

# Electoral and Other Legislation Amendment Act 2019

Explanatory notes for SL 2020 No. 3

Made under the

*Electoral and Other Legislation Amendment Act 2019*

## General Outline

### Short Title

Proclamation commencing stated provisions of Electoral and Other Legislation Amendment Act 2019.

### Authorising law

Section 2 of the *Electoral and Other Legislation Amendment Act 2019*.

### Policy objectives and the reasons for them

The objective of the proclamation is to fix 31 January 2020 as the commencement date for stated provisions of the *Electoral and Other Legislation Amendment Act 2019* (the Amendment Act).

The Amendment Act amends the *Electoral Act 1992*, the *Referendums Act 1997*, the *Acts Interpretation Act 1954* and the *Parliament of Queensland Act 2001* to:

- improve the integrity, transparency and public accountability of State elections by implementing a further legislative stage of the Government's response to certain recommendations in the Report of the Crime and Corruption Commission titled *Operation Belcarra: A blueprint for integrity and addressing corruption risk in local government*;
- facilitate operational improvements and support efficiencies in the State electoral system in response to the Independent Panel's report, *A review of the conduct of the 2016 local government elections, the referendum and the Toowoomba South by-election*;
- ensure that provisions of the *Electoral Act 1992* and related legislation reflect the adoption of four-year fixed electoral terms in Queensland; and
- achieve improved consistency across the electoral system, including better alignment between State and local government elections and referendums, and make other minor improvements.

## **Achievement of policy objectives**

The policy objective is achieved by fixing the commencement day of 31 January 2020 for all provisions of the Act, except for the provisions listed in the schedule to the Proclamation.

## **Consistency with policy objectives of authorising law**

The Proclamation is consistent with the policy objectives of the authorising law.

## **Inconsistency with policy objectives of other legislation**

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

## **Benefits and costs of implementation**

The main benefit of the Proclamation is the commencement of the majority of the provisions of the Amendment Act. There will be costs to Electoral Commission Queensland (ECQ) in implementing the stated provisions.

## **Consistency with fundamental legislative principles**

The Proclamation is consistent with fundamental legislative principles.

## **Consultation**

The ECQ has been consulted in relation to the proposed commencement date for the stated provisions and supports the proposal.

A self-assessment by the Department of Justice and Attorney-General determined that no Regulatory Impact Analysis is required as the regulatory proposal is excluded under category (g) of the *Queensland Government Guide to Better Regulation* – regulatory proposals that are of a machinery nature.