

Electoral Reform Amendment Bill 2013

Explanatory Notes

FOR

Amendments To Be Moved During Consideration In Detail By The Honourable Jarrod Bleijie MP

Title of the Bill

Electoral Reform Amendment Bill 2013

Objectives of the Amendments

The objectives of the amendments are to ensure the Bill meets its policy objectives and to implement a recommendation made by the Legal Affairs and Community Safety Committee (the Committee) in its Report No. 56.

Achievement of the Objectives

The amendments achieve the objectives by:

- providing that a postal vote application must be made by 7 p.m. on the Wednesday before polling day;
- implementing the Committee's recommendation to change the threshold for entitlement to public funding to at least 6% of first preference votes;
- providing that the gifts and loans disclosure threshold is the dollar amount applying at the Commonwealth level;
- clarifying that the amendments to the *Electoral Act 1992* in the Bill, though taken to have commenced on the day the Bill was introduced into the Legislative Assembly, do not apply in relation to the Redcliffe by-election held on 22 February 2014; and
- correcting minor technical and typographical errors in the Bill.

Alternative Ways of Achieving Policy Objectives

There is no alternative way to achieve the objectives other than by amending the Bill.

Estimated Cost for Government Implementation

The cost to Government in implementing the change to the threshold for entitlement to public funding is minimal.

Consistency with Fundamental Legislative Principles

The amendments are consistent with fundamental legislative principles.

Consultation

Changes to the threshold for entitlement to public funding were recommended by the Committee as part of its examination of the Bill.

No consultation was conducted on the other amendments, which are minor and technical or clarifying in nature.

NOTES ON PROVISIONS

Amendment 1 amends clause 2 of the Bill to insert a new definition of *gift threshold amount* for the purposes of new section 201A.

Amendment 2 amends clause 5 to change to 6% the threshold of first preference votes that must be received by a candidate for the deposit accompanying their nomination to be returned. The change to the clause, which currently provides for a 10% threshold, is consistent with changing the threshold for a candidate to receive public funding.

Amendment 3 amends clause 12 of the Bill to make a consequential renumbering amendment.

Amendment 4 amends clause 12 of the Bill to provide that postal vote applications may be made up to 7 p.m. on the Wednesday before polling day. This will increase the chances of voters who apply for a postal vote on the last allowable day receiving their ballot material in time to cast a valid vote.

Amendment 5 amends clause 15 of the Bill to correct a grammatical error.

Amendment 6 amends clause 24 of the Bill to replace new section 201A (Meaning of gift threshold amount) to provide that a reference to the *gift threshold amount* is a reference to the dollar amount applying at the Commonwealth level as calculated and indexed under the *Commonwealth Electoral Act 1918* (currently \$12,400). The change will ensure the Queensland threshold remains consistent with the Commonwealth threshold over time.

Amendment 7 amends clause 36 of the Bill to change the threshold to receive public funding to 6% of first preference votes. The clause currently provides for a 10% threshold.

Amendment 8 amends clause 37 of the Bill to change the threshold to receive public funding to 6% of first preference votes. The clause currently provides for a 10% threshold.

Amendment 9 amends clause 38 of the Bill to correct a minor typographical error.

Amendment 10 amends clause 49 of the Bill to change the threshold to receive public funding to 6% of first preference votes. The clause currently provides for a 10% threshold.

Amendment 11 amends clause 52(6) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 12 amends clause 52(7) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 13 amends clause 53(3) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 14 amends clause 54(3) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 15 amends clause 54(4) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 16 amends clause 55(5) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 17 amends clause 56 (replacement section 265(1)) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 18 amends clause 56 (replacement section 265(6)(b)) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 19 amends clause 57(2) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 20 amends clause 58(1) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 21 amends clause 65 of the Bill to replace references to ‘registered officer’ with references to ‘agent’ to ensure consistent terminology is used throughout the Bill.

Amendment 22 amends clause 66(1) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 23 amends clause 66(2) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 24 amends clause 68 (replacement section 293) of the Bill to replace the reference to the \$12400 CPI indexed amount with a reference to the *gift threshold amount*.

Amendment 25 inserts new section 422 (Application of Act in relation to Redcliffe by-election) to clarify that the amendments made to the *Electoral Act 1992* by the Bill though taken to have commenced on the day the Bill was introduced into the Legislative Assembly, do not apply in relation to the Redcliffe by-election held on 22 February 2014.