

Justice and Other Legislation Amendment Bill 2023

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See attached:



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Mrs Kathryn O'Sullivan
Committee Secretary
Legal Affairs and Safety Committee
Parliament House
George Steet
BRISBANE QLD 4000
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Dear Mrs O'Sullivan

Thank you for the opportunity to provide a submission to the Legal Affairs and Safety Committee (the Committee) on the Justice and Other Legislation Amendment Bill 2023 (the Bill).

The Electoral Commission of Queensland (ECQ) supports the Bill's proposed amendments to the *Electoral Act 1992* and the *Referendums Act 1997* and their intention of enfranchising more Queensland voters and will improve electoral administration. These amendments were identified in a legislative review undertaken by the ECQ and provided for consideration to the then Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence.

The ECQ is particularly supportive of proposed amendments to save postal ballot papers not enclosed in declaration envelopes. The ECQ has identified that, with increased use of postal voting as a voting channel, there has been a corresponding increase in the rate of rejection of these votes. One of the common reasons for rejection of postal votes is that completed ballot papers have not been placed in the provided declaration envelope prior to return to the ECQ, despite electors completing all declaration requirements correctly and otherwise being eligible to vote.

Based on figures from the 2020 State general election, the ECQ estimates that up to 30 per cent of the 57,000 rejected postal votes may have been saved under the proposed provision. Therefore, this measure would contribute to increasing the enfranchisement of Queensland electors while maintaining the security and integrity of the postal voting system. It would also align postal voting requirements with other jurisdictions, namely the Commonwealth Government, which has introduced a similar provision in its legislation to save ballot papers not placed in a declaration envelope.

The other amendments in the Bill are intended to improve efficiency in election delivery and clarify certain operational aspects of election administration. For example, the Bill will now align the definition of 'special postal voter' in Queensland elections with the

definition of 'general postal voter' in Federal elections, providing those electors certainty about their status in both State and Federal elections.

Additionally, the Bill will assist the Queensland Redistribution Commission by providing greater flexibility regarding the period of time for consideration of submissions and objections from the public prior to making its final determination.

I would like to take this opportunity to acknowledge the Department of Justice and Attorney-General for its consultation with the ECQ and support for legislating the ECQ's recommendations.

Should you require further information regarding this matter, please contact Ms Cecelia Nuttall, Director, Strategy, Policy and Governance, ECQ on 1300 881 665 or at

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I trust this information is of assistance.

Yours sincerely

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