

# **Proclamation – Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Act 2023**

Explanatory notes for SL 2023 No. 55

made under the

*Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Act 2023*

## **General Outline**

### **Short title**

Proclamation to commence the provisions of the *Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Act 2023* that are not in force, other than parts 4A and 4B.

### **Authorising law**

Section 2 of the *Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Act 2023*.

### **Policy objectives and the reasons for them**

The *Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Act 2023* (the Act) was assented to on 2 May 2023. Section 2 provides that the Act commences on a day to be fixed by proclamation, other than parts 4A and 4B which commence on 1 July 2023.

The Act (other than parts 4A and 4B) amends the *Local Government Electoral Act 2011*, the *Local Government Act 2009* and the *City of Brisbane Act 2010* to establish an electoral expenditure caps scheme for local government elections to level the playing field and ensure a fair opportunity for all participants. The scheme will first apply for the 2024 local government quadrennial election.

The objective of this Proclamation is to commence the provisions of the Act that are not in force (other than parts 4A and 4B) on 28 June 2023.

## **Achievement of policy objectives**

The policy objective is achieved by fixing 28 June 2023 as the commencement date for the provisions of the Act that are not in force (other than parts 4A and 4B).

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

The Proclamation is consistent with the policy objectives of the Act.

## **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 benefit of implementation of the Proclamation is to commence the operation of the electoral expenditure caps scheme for local government elections to level the playing field and ensure a fair opportunity for all participants.

In relation to costs of the electoral expenditure caps scheme, the explanatory notes accompanying the Act noted that the State Government would incur additional costs in the implementation of the measures in the Act and that funding would be considered through standard budgetary processes. Funding was subsequently approved.

## **Consistency with fundamental legislative principles**

The Proclamation is consistent with the fundamental legislative principles.

## **Consultation**

The Local Government Association of Queensland, Local Government Managers Australia (Queensland) and the Electoral Commission of Queensland have been consulted in relation to the commencement date.

There are no objections to the proposed Proclamation being made.

A self-assessment by the Department of State Development, Infrastructure, Local Government and Planning determined that the Proclamation was excluded from further regulatory impact analysis under the *Queensland Government Guide to Better Regulation* exclusion category (g) ‘regulatory proposals that are of a machinery nature’.