

File number: 327



7 July 2021

Mr Linus Power MP
Chair
Economics and Governance Committee
Parliament House
George Street
BRISBANE QLD 4000
Email: egc@parliament.qld.gov.au

Dear Mr Power

Thank you for the opportunity to provide a submission to the Economics and Governance Committee's (the Committee) inquiry into the Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Bill 2021.

The Electoral Commission of Queensland (ECQ) reiterates the considerations outlined in its submission to the Committee for its inquiry into the COVID-19 Emergency Response and Other Legislation Amendment Bill 2021 relating to the need to ensure flexibility to conduct COVID-safe by-elections.

The ECQ is currently delivering a State by-election for the electorate of Stretton and two local government by-elections for Richmond Shire Council and Cassowary Coast Regional Council. Since the 2020 State general election in October 2020, the ECQ has delivered a further eight local government by-elections.

The recent cases of community transmission of COVID-19 and subsequent lockdowns in south east Queensland and north Queensland have highlighted the continuing impact of the pandemic on Queenslanders. The ECQ supports the regulatory flexibility previously provided by the Queensland Parliament to ensure that any by-elections conducted during the COVID-19 emergency can incorporate appropriate public health measures. A further extension of the expiry provisions would continue this flexibility, which is linked to the declaration of the public health emergency, and ensure the ECQ is able to conduct by-elections consistent with evolving public health measures.

The ECQ is currently working with Queensland Health and other agencies to ensure the current by-elections include appropriate COVID safety measures, and has again operationalised a number of provisions enacted for this purpose. For the Stretton by-election, this has included extending eligibility for telephone voting, prohibiting 'electoral visitor' voting and preparing directions to reinforce health measures relating to distribution of how-to-vote cards and the conduct of scrutineering. This has highlighted the continuing relevance and importance of the operation of these

provisions included in part 12C of the *Electoral Act 1992* and part 9B of the *Local Government Electoral Act 2011*.

The ECQ therefore supports the extension of the COVID expiry day until 30 April 2022, noting that this timeframe has been determined based on expert health advice about the ongoing impact of the COVID-19 pandemic. As the exercise of powers relating to by-elections is discretionary and must only be utilised to minimise risks to health and safety caused by the COVID-19 emergency, the ECQ would only apply these provisions as necessary to respond to the public health situation at the time of a by-election.

I trust this information is of assistance to the Committee. Should you require further information regarding this matter, please contact Ms Cecelia Nuttall, Director, Strategy, Policy and Governance, ECQ on [REDACTED].

Yours sincerely

A handwritten signature in black ink, appearing to read 'Wade Lewis', enclosed within a large, loopy oval shape.

Wade Lewis
Acting Electoral Commissioner