

~~every hour of every day to deliver more beds sooner and closer to Queenslanders because that is what they deserve, and we are working well with the federal government on that.~~

~~What do the opposition say about this major expansion of the emergency department at the Rockhampton Hospital? What do they say? They are opposed to that extension. What do they say they would do if they were in government? There is deathly silence. They have no program for what would happen in Rockhampton if that \$244 million had not been spent. So they have no policy on what would happen in Rockhampton.~~

~~Secondly, late last year the opposition, the Liberal National Party here, put out a discussion paper calling for public comment about ways forward in addressing the concerns around emergency departments. That closed, I understand, in January this year. There was no policy announced as a result of that—no policy. What is their policy? Zero from the Liberal National Party. Not only do we have a zero policy position from the Liberal National Party from January this year, their new leader, Campbell Newman, has just announced that all existing policies are null and void. So there is no risk there of an emergency department policy from the Liberal National Party. It is already zero.~~

~~Opposition members interjected.~~

~~Mr SPEAKER: Order! We will wait for the House to come to order. I was a bit distracted there for a moment. The House will come to order.~~

~~Mr WILSON: The new leader of the Liberal National Party has declared null and void its zero policy on health and its zero policy on emergency departments. It leaves those opposite not knowing in what direction they will go in spending major money in regional hospitals. Not only that, today may be the last day for the opposition spokesperson—~~

~~(Time expired)~~

### ~~Child Protection~~

~~Mr MALONE: My question without notice is to the Minister for Child Safety. I refer to the government's failure to give police and child safety officers the legal power to remove at risk children and teenagers from situations of moral and physical danger to safe havens. When will the minister amend the Child Protection Act to give it real teeth to protect vulnerable children and young teenagers in this community?~~

~~Mr SPEAKER: The time for question time is over.~~

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## ELECTORAL REFORM AND ACCOUNTABILITY AMENDMENT BILL

### First Reading



**Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (11.30 am): I present a bill for an act to amend the Electoral Act 1992 for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

*Tabled paper:* Electoral Reform and Accountability Amendment Bill.

*Tabled paper:* Electoral Reform and Accountability Amendment Bill, explanatory notes.

### Second Reading



**Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (11.30 am): I move—

That the bill be now read a second time.

The reforms to Queensland's electoral laws in the Electoral Reform and Accountability Amendment Bill 2011 will fundamentally change the financing of election campaigns in Queensland. Queenslanders must be able to have confidence in our democratic system of government. Our electoral system must be free from undue influence associated with large political donations. Our electoral system is built on the foundation that each person should carry equal sway—one person, one vote. Those with the means to make large donations should not be permitted to leverage more from the political process than everyday Queenslanders.

This bill introduces reforms to political donations, expenditure and electoral funding to ensure the electoral process is independent and allows equitable access for all in the community to participate. Achieving these aims is not without difficulty. There are serious constitutional issues which come into

play and have substantially shaped the development of this bill. It has been necessary to ensure the amendments, as far as possible, do not infringe the implied freedom of political communication under the Commonwealth Constitution. This requires that a law may only effectively burden the freedom of political communication about government or political matters, where it is reasonably appropriate and adapted to serve a legitimate end, in a manner which is compatible with the maintenance of the constitutionally prescribed system of representative and responsible government.

Capping donations and expenditure would of course, on its own, limit the ability of political parties and candidates to communicate with the electorate about political matters. It has therefore been necessary to amend the system of public election funding to ensure political parties and candidates are still able to communicate with Queenslanders while removing their dependence on private donors to do this. These requirements have influenced the final system proposed in this bill. The bill will introduce a cap on donations for use in state campaigns to ensure equitable access to the political process for all participants. These political donations will be capped at \$5,000 per donor, per party, per year for donations to Queensland political parties; \$2,000 per donor, per year to candidates endorsed for each Queensland political party; and \$2,000 per donor per year to Independent candidates as a whole. These caps will include in-kind donations, money and other property. I would emphasise that unions will be subject to these donation caps just like everyone else.

Donations to third parties will also be capped. Donors have an obligation not to donate in excess of the caps, and anyone receiving a political donation also has obligations not to receive donations in excess of the caps. To ensure donors are aware of the new requirements under this bill, the recipient of a political donation will be required to provide a receipt and notify the donor that it is an offence for the person to make a political donation that exceeds the cap.

Registered political parties, candidates and third parties will be required to maintain a state campaign account into which all political donations must be placed. All amounts to be incurred for electoral expenditure during the capped expenditure period will be required to be paid from the state campaign account. The donation caps in this bill will apply to any donation received after 1 January 2011 for state campaign purposes, as was announced in the *Reforming Queensland's electoral system* white paper released in December last year. This retrospectivity is necessary to ensure the donations cap is effective and there is not a rush of large donations given in anticipation of the bill being enacted. Such a reaction would thwart the aim of the reforms.

To complement the cap on political donations, the bill also caps electoral expenditure by registered political parties, candidates and third parties. I note that the Liberal National Party has indicated publicly its support for a campaign expenditure cap. The expenditure cap for a political party will be \$80,000 times the number of seats being contested for a state-wide election. How and where this amount is spent will be entirely at the discretion of the political party. The cap for each endorsed candidate will be \$50,000, which can only be used for electoral expenditure in the candidate's specific electorate. The cap for each Independent candidate will be \$75,000, in recognition of the fact that Independents do not have the resources of a political party at their disposal.

Like the caps on political donations, the electoral expenditure caps can be increased annually by indexing to the Brisbane all groups consumer price index. There are safeguards in the bill to ensure the caps on donations and expenditure cannot be circumvented. As I have already outlined, the caps on political donations and expenditure will apply not only to political parties and candidates but also to third parties. Of course, third parties such as business, conservation, residential and industrial groups have a legitimate right to have their say in our democracy—and this legislation recognises that while ensuring it is appropriately regulated.

Electoral expenditure by third parties during a capped expenditure period will not be allowed to exceed \$500,000 state-wide or \$75,000 in relation to a single electorate. Third parties will be required to register with the Electoral Commission of Queensland if they spend over \$10,000 on electoral expenditure in a capped expenditure period or \$2,000 in any single electorate and will be subject to reporting requirements. The caps on political donations and electoral expenditure will reduce the amount of money that political parties and candidates have to spend on campaigning during election periods. It is policies that should determine elections, not deep pockets.

In order to ensure that the community can actively participate in the electoral process, it is important that political parties and candidates are adequately funded. Accordingly, the bill increases public funding to political parties to help offset the restrictions imposed by the donations cap. The bill provides for the amount of public funding for elections for political parties and candidates to be determined by reference to a sliding scale based on their expenditure. This ensures we do not see candidates receiving funding in excess of expenditure and pocketing the difference. Parties and candidates must still reach four per cent to receive funding, but the amount of funding will not be based on the number of votes received. In addition, parties and Independent members will receive public funding for administrative expenses, in recognition of their lessening dependency on private donations.

The Electoral Act already contains a range of extensive reporting requirements, and these will be retained. The bill provides offences for persons and entities that breach their legislative obligations.

Maximum penalties of \$20,000 for individuals and \$500,000 for incorporated entities will apply for many breaches. The Queensland Electoral Commissioner's powers of investigation have also been updated to contemporary standards.

In addition to the reforms to political donations and campaign finance, the bill makes improvements in the areas of voter enrolment and voting procedures to enhance electoral participation in Queensland. The bill will allow 16-year-olds to provisionally enrol to vote as 17-year-olds can currently. This will ensure the Electoral Commission is able to effectively target young people with important information about enrolling to vote while they are still at school. Provisional enrolment does not entitle 16- or 17-year-olds to a vote but ensures they are automatically enrolled to vote on their 18th birthday.

The bill will also enable a person to cast a provisional declaration vote if they enrol or update their enrolment details after the writs for an election have been issued and up to the day before polling day. The bill will allow an elector to vote before polling day by casting an ordinary vote at a prepoll office declared by the Electoral Commission of Queensland to be an ordinary prepoll voting office for their electoral district. The bill also amends the Electoral Act to require applications for postal voting to be made in an approved form. These historic reforms will strengthen our democracy, safeguarding against our electoral system being influenced by excessive political donations. I commend the bill to the House.

Debate, on motion of Mr Seeney, adjourned.

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## ~~NORTH STRADBROKE ISLAND PROTECTION AND SUSTAINABILITY BILL~~

### ~~Second Reading~~

~~Resumed from 6 April (see p. 1060), on motion of Ms Jones~~

~~That the bill be now read a second time.~~

~~**Dr ROBINSON** (Cleveland LNP) (11.39 am): The residents of North Stradbroke Island are not using the slogan 'Keep Kate' today. Instead today they are using the slogan 'Keep Kate away'. They are using the slogan 'Keep Kate away' because every time the member for Ashgrove accompanies the Premier to North Stradbroke Island the residents lose something. They are about to lose hundreds of jobs. They are about to lose their source of livelihood and income. This government, this Premier and the member for Ashgrove have not acted in the interests of the residents of North Stradbroke Island. They have taken away from them. They have now put their houses at risk. Already banks are not providing credit.~~

~~**Government members** interjected.~~

~~**Dr ROBINSON:** This is a fact; it is on record. Banks have started to not allow loans to be provided to people who are miners.~~

~~**Mr Schwarten:** Which bank? Name the bank.~~

~~**Dr ROBINSON:** It is not just one bank; it is a number of banks. This is not talking it down. These are the very real facts that the families and workers on North Stradbroke Island are facing, and this government could not care less.~~

~~I was making the point last night before the debate was adjourned that I could not support this bill in its current form because of a number of measures in the bill. The first was the very negative impact it will have on families. The residents are saying, 'Keep Kate away. Keep the Premier away. Every time they come we lose something.' This bill impacts negatively on the families. There are blue collar workers and union workers approaching me on the streets on the island saying, 'We've been let down. We want our union membership back. We want our jobs back. Why does it take an LNP member to get up in this House and support the rights of workers? Whatever happened to the Labor Party?' That is what they are asking on the island, as the membership of the Labor Party on the island dwindles to almost nothing. Labor Party members are confused today. They do not who they represent. They used to represent the workers, now they are not sure. The blue collar has been taken over by the green collar, and they are confused about who they stand for and what they stand for.~~

~~This bill will impact negatively on the North Stradbroke Island residents, and this shows how poor this bill is and how uncaring this government is towards the residents of the island. It is very likely that the cost of food, petrol and other goods and services on the island will go up as the cost of the ferries at some stage undoubtedly will have to go up. Already, we are seeing a merger of the two main ferry companies that take people across to the island. We have seen that one of the main vehicular ferries has had to be restationed and taken up to Gladstone. This is preparing for the downturn on the island—a Premier-induced downturn—and this is something that the businesses, residents and workers are fighting against. There is probably barely a Labor vote left on the island. That is how bad this government is and how much this government has abused the workers and people of North Stradbroke Island. That is the first reason I cannot support this bill.~~