



Queensland

Electoral (Improving Representation) and Other Legislation Amendment Bill 2016



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	government membership of Assembly)	10
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2016

A Bill

for

An Act to amend the *Constitution of Queensland 2001*, the *Electoral Act 1992*, the *Parliament of Queensland Act 2001* and the *Queensland Independent Remuneration Tribunal Act 2013* for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Electoral (Improving Representation) and Other Legislation Amendment Act 2016*. 4
5

Clause 2 Commencement 6

(1) Parts 2, 4 and 5 commence immediately after the first 7
post-redistribution writ is issued. 8

(2) In this section— 9

first post-redistribution writ means the writ for the general 10
election first issued under the *Electoral Act 1992*, section 82 11
after the post-commencement electoral redistribution has 12
become final. 13

post-commencement electoral redistribution means the first 14
electoral redistribution under the *Electoral Act 1992* that 15
becomes final under that Act after the commencement of part 16
3. 17

Note— 18

For electoral redistributions, see the *Electoral Act 1992*, part 3. 19

Part 2 Amendment of Constitution of Queensland 2001 20
21

Clause 3 Act amended 22

This part amends the *Constitution of Queensland 2001*. 23

Clause 4	Amendment of s 11 (Number of members of Legislative Assembly)	1
	Section 11, ‘89’—	2
	<i>omit, insert</i> —	3
	93	4
		5
Part 3	Amendment of Electoral Act 1992	6
		7
Clause 5	Act amended	8
	This part amends the <i>Electoral Act 1992</i> .	9
Clause 6	Amendment of s 2 (Definitions)	10
(1)	Section 2, definition <i>nonjudicial appointee</i> —	11
	<i>omit</i> .	12
(2)	Section 2—	13
	<i>insert</i> —	14
	<i>chief executive appointee</i> see section 6(2)(c).	15
	<i>expert appointee</i> see section 6(2)(d).	16
	<i>nonjudicial appointee</i> means a chief executive appointee or an expert appointee.	17
		18
(3)	Section 2, definition <i>appointed commissioner</i> , ‘the nonjudicial’—	19
	<i>omit, insert</i> —	20
	a nonjudicial	21
		22

[s 7]

Clause 7	Amendment of s 3 (Average number of enrolled electors for electoral districts)	1 2
	Section 3(1), definition <i>average number of enrolled electors for electoral districts</i> , ‘89’—	3 4
	<i>omit, insert—</i>	5
	93	6
Clause 8	Amendment of s 6 (Establishment of Electoral Commission of Queensland etc.)	7 8
	(1) Section 6(2)(c)—	9
	<i>omit, insert—</i>	10
	(c) 1 other commissioner (the <i>chief executive appointee</i>) appointed as mentioned in subsection (6);	11 12 13
	(d) 2 other commissioners (each an <i>expert appointee</i>) appointed as mentioned in subsection (6A).	14 15 16
	(2) Section 6(4), ‘appointee’—	17
	<i>omit, insert—</i>	18
	appointees	19
	(3) Section 6(6), ‘nonjudicial’—	20
	<i>omit, insert—</i>	21
	chief executive	22
	(4) Section 6—	23
	<i>insert—</i>	24
	(6A) A person appointed as an expert appointee must have qualifications or experience in 1 or more of the following—	25 26 27
	(a) demography;	28
	(b) statistics;	29

	(c) regional and town planning.	1
(5)	Section 6(7)—	2
	<i>omit, insert—</i>	3
	(7) A person may be appointed as the chairperson or a nonjudicial appointee only if—	4
	(a) the Minister has consulted with the parliamentary committee about—	5
	(i) the process of selection for appointment; and	6
	(ii) the appointment of the person as the chairperson or nonjudicial appointee; and	7
	(b) the person’s appointment is made with the support of each member of the Legislative Assembly recognised as the leader of a political party represented in the Assembly.	8
		9
		10
		11
		12
		13
		14
		15
		16
Clause 9	Amendment of s 9 (Tenure and terms of office)	17
(1)	Section 9(2), ‘nonjudicial’—	18
	<i>omit, insert—</i>	19
	chief executive	20
(2)	Section 9(3), ‘nonjudicial’—	21
	<i>omit, insert—</i>	22
	chief executive	23
Clause 10	Amendment of s 15 (Meetings of commission)	24
	Section 15(4), ‘2’—	25
	<i>omit, insert—</i>	26
	4	27

[s 11]

Clause 11	Amendment of s 34 (Number of electoral districts for the State)	1
		2
	Section 34, ‘89’—	3
	<i>omit, insert—</i>	4
	93	5
Clause 12	Amendment of s 35 (Distribution, and redistribution, of State into electoral districts)	6
		7
	Section 35(3), ‘89’—	8
	<i>omit, insert—</i>	9
	93	10
Clause 13	Amendment of s 52 (When redistribution takes effect)	11
	(1) Section 52(1), after ‘subject to’—	12
	<i>insert—</i>	13
	subsection (3) and	14
	(2) Section 52(2), ‘The’—	15
	<i>omit, insert—</i>	16
	Subject to subsection (3), the	17
	(3) Section 52—	18
	<i>insert—</i>	19
	(3) For the post-commencement electoral redistribution—	20
		21
	(a) there is no increase in the number of members of the Legislative Assembly; and	22
		23
	(b) the electoral districts, as in existence before the redistribution, continue in force;	24
		25
	until the first post-redistribution writ is issued and any appeal under section 57(6) has been disposed of by the Court of Appeal.	26
		27
		28

	(4)	Subsection (3) has effect despite the <i>Constitution of Queensland 2001</i> , sections 12 and 13.	1 2
	(5)	In this section—	3
		<i>first post-redistribution writ</i> means the writ for a general election first issued after the post-commencement electoral redistribution has become final.	4 5 6 7
		<i>post-commencement electoral redistribution</i> means the first electoral redistribution that becomes final after the commencement of the <i>Electoral (Improving Representation) and Other Legislation Amendment Act 2016</i> , part 3.	8 9 10 11 12
Part 4		Amendment of Parliament of Queensland Act 2001	13 14
Clause 14	Act amended		15
		This part amends the <i>Parliament of Queensland Act 2001</i> .	16
Clause 15	Amendment of s 91 (Membership and operation—less than 15% non-government membership of Assembly)		17 18
		Section 91(1), note, ‘89’—	19
		<i>omit, insert—</i>	20
		93	21
Clause 16	Amendment of s 91A (Membership and operation—at least 15% but less than 25% non-government membership of Assembly)		22 23 24
	(1)	Section 91A(1), note, ‘89’—	25
		<i>omit, insert—</i>	26
		93	27

[s 17]

- (2) Section 91A(1), note, ‘22’— 1
omit, insert— 2
23 3

- Clause 17 Amendment of s 91B (Membership and operation—at least 25% but less than 50% non-government membership of Assembly)** 4
5
6
- (1) Section 91B(1), note, ‘89’— 7
omit, insert— 8
93 9
- (2) Section 91B(1), note, ‘23 to 44’— 10
omit, insert— 11
24 to 46 12

- Clause 18 Amendment of s 91C (Membership and operation—at least 50% non-government membership of Assembly)** 13
14
- (1) Section 91C(1), note, ‘89’— 15
omit, insert— 16
93 17
- (2) Section 91C(1), note, ‘45’— 18
omit, insert— 19
47 20

Part 5	Amendment of Queensland Independent Remuneration Tribunal Act 2013	1 2 3
Clause 19	Act amended	4
	This part amends the <i>Queensland Independent Remuneration Tribunal Act 2013</i> .	5 6
Clause 20	Amendment of s 39 (Meaning of <i>recognised political party</i>)	7 8
	Section 39(1)(a), note, ‘89’—	9
	<i>omit, insert—</i>	10
	93	11