



Queensland

Electoral Regulation 2024

Subordinate Legislation 2024 No. 181

made under the

Electoral Act 1992

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Electoral Regulation 2024*.

2 Commencement

This regulation commences on 1 September 2024.

Part 2 Electoral rolls

3 Electoral rolls—Act, s 58

- (1) For section 58(3)(e) of the Act, the other information prescribed for each person is the date the person is enrolled on the electoral roll.
- (2) For section 58(7) of the Act, the following government entities are prescribed—
 - (a) Brisbane City Council;
 - (b) Gold Coast City Council;
 - (c) Ipswich City Council;
 - (d) Logan City Council;
 - (e) Residential Tenancies Authority;
 - (f) the department in which the *Transport Operations (Road Use Management) Act 1995* is administered.

4 Price for giving information about electoral rolls to local government—Act, s 61

- (1) For section 61(1) of the Act, table, item 7, column 4, paragraph (b) and item 8, column 4, paragraph (b), the price for a copy of the most recent version of the entire electoral roll

and changes to the most recent version of the entire electoral roll for a calendar year is the sum of—

- (a) 507.30 fee units; and
 - (b) 37.75 fee units for each 1,000 (or part of 1,000) electors enrolled for the local government area on 31 August immediately before the local government requests the information.
- (2) Subsection (3) applies for working out the amount of a price for supplying information about the electoral rolls under this section.
- (3) For the purpose of the *Acts Interpretation Act 1954*, section 48C(3), the amount is to be rounded—
- (a) if the result is not more than \$100—to the nearest multiple of 5 cents (rounding one-half upwards); or
 - (b) if the result is more than \$100 but not more than \$1,000—to the nearest multiple of 10 cents (rounding one-half upwards); or
 - (c) if the result is more than \$1,000 but not more than \$5,000—to the nearest dollar (rounding one-half upwards).

Example for paragraph (a)—

Subsection (1)(b) prescribes an amount of 37.75 fee units. If the value of a fee unit for this regulation were \$1.50, the number of dollars obtained by multiplying \$1.50 by 37.75 would be \$56.625. Because \$56.625 is halfway between \$56.60 and \$56.65, it is rounded upwards, so the amount would be \$56.65.

5 Restricted information—Act, sch 1

For schedule 1 of the Act, definition *publicly available part*, paragraph (b), the following information about a person whose name is on the electoral roll is prescribed to be restricted information—

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

Part 3 Electronically assisted voting

6 Electors who may make an electronically assisted vote—Act, s 121A

- (1) For section 121A(c) of the Act, each of the following classes of electors are prescribed—
 - (a) special postal voters who are not detained in lawful custody;
 - (b) distance voters;
 - (c) out-of-State voters.

- (2) In this section—

distance voter—

- (a) means an elector, other than a special postal voter or out-of-State voter, whose address, as shown on an electoral roll, is more than 20km by the nearest practicable route from a polling booth; and
- (b) if the election is a by-election—also means an elector, other than a special postal voter or out-of-State voter, who can not, for another reason, vote at a polling booth during the voting period for the by-election.

Example of an elector for paragraph (b)—

an elector who will be absent from the elector's electoral district for the whole of the voting period for the by-election

out-of-State voter, for an election, means an elector who is not in Queensland at any time during the voting period.

voting period, for an election, means the period—

- (a) starting on the first day that a pre-poll ordinary vote may be made for an election; and
- (b) ending when ordinary voting hours for the election ends.

7 Approval of procedures for electronically assisted voting—Act, s 121B

For section 121B(3)(a) of the Act, the procedures set out in the document called ‘Procedure for electronically assisted voting for State elections, version 4.0’, made by the commission on 14 December 2023, are approved.

Note—

Under section 121B(3)(c) of the Act, the procedures must be published on the commission’s website.

Part 4 Election funding and financial disclosure

8 Qualifications or experience for auditors—Act, s 197

For section 197 of the Act, definition *auditor*, paragraph (a), the qualifications prescribed are any of the following—

- (a) registration as an auditor under the Corporations Act;
- (b) membership of CPA Australia Ltd ACN 008 392 452 and an entitlement to use the letters ‘CPA’ or ‘FCPA’;
- (c) membership of the Institute of Public Accountants Ltd ACN 004 130 643 and an entitlement to use the letters ‘MIPA’ or ‘FIPA’;
- (d) membership of Chartered Accountants Australia and New Zealand ARBN 084 642 571 and an entitlement to use the letters ‘CA’ or ‘FCA’.

9 Amount of policy development payment for eligible registered political party or independent member—Act, s 241

For section 241(1) of the Act, the amount prescribed for definition *A* is \$3m.

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10 Period for candidate to give return about gift or loan received—Act, ss 261 and 262

For sections 261(2)(c) and 262(2)(c) of the Act, the day or time prescribed for a return about a gift or loan received by a candidate is—

- (a) if the gift or loan is received within 7 business days before the polling day for the election—24 hours after the gift or loan is received; or
- (b) otherwise—the seventh business day after the day the gift or loan is received.

11 Period for giving returns for gifts by third parties that incur expenditure for political purposes—Act, s 263

For section 263(3)(c) of the Act, the day prescribed for a return about a gift received by a third party is the seventh business day after the day the gift is used as mentioned in section 263(2)(b) of the Act.

12 Period for giving returns by third parties for gifts made to candidates—Act, s 264

- (1) For section 264(2) of the Act, the day prescribed for a return about a gift made by a third party is the seventh business day after the day the gift is made.
- (2) For section 264(5) of the Act, the day prescribed is—
 - (a) for the gift (the *threshold gift*) that first causes the gifts made by the third party during the disclosure period for the election to total an amount or value that is equal to or more than the gift threshold amount, and for each gift made before the threshold gift is made—the seventh business day after the day the threshold gift is made; and
 - (b) for each subsequent gift—the seventh business day after the day the gift is made.

13 Period for giving returns by entities for gifts made to political parties—Act, s 265

- (1) For section 265(2) of the Act, the day prescribed for a return about a gift made by an entity to a registered political party is the seventh business day after the day the gift is made.
- (2) For section 265(4) of the Act, the day prescribed is—
 - (a) for the gift (the *threshold gift*) that first causes the gifts made by the entity during a reporting period to total an amount or value that is equal to or more than the gift threshold amount, and for each gift made before the threshold gift is made—the seventh business day after the day the threshold gift is made; and
 - (b) for each subsequent gift—the seventh business day after the day the gift is made.

14 Time person taken to remain as candidate—Act, s 271

For section 271(3) of the Act, the time prescribed is 30 days after the polling day for the election.

15 Period for registered political party to give return about gift or loan received—Act, s 290

For section 290(2)(d) of the Act, the day or time prescribed for a return about a gift or loan received by a registered political party is—

- (a) if the gift or loan is received within 7 business days before the polling day for a general election—24 hours after the gift or loan is received; or
- (b) if the gift or loan is received within 7 business days before the polling day for a by-election in which the registered political party has endorsed a candidate—24 hours after the gift or loan is received; or
- (c) otherwise—the seventh business day after the day the gift or loan is received.

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16 Period for financial controller of associated entity to give return about gift or loan received—Act, s 294

For section 294(2)(d) of the Act, the day or time prescribed for a return about a gift or loan received by an entity is—

- (a) if the gift or loan is received by an associated entity of a registered political party within 7 business days before the polling day for a general election or by-election in which the party has endorsed a candidate—24 hours after the gift or loan is received; or
- (b) if the gift or loan is received by an associated entity of a candidate in an election within 7 business days before the polling day for the election—24 hours after the gift or loan is received; or
- (c) otherwise—the seventh business day after the day the gift or loan is received.

17 Detail to be provided in returns by political parties and associated entities—Act, s 296

For a gift or loan that is the subject of a return given by a registered political party's agent or associated entity's financial controller under section 290(2) or 294(2) of the Act, the return must state the day the gift or loan was made to the party or associated entity.

18 Prescribed details for application for registration of third party for an election—Act, s 299

For section 299(2)(b) of the Act, the following details are prescribed—

- (a) the election to which the application relates;
- (b) the following details in relation to the third party—
 - (i) if the third party is an individual—date of birth;
 - (ii) if the third party is not an individual—
 - (A) ABN or ACN; and

- (B) business address;
- (iv) telephone number;
- (v) email address.

19 Particulars to be included in register of non-monetary gifts—Act, s 305F

For section 305F(2)(a) of the Act, the following particulars about a non-monetary gift are prescribed—

- (a) a description of the gift;
- (b) the day the gift was received;
- (c) the value of the gift;
- (d) the relevant particulars of the person who made the gift;
- (e) for a gift that has been disposed of—
 - (i) the day of the disposal; and
 - (ii) the amount received for the disposal.

20 Particulars of subscribed members and affiliates to be included in register—Act, s 305G

For section 305G(2) of the Act, the name of the person is the particular prescribed.

21 Approval of procedures for electronic lodgement of returns—Act, s 315A

For section 315A(2)(a) of the Act, the procedures set out in the document called ‘Procedure for electronic lodgement of returns, version 3.0’, made by the commission on 22 May 2023, are approved.

Note—

Under section 315A(2)(c) of the Act, the procedures must be published on the commission’s website.

Part 5 Prescribed information to be included in particular records to be kept

Division 1 Preliminary

22 Purpose of part

This part prescribes, for section 305AB(1)(b) of the Act, information that is required to be included in a record for a prescribed matter.

Division 2 Records about political donations and other gifts and loans

23 Political donations made to or for the benefit of particular election participants

- (1) This section applies for a record about a political donation made to, or for the benefit of, a participant in an election, other than a third party.
- (2) The following information must be included in the record—
 - (a) the day the political donation was made;
 - (b) the amount or value of the political donation;
 - (c) for a political donation that is a gift—how the value of the gift is worked out under section 201B of the Act;
 - (d) the relevant particulars of the person who made the political donation;
 - (e) for a political donation that is a gift or loan made by a person who is not the source of the gift or loan—the relevant particulars of the entity that is the source of the gift or loan;

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- (f) the donor statement, if any, that accompanied the political donation;
 - (g) a copy of the receipt required, under section 258(2) of the Act, to be given to the person who made the political donation;
 - (h) for a political donation that is refunded or returned in full or in part—
 - (i) the day the refund was given or the return was made; and
 - (ii) the amount or value refunded or returned; and
 - (iii) for a political donation that is a gift of property other than money—how the value of the gift, or the part of the gift, returned is worked out under section 201B of the Act.

Note—

See sections 220(3) and 272(3) of the Act for other information to be included in records about political donations of property other than money and records about loans.

- (3) If the record is about a political donation that is electoral expenditure gifted to the election participant, the following information must also be included in the record—
 - (a) details about how the electoral expenditure benefits the election participant;
 - (b) details of the circumstances mentioned in section 200B(1)(b)(i) or (ii) of the Act that apply;
 - (c) details of the consideration, if any, the election participant provided for the electoral expenditure;
 - (d) a copy of an invoice, if any, issued to the election participant for the electoral expenditure;
 - (e) for electoral expenditure incurred under an arrangement between the election participant and 1 or more other participants in the election—details of the arrangement.

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24 Other gifts or loans made to or for the benefit of particular election participants

- (1) This section applies for a record about a gift or loan that is not a political donation made to, or for the benefit of, a participant in an election, other than a third party.
- (2) The following information must be included in the record—
 - (a) the day the gift or loan was made;
 - (b) the amount or value of the gift or loan;
 - (c) for a record about a gift—how the value of the gift is worked out under section 201B of the Act;
 - (d) the relevant particulars of the person who made the gift or loan;
 - (e) if the gift is given or the loan is made by a person who is not the source of the gift or loan—the relevant particulars of the entity that is the source of the gift or loan;
 - (f) for a record about a gift that is refunded or returned in full or in part—
 - (i) the day the refund was given or the return was made; and
 - (ii) the amount or value refunded or returned; and
 - (iii) for a return of a gift of property other than money—how the value of the gift, or the part of the gift, returned is worked out under section 201B of the Act.

Note—

See sections 220(3) and 272(3) of the Act for other information to be included in records about political donations of property other than money and records about loans.

- (3) If the record is about a gift that is electoral expenditure gifted to the election participant, the following information must also be included in the record—
 - (a) details about how the electoral expenditure benefits the election participant;

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- (b) details of the circumstances mentioned in section 200B(1)(b)(i) or (ii) of the Act that apply;
 - (c) details of the consideration, if any, the election participant provided for the electoral expenditure;
 - (d) a copy of an invoice, if any, issued to the election participant for the electoral expenditure;
 - (e) for electoral expenditure incurred under an arrangement between the election participant and 1 or more other participants in the election—details of the arrangement.

25 **Political donations or other gifts or loans made by particular election participants to other election participants**

- (1) This section applies for a record about a political donation, or another gift or loan, made by a participant in an election, other than a third party, (the *first participant*) to another participant in the election (the *second participant*).
- (2) The following information must be included in the record—
 - (a) the day the political donation, gift or loan was made;
 - (b) the amount or value of the political donation, gift or loan;
 - (c) for a record about a gift—how the value of the gift is worked out under section 201B of the Act;
 - (d) the relevant particulars of the first participant;
 - (e) for a record about a loan—the terms and conditions of the loan;
 - (f) for a gift that is returned or refunded in full or in part—
 - (i) the day the refund was given or the return was made; and
 - (ii) the amount or value refunded or returned; and
 - (iii) for a return of a gift of property other than money—how the value of the gift, or the part of the

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gift, returned is worked out under section 201B of the Act.

- (3) If the record is about a gift that is electoral expenditure gifted to the second participant, the following information must also be included in the record—
 - (a) details about how the electoral expenditure benefits the second participant;
 - (b) details of the circumstances mentioned in section 200B(1)(b)(i) or (ii) of the Act that apply;
 - (c) details of the consideration, if any, the first participant received from the second participant for incurring the electoral expenditure;
 - (d) a copy of an invoice, if any, the first participant issued to the second participant for the electoral expenditure;
 - (e) for electoral expenditure incurred under an arrangement between the first participant and second participant, and other participants in the election—the details of the arrangement.

26 Gifts made to or for the benefit of a third party

- (1) This section applies for a record about a gift made to, or for the benefit of, a third party about which the third party is required to give the commission a return under section 263 of the Act.
- (2) The following information must be included in the record—
 - (a) the day the gift was made;
 - (b) the amount or value of the gift;
 - (c) for a gift of property other than money—how the value of the gift is worked out under section 201B of the Act;
 - (d) the relevant particulars of the person who made the gift;
 - (e) if the person who made the gift is not the source of the gift—the relevant particulars of the entity that is the source of the gift;

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- (f) for a gift that is refunded or returned in full or in part—
 - (i) the day the refund was given or the return was made; and
 - (ii) the amount or value refunded or returned; and
 - (iii) for a return of a gift of property other than money—how the value of the gift, or the part of the gift, returned is worked out under section 201B of the Act.
 - (3) If the record is about a gift that is electoral expenditure gifted to the third party, the following information must also be included in the record—
 - (a) details about how the electoral expenditure benefits the third party;
 - (b) details of the circumstances mentioned in section 200B(1)(b)(i) or (ii) of the Act that apply;
 - (c) details of the consideration, if any, the third party provided for the electoral expenditure;
 - (d) a copy of an invoice, if any, issued to the third party for the electoral expenditure;
 - (e) for electoral expenditure incurred under an arrangement between the third party and 1 or more participants in an election—details of the arrangement.

Division 3 **Records about electoral expenditure**

27 **Electoral expenditure incurred**

- (1) This section applies for a record about electoral expenditure incurred—
 - (a) by a participant in an election, other than a third party, or with the election participant’s authority, at any time; or

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- (b) by a third party for an election, or with the third party's authority, during the capped expenditure period for the election.
- (2) The following information must be included in the record—
- (a) the amount of the electoral expenditure;
 - (b) the day the amount was paid;
 - (c) a description of the goods or services for which the electoral expenditure was incurred;
 - (d) the name and business address of the person who supplied the goods or provided the services;
 - (e) the day the goods or services were supplied or provided;
 - (f) for electoral expenditure to which section 281(4) of the Act applies—the day the goods were first used for a campaign purpose during a capped expenditure period;
 - (g) a copy of an invoice or receipt issued to the election participant for the electoral expenditure;
 - (h) for electoral expenditure that benefits another participant in the election—
 - (i) details about how the electoral expenditure benefits the other election participant; and
 - (ii) details of the circumstances mentioned in section 200B(1)(b)(i) or (ii) of the Act that apply; and
 - (iii) a copy of an invoice, if any, issued to the other election participant for the electoral expenditure;
 - (i) for electoral expenditure that relates to an election for an electoral district under section 281B of the Act—details of how the expenditure relates to the election under that section.

Division 4 **Records about State campaign accounts of registered political parties and candidates in an election**

28 **Amounts paid into State campaign account**

- (1) This section applies for a record about an amount paid into the State campaign account of a registered political party or candidate in an election.
- (2) The following information must be included in the record—
 - (a) the amount;
 - (b) the type of the amount, or each part of the amount, as mentioned in section 216(2) of the Act;
 - (c) for each part of the amount that is of a type mentioned in section 216(2)(b), (c), (e), (f), (i) or (j)—the information necessary to show the part is an amount of that type.

29 **Amounts paid from State campaign account**

- (1) This section applies for a record about an amount paid from the State campaign account of a registered political party or candidate in an election.
- (2) The following information must be included in the record—
 - (a) the amount;
 - (b) for an amount paid for electoral expenditure incurred by the registered political party or candidate—information necessary to show the amount is paid for the electoral expenditure;
 - (c) for an amount paid to reimburse a person for electoral expenditure incurred by the person for the registered political party or candidate—information necessary to show the amount is paid to reimburse the person;

Part 7 Transitional provision

33 Calls for nominations given before commencement

- (1) This section applies if—
 - (a) before the commencement, a call for nominations of candidates for a preselection ballot was given under schedule 1, section 5 of the expired regulation; and
 - (b) immediately before the commencement, the preselection ballot had not been held.
- (2) Schedule 1 of the expired regulation continues to apply in relation to the call for nominations and preselection ballot as if the expired regulation had not expired.
- (3) In this section—

expired regulation means the expired *Electoral Regulation 2013*.

Schedule 1 Model procedures for preselection ballots

section 32

Part 1 Preliminary

1 Definitions

In this schedule—

address for receipt of nominations, for a preselection ballot, means the address stated in the call for nominations for the ballot under section 6(1)(f) or as amended under section 7.

address for receipt of postal votes, for a preselection ballot, means the address stated in the procedure notice for the ballot under section 13(1)(c)(i) or as amended under section 14.

call for nominations, for a preselection ballot, means a notice calling for nominations of candidates for the ballot.

closing time—

- (a) for nominations for a preselection ballot—means the time stated in the call for nominations for the ballot under section 6(1)(d) or as amended under section 7; or
- (b) for postal voting for a preselection ballot—means the time stated in the procedure notice for the ballot under section 13(1)(c)(ii) or as amended under section 14; or
- (c) for a preselection ballot—means the time stated in the procedure notice for the ballot under section 13(1)(e) or as amended under section 14.

declaration envelope, for a postal vote in a preselection ballot, means an envelope that complies with section 23(1) in relation to the vote.

electronic voting system, for a preselection ballot, means an electronic system, accessible on a website, by which electronic voting for the ballot is conducted.

eligible postal voter, for a preselection ballot, means an eligible voter for the ballot who, under the constitution of the political party for which the ballot is being held, is eligible to vote in the ballot by postal vote.

eligible voter, for a preselection ballot, means a person—

- (a) whose name is stated in the preselection roll for the ballot; and
- (b) who is not an excluded member of the political party, or the section of the political party, for which the ballot is being held.

excluded member, of a political party or a section of a political party for which a preselection ballot is being held, means a member of the party or section who, under the party's constitution, is ineligible to vote in the ballot.

give, for voting material for a postal vote in a preselection ballot, includes send.

notice means written notice.

non-candidate, for a preselection ballot, means a 'no candidate' voting option on a ballot paper for the ballot.

preselection roll, for a preselection ballot, means the preselection roll prepared for the ballot under section 15.

procedure notice, for a preselection ballot, see section 12(1).

return envelope, for a postal vote in a preselection ballot, means an envelope that complies with section 23(2) in relation to the vote.

returning officer, for a preselection ballot, means the returning officer appointed for the ballot under section 3.

sealed ballot box means a ballot box that is sealed in a way that complies with section 21(2)(b).

voting material, for a postal vote in a preselection ballot, means each of the following—

- (a) a ballot paper for the ballot;
- (b) a declaration envelope for the vote;

- (c) a return envelope for the vote;
- (d) notice of—
 - (i) the closing time for postal voting for the ballot; and
 - (ii) the address for receipt of postal votes for the ballot.

Part 2 Returning officer

2 Returning officer for a preselection ballot

- (1) There must be a returning officer for a preselection ballot.
- (2) The returning officer is responsible for ensuring the appropriate conduct of the preselection ballot.
- (3) The returning officer must not improperly influence the outcome of the preselection ballot.

3 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 a returning officer is to be appointed, the returning officer must be appointed in that way.
- (3) Otherwise—
 - (a) the returning officer must be appointed by resolution of the political party, or the section of the political party, for which the preselection ballot is being held at a meeting held under 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 must be recorded in the minutes—
 - (a) the returning officer's name;
 - (b) the address of the returning officer's place of business;

- (c) if the appointment is for a particular preselection ballot—the preselection ballot;
- (d) if the appointment is for all preselection ballots that close during a particular period—the period.

4 Eligibility of returning officer to vote in preselection ballot

The returning officer for a preselection ballot is eligible to vote in the ballot unless the officer—

- (a) is not a member of the political party, or the section of the political party, for which the ballot is being held; or
- (b) is ineligible under the constitution of the political party for which the ballot is being held.

Part 3 Nomination of candidates

5 Giving of call for nominations

- (1) There must be a call for nominations for a preselection ballot.
- (2) The returning officer for the preselection ballot must give the call for nominations—
 - (a) by a single notice; and
 - (b) to each member of the political party, or the section of the political party, for which the preselection ballot is being held.
- (3) If the political party's constitution states the way the call for nominations must be given to a member mentioned in subsection (2)(b), the call must be given to the member in the stated way.
- (4) If subsection (3) does not apply in relation to a member mentioned in subsection (2)(b), the call for nominations may be given to the member—
 - (a) electronically; or

Examples—

- 1 by email or electronic newsletter
 - 2 on the political party's website
- (b) by advertisement in a daily newspaper circulating in the electoral district, local government area or division of the local government area for which the preselection ballot is being held; or
- (c) if the political party gives the member, free of charge, a journal or newsletter other than by electronic means—by advertisement in the journal or newsletter.
- (5) In this section—

division, of a local government area, includes a ward of Brisbane.

ward, of Brisbane, see the *Local Government Electoral Act 2011*, section 6(2).

6 Matters to be stated in call for nominations

- (1) A call for nominations for a preselection ballot must state the following matters—
- (a) if the number of candidates required to be selected by the ballot is more than 1—the number;
 - (b) if the constitution of the political party for which the ballot is being held states criteria about who may nominate as a candidate—
 - (i) the criteria; or
 - (ii) where the criteria can be found;

Examples for subparagraph (ii)—

- 1 in the party's constitution
 - 2 on the party's website
 - 3 in a nomination form provided by the party
- (c) the time at which nominations of candidates for the ballot open;

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- (d) the time at which nominations of candidates for the ballot close;
 - (e) that a nomination of a candidate for the ballot must be made as required under section 8;
 - (f) the address where nominations of candidates for the ballot must be received;
 - (g) any other matter the party's constitution requires to be stated.
- (2) For subsection (1)(f), the address may be an electronic address.

Examples of an electronic address—

email address, website address

7 Amending call for nominations

- (1) The returning officer for a preselection ballot may, by notice given to each person required to be given a copy of the call for nominations for the ballot under section 5(2)(b), amend—
- (a) the address for receipt of nominations for the ballot; or
 - (b) the closing time for nominations for the ballot.
- (2) For subsection (1)(b), the closing time for nominations may only be amended to a later time.
- (3) The notice must be given to each person in the way the call for nominations was given to the person under section 5.
- (4) The amendment takes effect at the time stated in the notice.
- (5) For subsection (4), the stated time must be—
- (a) after the end of the last day the notice is given to a person under subsection (1); and
 - (b) at least 48 hours before the closing time for nominations for the ballot stated in the call for nominations.
- (6) If the address for receipt of nominations, or the closing time for nominations, for a preselection ballot is amended under this section, a reference in this schedule to the address or

closing time is taken to be a reference to the address or closing time as amended.

8 Requirements for nominations

The nomination of a candidate for a preselection ballot must—

- (a) be in writing; and
- (b) state—
 - (i) the nominee’s full name as it appears on the electoral roll on which the nominee is enrolled; or
 - (ii) if the nominee would prefer a different name by which the nominee is commonly known to appear on ballot papers—the preferred name; and
- (c) comply with any criteria stated in the call for nominations for the ballot under section 6(1)(b); and
- (d) comply with any requirements for the nomination stated in the call for nominations for the ballot under section 6(1)(g); and
- (e) be signed by the nominee; and
- (f) if the constitution of the political party for which the ballot is being held requires the nomination to be made electronically—be made in that way; and
- (g) be received at the address for receipt of nominations for the ballot by the closing time for nominations for the ballot.

9 Withdrawal of nomination

- (1) A nominee may withdraw their nomination for a preselection ballot by giving notice of the withdrawal.
- (2) The withdrawal is effective if the notice of the withdrawal is received at the address for receipt of nominations for the preselection ballot by the closing time for nominations for the ballot.

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- (3) A nomination withdrawn under this section is taken never to have been made.

10 Dealing with nominations

- (1) As soon as practicable after the closing time for nominations for a preselection ballot, the returning officer for the ballot must, for each nomination, decide to—
- (a) accept the nomination; or
 - (b) refuse to accept the nomination.
- (2) However, the returning officer may refuse to accept a nomination under subsection (1)(b) only if the nomination does not comply with section 8.
- (3) If the returning officer decides to accept a nomination under subsection (1)(a), the officer must give a notice to the nominated candidate stating—
- (a) the decision; and
 - (b) if part 4 applies in relation to the ballot—
 - (i) that the ballot will be conducted under that part; and
 - (ii) that the candidate may appoint a scrutineer to act for the candidate under section 31.
- (4) If the returning officer decides to refuse to accept a nomination under subsection (1)(b)—
- (a) the officer must give the candidate a notice stating the decision; and
 - (b) the nomination is taken never to have been made.

Part 4 **Preparation for preselection ballot**

11 **Application of part**

This part applies if the number of nominations of candidates for a preselection ballot of a political party accepted under section 10(1)(a) is greater than the number of candidates required to be selected in the ballot.

12 **Procedure notice**

- (1) As soon as practicable after the closing time for nominations for the preselection ballot, the returning officer for the ballot must give the following persons a notice that complies with section 13 (a *procedure notice*) for the ballot—
 - (a) each member of the political party, or section of the political party, for which the preselection ballot is being held;
 - (b) each candidate for the ballot who is not a member of the section.
- (2) The procedure notice must be a single notice.

13 **Matters to be stated in procedure notice**

- (1) The procedure notice for the preselection ballot must state the following matters for the ballot—
 - (a) how votes in the ballot may be cast;
 - (b) if the ballot will include attendance voting—the address where, and each day on which, an eligible voter for the ballot may vote in person;
 - (c) if the ballot will include postal voting—
 - (i) the address where postal votes for the ballot must be received; and
 - (ii) the day and time by which postal votes must be received at the address;

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- (d) if the ballot will include electronic voting—
 - (i) that electronic voting for the ballot is to be conducted using the electronic voting system for the ballot; and
 - (ii) how to access the electronic voting system for the ballot; and
 - (iii) the day and time by which electronic votes in the ballot must be cast;
 - (e) the time at which the ballot closes;
 - (f) whether the ballot is to be decided by compulsory or optional preferential voting or on a first-past-the-post basis;
 - (g) any other matter, required under the political party's constitution, to be included in the notice.
- (2) If the preselection ballot will include postal voting and 1 or more other ways of voting, the day stated in the procedure notice under subsection (1)(c)(ii) must not be later than 10 days after the last day for voting in the ballot in another way.
- (3) Also, the procedure notice must state that a candidate for the preselection ballot, or a member of the political party or the section of the political party for which the ballot is being held, may, during the 30-day period starting on the day after the closing time for nominations for the ballot, inspect the preselection roll, free of charge—
- (a) at the electronic address stated in the notice; or
 - Example of an electronic address—*
website address
 - (b) at a stated address, other than an electronic address, at the times stated in the notice.

14 Amending procedure notice

- (1) The returning officer for the preselection ballot may, by notice (an *amendment notice*) given to each person required to be

given a copy of the procedure notice for the ballot under section 12(1), amend the procedure notice.

- (2) However, the returning officer may not amend the procedure notice under subsection (1) in a way that is inconsistent with section 13(2) or (3).
- (3) The amendment takes effect on the day stated in the amendment notice.
- (4) For subsection (3), the stated day must be—
 - (a) after the last day the amendment notice is given to a person under subsection (1); and
 - (b) at least 2 days before voting in the preselection ballot starts.
- (5) For subsection (4)(b), if the preselection ballot includes postal voting, voting in the ballot is taken to start on the day voting material for a postal vote in the ballot is first given to an eligible postal voter for the ballot under section 22.
- (6) If a detail stated in a procedure notice under a provision of this schedule is amended under this section, a reference in this schedule to the detail is taken to be a reference to the detail as amended.

15 Preselection roll

- (1) As soon as possible after the closing time for nominations for the preselection ballot, the returning officer for the ballot must prepare a preselection roll for the ballot.
- (2) The preselection roll may only state the names of members of the political party, or the section of the political party, for which the preselection ballot is being held at the closing time for nominations for the ballot.
- (3) In preparing the preselection roll, the returning officer must record on the roll—
 - (a) the exclusion from the roll of each excluded member of the section; and
 - (b) the reason for each excluded member's ineligibility.

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- (4) The preselection roll must contain the address of each eligible voter for the preselection ballot as shown in the political party's records.
 - (5) The political party's registered officer must certify that the members whose names are recorded on the preselection roll and who are not excluded members of the section—
 - (a) were members of the political party, or the section of the political party, for which the ballot is being held at the closing time for nominations for the preselection ballot; and
 - (b) are eligible to vote in the ballot.
 - (6) The certification must be given by the earlier of the following times—
 - (a) the end of the day that is 7 days after the preselection roll is prepared under this section;
 - (b) immediately before voting in the preselection ballot starts.
 - (7) For subsection (6)(b), if the preselection ballot includes postal voting, voting in the ballot is taken to start on the day voting material for a postal vote in the ballot is first given to an eligible postal voter for the ballot under section 22.
 - (8) The returning officer may, before certifying the preselection roll under this section, amend the roll to correct an error.

16 Inspection of preselection roll

- (1) This section applies if the returning officer for the preselection ballot gives the certification under section 15(5) for the preselection roll for the ballot.
- (2) The returning officer must make a copy of the preselection roll available for inspection by a candidate for the preselection ballot or a member of the political party, free of charge, at the address stated in the procedure notice for the ballot under section 13(3).
- (3) If a candidate for the preselection ballot or a member of the political party asks for a copy of all or part of the preselection

roll, the returning officer must give the candidate or member the copy free of charge.

- (4) The returning officer must omit the street address of each member of the political party from the copy before it is made available for inspection under subsection (2) or given under subsection (3).
- (5) However, the returning officer need not omit the suburb, town, city or other locality, or State, of a member from the copy.

17 Preselection ballot papers

- (1) As soon as practicable after the closing time for nominations for the preselection ballot, the returning officer for the ballot must—
 - (a) if the ballot will include postal voting or attendance voting—prepare ballot papers for the ballot; and
 - (b) if the ballot will include electronic voting—ensure an electronic form of ballot paper for use by the electronic voting system for the ballot is prepared.
- (2) Each ballot paper must include the following—
 - (a) for a candidate for the preselection ballot in relation to whom section 8(b)(ii) applies—the candidate’s preferred name;
 - (b) for another candidate for the ballot—the candidate’s full name;
 - (c) a description of how an eligible voter for the ballot must mark the ballot paper so that the voter’s intention is clear;
 - (d) if, under the constitution of the political party, eligible voters for the ballot are permitted to vote for no candidate for the ballot—a ‘no candidate’ voting option;
 - (e) if, under the constitution of the political party, the ballot is to be decided by preferential voting—a statement about how the numbers on the ballot paper must be numbered to indicate the voter’s preferences.

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- (3) The order of names of candidates on a ballot paper for the preselection ballot must be decided as follows—
 - (a) for an electronic form of ballot paper on which the order can be decided, by chance, by the electronic voting system for the ballot—by the system in that way;
 - (b) for another ballot paper—by chance in the way the returning officer determines.
 - (4) Any ‘no candidate’ voting option on a ballot paper for the preselection ballot must appear last on the ballot paper.
 - (5) However, if the political party’s constitution states a way by which the order of names of candidates, and any ‘no candidate’ voting option, on ballot papers for the preselection ballot must be decided—
 - (a) subsections (3) and (4) do not apply; and
 - (b) the order must be decided in the stated way.

18 Electronic voting system

- (1) This section applies if the preselection ballot will include electronic voting.
- (2) As soon as practicable after the closing time for nominations for the preselection ballot, the returning officer for the ballot must ensure the electronic voting system for the ballot—
 - (a) can be accessed by a scrutineer under section 31(3); and
 - (b) is able to—
 - (i) facilitate electronic voting for the ballot in the way mentioned in section 26; and
 - (ii) count and record the votes for each candidate for the ballot; and
 - (iii) record the name of each eligible voter for the ballot who casts an electronic vote using the system; and
 - (c) does not permit electronic voting for the ballot in the name of a person who—

- (i) has already cast a postal vote in the ballot under section 24; or
 - (ii) has been given a ballot paper for an attendance vote in the ballot under section 25; or
 - (iii) has already cast an electronic vote in the ballot under section 26; and
- (d) includes instructions, about how to cast an electronic vote in the ballot, on—
- (i) the webpage on which the electronic form of ballot paper is accessed; or
 - (ii) another webpage from which the webpage mentioned in subparagraph (i) can be accessed.

Part 5 Voting

19 Requirements for voting—general

- (1) Voting in a preselection ballot must be by secret ballot.
- (2) An eligible voter for a preselection ballot has only 1 vote in the ballot.
- (3) A vote in a preselection ballot is informal only if—
 - (a) the ballot paper is marked in a way that allows the eligible voter to be identified; or
 - (b) the eligible voter’s intention is not clear from the ballot paper; or
 - (c) if subsection (4) applies—the eligible voter does not cast a vote as required under that subsection.
- (4) If the constitution of the political party for which the preselection ballot is being held provides that the ballot is to be decided by preferential voting, an eligible voter’s vote in the ballot must be cast—
 - (a) if the constitution states how the vote must be cast—in that way; or

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- (b) otherwise—under subsection (5).
- (5) A vote in a preselection ballot to which subsection (4)(b) applies must be cast by writing on the ballot paper—
- (a) the number 1 in the square opposite the name of the candidate or any non-candidate for the ballot to indicate the voter's first preference; and
 - (b) either—
 - (i) for a preselection ballot to be decided by compulsory preferential voting—the numbers 2, 3 and so on in the squares opposite the names of all the other candidates, and any non-candidate, for the ballot to indicate the order of the eligible voter's preferences for them; or
 - (ii) for a preselection ballot to be decided by optional preferential voting—the numbers mentioned in subparagraph (i), to the extent the eligible voter wishes to indicate the order of the voter's preferences.

20 How preselection ballot result is decided

- (1) The result of a preselection ballot for a political party, or a section of a political party, is decided as follows, having regard to the votes recorded for each candidate for the ballot under this part—
 - (a) if the constitution of the party provides that the ballot is to be decided by compulsory or optional preferential voting—in that way;
 - (b) otherwise—on a first-past-the-post basis.
- (2) Subsection (3) applies if the result of the preselection ballot decided under subsection (1)(b) is a tie.
- (3) The successful candidate for the preselection ballot is decided as follows—
 - (a) if the constitution of the political party provides for how the successful candidate is to be decided in the event of a tied result—in that way;

- (b) otherwise—by chance in the way the returning officer for the preselection ballot decides.

21 Ballot box required for postal voting or attendance voting

- (1) This section applies if a preselection ballot includes postal voting or attendance voting.
- (2) The returning officer for the preselection ballot must—
 - (a) use 1 or more ballot boxes for the ballot; and
 - (b) seal each ballot box in a way that—
 - (i) allows ballot papers for the ballot, and declaration envelopes and return envelopes for postal votes in the ballot, to be inserted into the box; and
 - (ii) prevents the ballot papers, declaration envelopes and return envelopes from being—
 - (A) inserted into the box after the closing time for the ballot; or
 - (B) removed from the box until the votes are to be counted; and
 - (c) keep each ballot box in a secure location until all postal votes and attendance votes in the ballot have been counted; and
 - (d) subject to paragraphs (a), (b) and (c), comply with the requirements, if any, under the constitution of the political party for which the ballot is being held relating to ballot boxes for the ballot.

22 Giving of voting material for postal vote

- (1) The returning officer for a preselection ballot must give voting material for a postal vote in the ballot to each eligible postal voter for the ballot.
- (2) The voting material must be given to the eligible postal voter—
 - (a) in a sealed envelope; and

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- (b) before the earlier of—
 - (i) attendance voting in the preselection ballot opening; or
 - (ii) electronic voting in the preselection ballot closing; and
 - (c) in time for the voter to cast a postal vote in the preselection ballot under section 24 using the material.
- (3) The voting material must be given to the eligible postal voter—
- (a) if the voter attends the returning officer's place of business and asks to receive the voting material personally—in that way; or
 - (b) if the voter gives the returning officer notice of another address for the voter that is different from the address for the voter shown on the preselection roll—at the other address; or
 - (c) otherwise—at the voter's address shown on the preselection roll.
- (4) Despite subsections (1) to (3), the returning officer must not give the voting material to an eligible postal voter for the preselection ballot who—
- (a) has been given a ballot paper for an attendance vote in the ballot; or
 - (b) has used the electronic voting system for the ballot to cast an electronic vote in the ballot.
- (5) If, at an eligible postal voter's request, the returning officer gives the voter duplicate voting material for a postal vote, the returning officer must note on the preselection roll beside the voter's name that the voter has been given the duplicate voting material.

23 Declaration envelope and return envelope for postal vote

- (1) A declaration envelope for a postal vote in a preselection ballot must include—

- (a) the name of the eligible postal voter casting the vote using the envelope; and
 - (b) a statement to the effect that the voter has voted on the ballot paper accompanying the envelope; and
 - (c) a space for the voter's signature below the statement.
- (2) A return envelope for a postal vote in a preselection ballot must—
- (a) be large enough to contain a declaration envelope and ballot paper for the vote; and
 - (b) be sealable; and
 - (c) be addressed to the address for receipt of postal votes for the ballot; and
 - (d) be able to be posted to the address, free of charge, by the eligible postal voter casting the vote.

24 Postal voting

- (1) To cast a postal vote in a preselection ballot, an eligible postal voter for the ballot must—
- (a) complete a ballot paper prepared for the ballot under section 17 as required under section 19; and
 - (b) complete the declaration envelope for the vote; and
 - (c) put the declaration envelope and the completed ballot paper inside the return envelope for the vote; and
 - (d) post or deliver the return envelope to the address for receipt of postal votes for the ballot so that the envelope is received by the closing time for postal voting for the ballot.
- (2) For subsection (1)(c), it does not matter whether the completed ballot paper is inside the declaration envelope.
- (3) The returning officer for the preselection ballot must ensure a return envelope for a postal vote in the ballot returned under subsection (1)(d) is deposited, without being opened, in a sealed ballot box for the ballot.

25 Attendance voting

- (1) To cast an attendance vote in a preselection ballot, an eligible voter for the ballot must, on a day stated in the procedure notice for the ballot under section 13(1)(b)—
 - (a) complete a ballot paper prepared for the ballot under section 17 as required under section 19; and
 - (b) place the completed ballot paper in a sealed ballot box for the ballot.
- (2) The returning officer or an issuing officer for the preselection ballot must—
 - (a) before giving a person a ballot paper—
 - (i) be satisfied of the person's identity and that the person is an eligible voter for the ballot; and
 - (ii) be satisfied the person has not already—
 - (A) cast a postal vote in the ballot under section 24; or
 - (B) been given a ballot paper for an attendance vote in the ballot under this section; or
 - (C) cast an electronic vote in the ballot under section 26; and
 - (iii) initial the ballot paper; and
 - (b) if the officer gives the person a ballot paper—note beside the person's name on the preselection roll for the ballot that the person has been given a ballot paper for an attendance vote in the ballot.
- (3) If the returning officer or issuing officer replaces a ballot paper that is spoiled, the officer must keep the spoiled ballot paper for the purposes of sections 32 and 33.
- (4) In this section—

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

26 Electronic voting

- (1) To cast an electronic vote in a preselection ballot, an eligible voter for the ballot must do both of the following using the electronic voting system for the ballot—
 - (a) complete the electronic form of ballot paper prepared for the ballot under section 17 as required under section 19;
 - (b) submit the form.
- (2) The electronic form of ballot paper must be completed and submitted under subsection (1) by the time stated in the procedure notice for the ballot under section 13(1)(d)(iii).

27 Voting assistance

- (1) This section applies if an eligible voter for a preselection ballot can not vote without the help of another person.
- (2) A person may help the voter to vote but must not attempt to improperly influence the voter in voting.

28 Steps before counting votes in preselection ballot that includes postal voting

- (1) This section applies in relation to a preselection ballot that includes postal voting.
- (2) As soon as practicable after the closing time for postal voting for the preselection ballot, the returning officer for the ballot must—
 - (a) open the ballot box containing the return envelopes for postal votes in the ballot; and
 - (b) for each return envelope—
 - (i) open the envelope; and
 - (ii) take out the declaration envelope for a postal vote in the ballot and, if a ballot paper is in the return envelope but not the declaration envelope, the ballot paper; and

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- (iii) ensure the declaration on the declaration envelope is signed; and
 - (iv) be satisfied of the following for the person who signed the declaration—
 - (A) the person’s identity;
 - (B) that the person is an eligible voter for the ballot; and
 - (v) make a note on the preselection roll, beside the voter’s name, to indicate that a declaration envelope and ballot paper have been received from the voter; and
- (c) take the ballot papers out of the declaration envelopes or return envelopes for postal votes in the ballot in a way that ensures the secrecy of the ballot; and
 - (d) place the ballot papers in another sealed ballot box.
- (3) Subsection (4) applies if—
- (a) a declaration envelope for a postal vote in the preselection ballot has not been signed by the voter; or
 - (b) the voter who signed a declaration envelope for a postal vote in the preselection ballot—
 - (i) has been given a ballot paper for an attendance vote in the ballot; or
 - (ii) has used the electronic voting system for the ballot to cast an electronic vote in the ballot; or
 - (c) a note on the preselection roll for the preselection ballot indicates that a declaration envelope for a postal vote in the ballot and a ballot paper for the ballot have already been received from the voter who signed the envelope.
- (4) The returning officer for the preselection ballot must—
- (a) put aside the declaration envelope and ballot paper; and
 - (b) keep the envelope and ballot paper for the purposes of sections 32 and 33.

29 Counting and recording postal votes and attendance votes

- (1) This section applies in relation to a preselection ballot that includes postal voting or attendance voting.
- (2) However, this section does not apply until—
 - (a) if the preselection ballot includes postal voting—the returning officer for the ballot has complied with section 28 in relation to the ballot; or
 - (b) otherwise—the ballot has closed.
- (3) The returning officer for the preselection ballot must—
 - (a) open each ballot box containing ballot papers for the preselection ballot; and
 - (b) admit the formal votes, and reject the informal votes, from the ballot box; and
 - (c) count the number of informal votes.
- (4) As soon as practicable after complying with subsection (3), the returning officer must—
 - (a) if, under section 20(1)(b), the preselection ballot is to be decided on a first-past-the-post basis—
 - (i) count the formal votes for each candidate, and any non-candidate; and
 - (ii) record the number of votes for each candidate and any non-candidate; or
 - (b) otherwise—count, transfer and record votes in the ballot—
 - (i) in the way stated in the constitution of the political party for which the ballot is being held; or
 - (ii) to the extent the constitution does not state the way the votes must be counted, transferred or recorded—under subsections (5) and (6).
- (5) For a preselection ballot in relation to which subsection (4)(b)(ii) applies, the returning officer must—

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- (a) count the first preference votes for each candidate, and any non-candidate, for the ballot on all of the formal ballot papers; and
 - (b) if the count indicates that a majority of the first preference votes is for 1 candidate or a non-candidate—record the number of first preference votes for each candidate and any non-candidate.
- (6) If subsection (5)(b) does not apply in relation to the preselection ballot, the returning officer must—
- (a) exclude the candidate or non-candidate for the ballot who has the fewest first preference votes on the formal ballot papers; and
 - (b) transfer each first preference vote for the excluded candidate or non-candidate on a formal ballot paper to the candidate or non-candidate next in the order of the relevant eligible voter’s preferences; and
 - (c) count the transferred vote as a first preference vote for the candidate or non-candidate to whom it was transferred; and
 - (d) if the count mentioned in paragraph (c) does not indicate that a majority of the first preference votes, including votes transferred under paragraph (b), is for 1 candidate or a non-candidate—repeat the process set out in paragraphs (a) to (c) until a count gives that indication; and
 - (e) when a count gives the indication mentioned in paragraph (d)—record the number of first preference votes for each candidate and any non-candidate that has not been excluded under paragraph (a).

30 Counting and recording of electronic votes

- (1) This section applies in relation to a preselection ballot that includes electronic voting.
- (2) The electronic votes for each candidate, and any non-candidate, for the preselection ballot must be counted and recorded by the electronic voting system for the ballot.

- (3) For subsection (2), the electronic voting system must count and record the electronic votes for each candidate, and any non-candidate, for the preselection ballot in the same way the returning officer for the ballot must count and record postal or attendance votes in the ballot under section 29.
- (4) The electronic voting system must, as soon as practicable after counting and recording the votes, generate an extract showing—
 - (a) the name of each person who accessed the electronic form of ballot paper prepared for the ballot using the system; and
 - (b) the name of each person who cast an electronic vote in the ballot; and
 - (c) the number of electronic votes cast for each candidate, and any non-candidate, for the ballot; and
 - (d) the number of informal electronic votes cast in the ballot.

31 Scrutineers for a preselection ballot

- (1) A scrutineer for a preselection ballot may be present at any of the following times—
 - (a) for an attendance vote in the ballot—when a ballot paper is given to an eligible voter for the ballot;
 - (b) for a postal vote in the ballot—when a return envelope for the vote is opened and a declaration envelope for the vote or a ballot paper for the ballot is scrutinised;
 - (c) for an electronic vote in the ballot—when the electronic voting system for the ballot generates an extract in relation to the ballot under section 30(4);
 - (d) when a ballot box is opened;
 - (e) when votes, other than electronic votes, for the ballot are scrutinised and counted.
- (2) Also, if the preselection ballot includes attendance voting, a scrutineer for the ballot may be present, where ballot boxes

for the ballot are situated, for as long as is reasonably necessary to check whether the ballot boxes are empty and secure immediately before attendance voting for the ballot starts.

- (3) In addition, if the preselection ballot includes electronic voting, a scrutineer for the ballot may access the electronic voting system for the ballot, for as long as is reasonably necessary to check whether the electronic voting system for the ballot complies with section 18(2)(b) and (c) immediately before electronic voting for the ballot starts.
- (4) Only 1 scrutineer for each candidate in the preselection ballot may—
 - (a) be present at a time mentioned in subsection (1) or (2); or
 - (b) access the electronic voting system for the ballot under subsection (3).
- (5) A person's appointment as a scrutineer for the preselection ballot must be—
 - (a) in writing; and
 - (b) signed by the appointing candidate; and
 - (c) given to the returning officer for the ballot before the person acts as scrutineer.

32 Certification of result and preselection ballot report

- (1) As soon as practicable after the result of a preselection ballot is decided under section 20, the returning officer for the ballot must—
 - (a) certify the result of the ballot; and
 - (b) give each of the following persons notice of the result—
 - (i) a member of the political party, or the section of the political party, for which the ballot was held;
 - (ii) a candidate for the ballot who is not a member of the party or section; and

- (c) publish notice of the result on the party’s website; and
 - (d) prepare a report for the party about the conduct of the ballot.
- (2) The notice mentioned in subsection (1)(b) and the report mentioned in subsection (1)(d) must include a document showing that, at the closing time for the preselection ballot—
- (a) the total of the following was equal to the number of ballot papers printed for the ballot—
 - (i) the number of ballot papers, including duplicate and replacement ballot papers, given to eligible voters for the ballot under section 22 or 25;
 - (ii) the number of ballot papers put aside and kept under section 28(4);
 - (iii) the number of unused ballot papers for the ballot; and
 - (b) the total of the following was equal to the number of participating voters for the ballot—
 - (i) the number of ballot papers for the ballot that were put aside and kept under section 28(4) for the reason mentioned in section 28(3)(a);
 - (ii) the number of formal votes in the ballot;
 - (iii) the number of informal votes in the ballot.
- (3) A copy of the notice and report must be included in the minutes of the next meeting of the political party, or the section of the political party, for which the preselection ballot was held.
- (4) In this section—
- participating voter***, for a preselection ballot, means an eligible voter for the ballot—
- (a) whose name has been recorded by the electronic voting system for the ballot under section 18(2)(b)(iii); or
 - (b) for whom the returning officer for the ballot has made a note on the preselection roll for the ballot under section 25(2)(b) or 28(2)(b)(v).

33 Giving and keeping of documents

- (1) The returning officer for a preselection ballot must, regardless of whether the ballot is actually held, give the following documents to the registered officer of the political party for which the ballot is or was to be held—
 - (a) if the returning officer was appointed in the way provided for under the party's constitution—a copy of the document evidencing the returning officer's appointment;
 - (b) if the returning officer was appointed under section 3(3)(a)—a copy of the minutes of the meeting in which the appointment was recorded;
 - (c) a copy of the call for nominations for the ballot;
 - (d) a written statement about the way the call for nominations is given under section 5;
 - (e) a copy of each nomination of a candidate for the ballot, including any nomination that is withdrawn or not accepted;
 - (f) a copy of any document evidencing the withdrawal of a nomination of a candidate for the ballot;
 - (g) a copy of the certification required under section 15(5) in relation to the ballot.
- (2) Also, if the preselection ballot is held, the returning officer must give the following documents to the registered officer—
 - (a) a copy of—
 - (i) the procedure notice for the ballot; and
 - (ii) any amendment notice given under section 14(1) in relation to the procedure notice;
 - (b) a copy of the preselection roll for the ballot;
 - (c) a copy of any document evidencing the exclusion, under section 15(3), of an excluded member of the section of the party for which the ballot is held;
 - (d) if the ballot includes postal voting—

- (i) the declaration envelopes and ballot papers received at the address for receipt of postal votes for the ballot; and
 - (ii) a written notice stating the number of declaration envelopes, if any, received at the address for receipt of postal votes for the ballot after the closing time for postal voting for the ballot;
- (e) if the ballot includes attendance voting—the ballot papers used for the attendance voting;
- (f) if the ballot includes electronic voting—a copy of the extract generated by the electronic voting system in relation to the ballot under section 30(4);
- (g) for each scrutineer for the ballot—a copy of the appointment given to the returning officer under section 31(5)(c);
- (h) a document showing—
 - (i) the total number of formal votes in the ballot; and
 - (ii) the total number of informal votes in the ballot; and
 - (iii) the total number of ballot papers put aside and kept under section 28(4) for the ballot; and
 - (iv) if the ballot is decided on a first-past-the-post basis—the number of formal votes recorded for each candidate, and any non-candidate, for the ballot; and
 - (v) if the ballot is decided by preferential voting—
 - (A) the order in which 1 or more candidates for the ballot were, or a non-candidate for the ballot was, excluded from the vote count for the ballot; and
 - (B) how each vote for an excluded candidate or non-candidate was transferred as part of counting the votes in the ballot;
- (i) a copy of the certification and notice mentioned in section 32(1) for the ballot;

- (j) a copy of the minutes mentioned in section 32(3).
- (3) The returning officer must give the registered officer the documents required under subsection (1) and (2)—
 - (a) if the preselection ballot is held—
 - (i) as soon as reasonably practicable after the closing time for the ballot; and
 - (ii) in any event, before the day the registered officer is next required to notify the commission under section 170 of the Act; or
 - (b) otherwise—before the day mentioned in paragraph (a)(ii).
- (4) The registered officer must keep the documents—
 - (a) for a preselection ballot for an election for a local government—until the day notice of the next quadrennial election of the local government after that election is published under the *Local Government Electoral Act 2011*, section 25; or
 - (b) for a preselection ballot for another election—until the day the writ is issued for the next general election after that election.

ENDNOTES

- 1 Made by the Governor in Council on 29 August 2024.
- 2 Notified on the Queensland legislation website on 30 August 2024.
- 3 The administering agency is the Department of Justice and Attorney-General.

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