



Queensland

Electoral (Voter's Choice) Amendment Bill 2019



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2019

A Bill

for

An Act to amend the *Electoral Act 1992* for particular purposes

	The Parliament of Queensland enacts—	1
Clause 1	Short title	2
	This Act may be cited as the <i>Electoral (Voter's Choice) Amendment Act 2019</i> .	3 4
Clause 2	Act amended	5
	This Act amends the <i>Electoral Act 1992</i> .	6
Clause 3	Amendment of s 2 (Definitions)	7
	(1) Section 2, definition <i>continuing candidate</i> —	8
	<i>omit.</i>	9
	(2) Section 2, definition <i>first preference vote</i> , after 'number 1'—	10
	<i>insert—</i>	11
	, or a tick or a cross,	12
Clause 4	Amendment of s 102 (Supply of ballot papers and electoral rolls)	13 14
	Section 102(3)—	15
	<i>omit, insert—</i>	16
	(3) The ballot papers to which subsection (2) applies must contain the following sentences—	17 18
	• Place the number 1, or a tick or a cross, in the square opposite the candidate of your choice.	19 20 21
	• You may, if you wish, indicate your preference for additional candidates by numbering the other squares in your preferred order.	22 23 24 25

Clause 5	Amendment of s 122 (How electors must vote)	1
	Section 122(2)—	2
	<i>omit, insert</i> —	3
	(2) An elector may vote by writing on a ballot paper—	4
		5
	(a) to indicate the elector's preference for only 1 candidate—the number 1, or a tick or a cross, in the square opposite the name of the candidate; or	6
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		9
	(b) to indicate the elector's preferences for more than 1, but not necessarily all, of the candidates—	10
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		12
	(i) the number 1, or a tick or a cross, in the square opposite the name of the candidate who is the elector's first preference; and	13
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	(ii) the numbers 2, 3 and so on in the squares opposite the names of any of the other candidates to indicate the order of the elector's preferences for them.	17
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		21
Clause 6	Amendment of s 123 (Formal and informal ballot papers)	22
	(1) Section 123(1)(a), after 'voter's intended'—	23
	<i>insert</i> —	24
	preference or	25
	(2) Section 123(2) and (2A)—	26
	<i>omit, insert</i> —	27
	(2) Despite section 122(3), a ballot paper is taken to contain writing or markings that indicate the voter's intended order of preferences, even though—	28
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		30
		31

[s 7]

- (a) the ballot paper contains 2 or more squares in which the same number is written or marked; or
 - (b) there is a break in the order of the preferences indicated in writing or marks in the squares on the ballot paper.
- (2A) For the purpose of counting the votes indicated on a ballot paper mentioned in subsection (2), each of the following numbers written or marked in a square on the ballot paper is to be disregarded—
- (a) a number that is repeated in 2 or more squares and any higher number;
 - (b) a number that indicates a preference after a break in the order of preferences indicated on the ballot paper.

Clause 7 Amendment of s 128 (Official counting of votes)

- (1) Section 128(7)(b) and (9)(b), after ‘that candidate’—
insert—
that is not exhausted
- (2) Section 128(11), after ‘a ballot paper’—
insert—
that is not exhausted
- (3) Section 128—
insert—
(16) In this section—
continuing candidate, in relation to counting votes for an election for an electoral district, means a candidate in the election who has not been excluded at a previous count of votes for the election.

exhausted, for a ballot paper for an electoral district, means there is no vote recorded on the ballot paper for a continuing candidate for the electoral district. 1
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