) if the nominee would prefer names by which the nominee is commonly known to appear on any ballot paper instead of the nominee's given names as appearing on the electoral roll—the preferred names; and
- (c) be signed by the nominee; and

SCHEDULE 1 (continued)

- (d) be received at the address for receipt of nominations under section 7(e), as stated in the call for nominations, by the closing time for nominations; and
- (e) comply with any other requirement for a nomination under the party's constitution.

9 Withdrawal of nomination

(1) A nominee for a preselection ballot may withdraw his or her nomination by giving written notice of the withdrawal which must be received at the address for receipt of nominations by the closing time for nominations

(2) If the nomination is withdrawn under subsection (1), the candidate's nomination is taken never to have been made.

10 Acceptance of nominations

(1) As soon as possible after the closing time for nominations for a preselection ballot, the returning officer must decide, in relation to each nomination, whether it should be accepted.

(2) The preselection returning officer must and may only accept a nomination if the nomination complies with section 8.¹²

(3) If a nomination is not accepted, the nomination is taken never to have been made.

11 Closing time for membership roll

For a political party's preselection ballot, the membership roll for the section of the party for which the preselection ballot is being held, must close at least 7 days before the closing time for nominations.

12 Section 8 (Nominations)

SCHEDULE 1 (continued)

Division 4—Preparation for preselection ballot**12 Application of div 4**

This division applies only if a preselection ballot is necessary because the number of nominations accepted under section 10¹³ is greater than the number of candidates required to be selected in the preselection ballot.

13 Notice to candidates

As soon as possible after the closing time for nominations, the returning officer must give written notice to each of the candidates for the preselection ballot whose nomination is accepted.

14 Matters to be stated in notice to candidates

(1) The notice to candidates for a political party's preselection ballot must state the following—

- (a) how the preselection ballot will be held;
- (b) if voting is to be entirely by attendance voting, when and where a person will be able to vote;
- (c) if voting is to be entirely by postal voting—
 - (i) the closing time for postal voting; and
 - (ii) the address at which postal votes must be received;
- (d) if voting is to include attendance voting and postal voting—the information mentioned in paragraphs (b) and (c);
- (e) that a candidate for the preselection ballot or a party member may inspect the preselection roll—
 - (i) free of charge; and
 - (ii) at the address stated; and

13 Section 10 (Acceptance of nominations)

SCHEDULE 1 (continued)

- (iii) at the times stated and during the period that starts the day after the closing time for nominations and ends 30 days after the closing time for the preselection ballot;
- (f) that a candidate may appoint a scrutineer to act for the candidate;
- (g) any other matter required under the party's constitution to be included in a notice to candidates about a preselection ballot.

(2) The information in the notice, including, for example, when and where a person will be able to vote, must be consistent with the information in the call for nominations.

15 Preselection roll

(1) The returning officer for a political party's preselection ballot must prepare a roll of eligible preselection voters from the membership roll, for the section of the party for which the preselection ballot is being held, as at the closing time for the membership roll.

(2) The name of a party member who is on the membership roll as at the closing time for the membership roll who is ineligible to vote in the preselection ballot must be crossed off the roll of eligible preselection voters.

(3) A note must be made against the name of a party member crossed off the roll of eligible preselection voters under subsection (2) to indicate the reason for the party member's ineligibility.

(4) The roll of eligible preselection voters must contain, for each eligible preselection voter, the person's name and address as shown in the party's records.

(5) A person who is not on the membership roll as at the closing time for the membership roll is ineligible to vote in the preselection ballot.

(6) The party's registered officer must certify that the persons on the roll of eligible preselection voters—

- (a) were on the membership roll as at the closing time for the membership roll; and
- (b) are eligible to vote in the preselection ballot under the party's constitution.

SCHEDULE 1 (continued)

16 Inspection of preselection roll

(1) The returning officer must make the preselection roll available for inspection by a candidate for the preselection ballot or a party member—

- (a) free of charge; and
- (b) at the address stated in the call for nominations; and
- (c) at the times stated in the call for nominations during the period that starts the day after the closing time for nominations and ends 30 days after the closing time for the preselection ballot.

(2) If a candidate for the preselection ballot or a party member requests a copy of the roll, or part of the roll, the returning officer must give the candidate or party member a copy of the roll, or part of the roll, free of charge.

17 Preselection ballot papers

(1) The returning officer for a political party's preselection ballot must, as soon as possible after the closing time for nominations, prepare the ballot papers for the preselection ballot.

(2) The ballot papers must—

- (a) state the nominee's surname and given names as they appear on the electoral roll; and
- (b) describe how a voter is to mark the ballot paper so that the voter's intention is clear.

(3) However, if a nomination stated names that the nominee would prefer to appear on any ballot paper instead of the nominee's given names as appearing on the electoral roll, the ballot papers must state the nominee's surname, as it appears on the electoral roll, and the preferred names.

(4) The returning officer must decide by lot the order of names of candidates on the ballot paper.

SCHEDULE 1 (continued)

Division 5—Preselection ballot**18 Voting**

- (1) Voting in a preselection ballot must be done by secret ballot.
- (2) An eligible preselection voter has only 1 vote in a preselection ballot.
- (3) A vote in a preselection ballot of a political party is informal only if—
 - (a) the ballot paper is marked in a way that allows a voter to be identified; or
 - (b) the voter's intention is not clear from the ballot paper.

19 Preselection ballot box

The returning officer must—

- (a) use 1 or more appropriate ballot boxes for the preselection ballot; and
- (b) seal a ballot box for the preselection ballot in a way that—
 - (i) allows ballot papers and any other voting material to be inserted into the ballot box until the closing time for the preselection ballot; and
 - (ii) prevents ballot papers and any other voting material from being removed from the ballot box until the votes are to be counted; and
- (c) keep a ballot box for the preselection ballot in a secure location.

20 Issuing ballot papers

For a preselection ballot, the returning officer or an issuing officer must initial a ballot paper before it is given to an eligible preselection voter.

21 Issuing a postal vote

- (1) The returning officer must give the voting material to each eligible postal voter in sufficient time for the voter to receive the voting material

SCHEDULE 1 (continued)

and to return the ballot paper to the address for receipt of postal votes by the closing time for postal voting.

(2) If, at the voter's request, the returning officer gives the voter duplicate voting material, the returning officer must, beside the voter's name, mark the preselection roll with a note to this effect.

(3) The returning officer must give the voting material in a sealed envelope—

- (a) if an eligible postal voter attends the returning officer's place of operation and asks to receive the voting material personally—to the voter personally; or
- (b) if an eligible postal voter gives the returning officer written notice of an address for the voter other than the address for the voter shown on the preselection roll—to the voter at the alternative address; or
- (c) otherwise—to an eligible postal voter at the voter's address shown on the preselection roll.

22 Declaration envelope for postal vote

The declaration envelope for a postal vote must include—

- (a) the voter's name; and
- (b) the following statement—

“I certify that I am the person whose name appears on this envelope and I have voted on the enclosed ballot paper.”; and
- (c) a space for the voter's signature below the statement mentioned in paragraph (b).

23 Postal voting

(1) To make a postal vote in a preselection ballot, an eligible postal voter must—

- (a) complete the ballot paper; and
- (b) put the completed ballot paper inside the declaration envelope; and

SCHEDULE 1 (continued)

- (c) complete the declaration envelope; and
- (d) put the declaration envelope inside the return envelope; and
- (e) return the return envelope to the address for receipt of postal votes so that it is received by the closing time for postal voting.

(2) The returning officer must ensure any return envelope received at the address for receipt of postal votes is deposited, without being opened, into a sealed ballot box.

24 Attendance voting

(1) The returning officer or an issuing officer must—

- (a) before giving a person a ballot paper for attendance voting, ensure that he or she is satisfied as to the person's identity and that the person is on the preselection roll; and
- (b) mark the preselection roll beside the person's name as a record that the person has been issued with a ballot paper for an attendance vote.

(2) The returning officer or an issuing officer must ensure—

- (a) upon completion of a ballot paper issued to a person for an attendance vote, the person places the ballot paper into a sealed ballot box; and
- (b) any ballot paper spoiled after being issued to a person for an attendance vote and for which a replacement ballot paper is issued to the person is retained in safe keeping by the returning officer or an issuing officer for sections 29 and 30.¹⁴

25 Voting assistance

(1) This section applies if an eligible preselection voter is unable to vote without the help of another person.

(2) A person may assist the voter if the person does not attempt to improperly influence the voter in voting.

¹⁴ Sections 29 (Certification of result and preselection ballot report) and 30 (Documents to be retained)

SCHEDULE 1 (continued)

26 Counting votes for a preselection ballot

(1) If the preselection ballot includes postal voting, the returning officer must—

- (a) open the ballot box containing return envelopes; and
- (b) for each return envelope—
 - (i) open the return envelope; and
 - (ii) take out the declaration envelope; and
 - (iii) ensure the declaration on the declaration envelope is signed; and
 - (iv) be satisfied as to the identity of the signatory; and
 - (v) ensure the preselection roll does not indicate that the voter mentioned on the declaration envelope has previously voted; and
 - (vi) put aside the declaration envelope if it is rejected because—
 - (A) it has not been signed; or
 - (B) the voter has previously voted; and
 - (vii) beside the voter's name, mark the preselection roll with a note to indicate a declaration envelope has been received from the voter; and
 - (viii) place the declaration envelope in a sealed ballot box unless it is put aside under subparagraph (vi); and
- (c) ensure a declaration envelope put aside under paragraph (b)(vi) is retained in safe keeping for sections 29 and 30.¹⁵

(2) Votes for a preselection ballot may not be counted until after the closing time for the preselection ballot.

(3) If the preselection ballot includes postal voting, after the closing time for the preselection ballot, the returning officer must—

- (a) open the ballot box containing the declaration envelopes; and

¹⁵ Sections 29 (Certification of result and preselection ballot report) and 30 (Documents to be retained)

SCHEDULE 1 (continued)

- (b) take the ballot papers out of the declaration envelopes in a way that preserves the secrecy of the ballot; and
- (c) place the ballot papers in another sealed ballot box.

(4) After the closing time for the preselection ballot, and, if the preselection ballot includes postal voting, the returning officer has complied with subsection (3), the returning officer must open the ballot box or ballot boxes containing the ballot papers.

(5) The returning officer must—

- (a) admit the formal votes and reject the informal votes; and
- (b) count the formal votes and record the number for each candidate for the preselection ballot; and
- (c) count the number of informal votes.

(6) For this section, a person is taken to have “**previously voted**” if beside the voter’s name, the preselection roll is marked with a note to indicate—

- (a) a declaration envelope has already been received from the voter; or
- (b) the voter has been issued with a ballot paper for an attendance vote.

27 Scrutineers for a preselection ballot

(1) A scrutineer for a preselection ballot may be present on any of the following occasions—

- (a) for an attendance ballot, when a ballot paper is given to the eligible preselection voter;
- (b) for a postal vote, when the return envelope is opened and the declaration envelope is scrutinised;
- (c) when a ballot box is opened;
- (d) when votes are scrutinised and counted.

(2) For each person officiating on an occasion mentioned in subsection (1), there may be only 1 scrutineer present for each candidate.

(3) A scrutineer for a preselection ballot may be—

SCHEDULE 1 (continued)

- (a) a candidate; or
 - (b) a person appointed by a candidate to act as a scrutineer for the candidate.
- (4) A person's appointment under subsection (3)(b) must be—
- (a) in writing; and
 - (b) signed by the candidate; and
 - (c) given to the returning officer before the person acts as scrutineer.

28 How preselection ballot result is decided

(1) The result of a preselection ballot of a political party is decided in the way provided for under the party's constitution.

(2) If the party's constitution does not provide a way for deciding the result, the result is decided on a first-past-the-post basis, having regard to the number of formal votes recorded for each candidate.

(3) If the party's constitution does not provide a way for deciding a tied result, the returning officer must decide by lot which of the tied candidates is or are the successful candidate or candidates.

29 Certification of result and preselection ballot report

(1) The returning officer for a political party's preselection ballot must—

- (a) certify the result of the preselection ballot; and
- (b) prepare a report for the party on the conduct of the preselection ballot.

(2) The report on the conduct of the preselection ballot must—

- (a) include a reconciliation of the ballot papers as at the closing time for the preselection ballot; and
- (b) be included in the minutes of the next meeting of the party, or the section of the party for which the preselection ballot was held, after the returning officer makes the report.

(3) In this section—

SCHEDULE 1 (continued)

“issued” means given to a voter under section 21 or 24.¹⁶

“reconciliation”, of the ballot papers, means a reconciliation showing the aggregate of—

- (a) the number of ballot papers issued (including duplicate ballot papers issued at the request of eligible postal voters and replacement ballot papers issued at the request of attendance voters when previously issued ballot papers are spoiled); and
 - (b) the number of ballot papers unused;
- equals the number of ballot papers printed.

30 Documents to be retained

(1) The returning officer for a political party’s preselection ballot must forward all of the following documents to the party’s registered officer—

- (a) if section 4(2)¹⁷ applies, a copy of a document evidencing the appointment of the returning officer;
- (b) if section 4(3) applies, a copy of the minutes mentioned in section 4(3);
- (c) a copy of the call for nominations and a record of how nominations were called for;
- (d) all nominations of candidates for the preselection ballot, including nominations that were withdrawn or not accepted;
- (e) any withdrawal of a nomination;
- (f) if a preselection ballot is held—
 - (i) a copy of the membership roll, for the section of the party for which the preselection ballot is being held, as at the closing time for the membership roll;
 - (ii) a copy of the notice to candidates given under section 13;¹⁸
 - (iii) the preselection roll;

16 Section 21 (Issuing a postal vote) or 24 (Attendance voting)

17 Section 4 (Appointment of returning officer)

18 Section 13 (Notice to candidates)

SCHEDULE 1 (continued)

- (iv) all ballot papers;
- (v) if the preselection ballot included postal voting, any returned declaration envelopes received at the address for receipt of postal votes;
- (vi) for each scrutineer for the preselection ballot appointed to act for a candidate, a copy of the appointment given to the returning officer;
- (vii) a document indicating the total number of formal votes and the number recorded for each candidate and the total number of informal votes;
- (viii) the certification and report mentioned in section 29;¹⁹
- (ix) a copy of the minutes mentioned in section 29(2)(b).

(2) The registered officer must retain the documents—

- (a) for a preselection ballot for an election, until the day the writ is issued for the next general election after that election; or
- (b) for a preselection ballot for an election for a local government, until the cut-off day for the voter's roll for the next quadrennial election of the local government after that election.

(3) In this section—

“cut off day for the voter's roll”, for a quadrennial election of a local government, means 31 January in the year of the quadrennial election.²⁰

¹⁹ Section 29 (Certification of result and preselection ballot report)

²⁰ See the *Local Government Act 1993*, section 277(a) (Cut off day for voters roll) and the *City of Brisbane Act 1924*, section 17(3A) (Provisions concerning elections).

SCHEDULE 2**FEES**

	section 7
	\$
1. Supply of a printed version of the publicly available part of an electoral roll	9.50
2. Supply to a local government of a computer disk or computer tape version of an entire electoral roll for an electoral district wholly or partly within the local government's area	290.00
	plus the additional applicable amount
3. Supply to a local government of changes to the entire electoral roll for an electoral district wholly or partly within the local government's area, for each calendar year	290.00
	plus the additional applicable amount
4. In this schedule—	
“additional applicable amount” means \$23.00 for each 1 000 (or part of 1 000) electors enrolled for the local government area as at 31 August immediately before the application for supply.	

ENDNOTES

1 Index to endnotes

		Page
2	Date to which amendments incorporated	27
3	Key	27
4	Table of earlier reprints	28
5	List of legislation	28
6	List of annotations	28

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 September 2002. Future amendments of the Electoral Regulation 2002 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	30 June 2002

5 List of legislation

Electoral Regulation 2002 SL No. 125

made by the Governor in Council on 30 May 2002

notfd gaz 31 May 2002 pp 482–7

ss 1–2 commenced on date of notification

s 10(2) commenced 30 June 2002 (see s 2(2))

remaining provisions commenced 6 June 2002 (see s 2(1))

exp 1 September 2012 (see SIA s 54)

amending legislation—

Justice Legislation (Variation of Fees and Costs) Regulation (No. 1) 2002 SL No. 223

pts 1, 6

notfd gaz 30 August 2002 pp 1557–61

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2002 (see s 2)

6 List of annotations

Repeal

s 10 exp 2 July 2002 (see s 10(3))

SCHEDULE 2—FEES

sub 2002 SL No. 223 s 12