

Electoral Amendment Regulation (No. 1) 2014

Explanatory notes for SL 2014 No. 154

made under the

Electoral Act 1992

General Outline

Short title

Electoral Amendment Regulation (No. 1) 2014

Authorising law

Section 392 of the *Electoral Act 1992* (the Electoral Act) provides that the Governor in Council may make regulations under the Act.

Policy objectives and the reasons for them

The Electoral Act governs the conduct of parliamentary elections in Queensland. Recent amendments to the Electoral Act made by the *Electoral Reform Amendment Act 2014* (the Amendment Act) include the introduction of:

- a proof of identity requirement in order to vote in a Queensland State election; and
- policy development payments for registered political parties.

The Electoral Act provides that acceptable identification for the purposes of the proof of identity requirement and the amount to be made available for policy development payments must be prescribed by regulation.

Changes made by the Amendment Act in relation to financial disclosure and reporting also require consequential amendments to the *Electoral Regulation 2013* (the Electoral Regulation).

Achievement of policy objectives

Proof of identity

The Electoral Act provides that a voter must provide proof of identity to cast a vote at a polling booth. Section 2 (Definitions) of the Electoral Act provides that a proof of identity document means a document relating to proof of a person's identity prescribed under a regulation.

Section 3 of the amendment regulation amends the Electoral Regulation to insert new part 2A (Procedure for voting) which sets out acceptable proof of identity documents for the purposes of the Electoral Act.

Policy development payments

The Electoral Act provides for a policy development payment each financial year to be apportioned between eligible registered political parties (as defined in that Act) according to their relative electoral support. Section 240 provides that the amount to be made available for policy development payments must be prescribed by regulation.

Section 4 of the amendment regulation replaces section 8 of the Electoral Regulation to provide that the amount to be made available for policy development payments is \$3 million.

Consequential amendments

Section 4 of the amendment regulation also makes consequential changes to remove redundant provisions relating to financial disclosure and reporting.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the object of the Electoral Act which governs the conduct of parliamentary elections in Queensland.

Inconsistency with policy objectives of other legislation

The amendment regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

Policy development payments are part of the changed basis for public electoral funding implemented by the Amendment Act.

Consistency with fundamental legislative principles

The amendment regulation is consistent with fundamental legislative principles.

Consultation

The Electoral Commission of Queensland was consulted during the development of the amendment regulation.

Comprehensive community consultation was undertaken on the Amendment Act. Proof of identity requirements and policy development payments, and their prescription by regulation, were considered as part of this consultation.

The Office of Best Practice Regulation was consulted and confirmed that a Regulatory Impact Statement is not required.