



CAIRNS CITY COUNCIL

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 - 3 DEC 1999
 LEGAL, CONSTITUTIONAL AND
 ADMINISTRATIVE REVIEW
 COMMITTEE

ENQUIRIES: Mr B.A. Ottone
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 YOUR REFERENCE:
 OUR REFERENCE: 1/3/28-01 #128002

3rd December, 1999

*Submission No 13
Spec 22.1*

FAX TO: 34067070

Gary Fenlon MLA
 Chair
 Legal, Constitutional and Administrative Review Committee
 Legislative Assembly of Queensland
 Parliament House
 George Street
 BRISBANE QLD 4000

Dear Sir

QUEENSLAND ELECTORAL REFORM

Please find enclosed this Council's submission in relation to the above as enclosed.

SUBMISSION ON COMMISSIONER'S LETTER

1. Electoral District for which Members may Enrol

It appears to be common sense that a member should only be entitled to be enrolled for the electoral district in which they live. For local government elections, the members must live in the local government for which they can nominate to be a candidate. Council supports the view of the Commissioner.

2. Deposit to Accompany Nomination

The Commissioner's view seems to be addressing an anomaly (house keeping issue) and is supported by Council.

3. Voting Material (How-to-Vote Cards) - Declared Institutions

It is agreed that the proposal suggested by the Commissioner would help resolve an issue where some candidates feel that electors at mobile polling booths are not being given the opportunity to peruse how-to-vote material for all candidates. Council agrees with the Commissioner's proposal.

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4. Authority to Re-Schedule Mobile Polling

The Commissioner's proposal is to rectify a situation that could (and has) happened and provide appropriate legislation to formalise the procedure. Council supports this proposal.

5. Canvassing etc. n or near Polling Places

Council supports the proposal suggested provided the canvassing area is situated so as not to interfere with the operations of the polling booth.

6. Special Postal Voters

The proposal to adopt the registration criteria of the Commonwealth is supported. It is suggested however that existing electors who live between 15 and 20 kilometres from a polling booth be formally advised of the change. This once off communication would then formalise the proposal to ensure there are no future confusions between State and Commonwealth elections.

7. Non Voter Process

The recommendations of Mr Marshall Irwin of Counsel are supported to overcome difficulties he has identified in the evidentiary and other provisions of the legislation.

8. Misleading Voters

Council supports the proposal submitted and agrees that the word 'publish' should include 'the act of disseminating material on the internet which is accessible by persons in Queensland'.

9. Election Funding and Financial Disclosure

Even though Council does not hold any strong views on this matter, it would support the recommendation regarding the 'change in definition' as proposed.

10. Electoral Enrolment Procedures

It would certainly be deemed appropriate to have Commonwealth and State legislation on this matter consistent. It is also important that enrolment procedures be made as simple as possible. The proposal does assist in ensuring people eligible to vote are registered correctly. It is recommended that the State and Commonwealth negotiate the matter to ensure a common win-win situation is resolved.

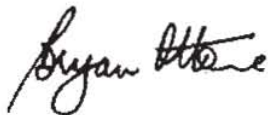
11. Maintenance of Electoral Rolls

The proposal recommended is deemed to be an appropriate way of enhancing the updating of the rolls. It is suggested that the State and Commonwealth work in partnership in this arrangement.

ADDITIONAL ISSUES - BACKGROUND PAPER

1. No it should not be necessary for Queensland to gain further control over the roll keeping function. Council believes that the ECQ and AEC should jointly solve any problems to achieve an effective result.
2. No. (as above).
3. N/A.
4. Council agrees with the recommendation in the Commissioner's letter.
5. Appropriate legislation should be introduced and Silent voters protected.
6. Voting is compulsory therefore it seems reasonable that obtaining information from other means such as car licences is appropriate. Care must be exercised with "Silent Voters". Council does not have enough understanding of the mechanisms involved to advise what updating methods would be best to achieve the balance.
7. The completing of an electoral enrolment form (if not already completed) is a good suggestion to pursue as a precondition to applying for a drivers licence. Not everyone applies for a drivers licence however.
8. The AEC and ECQ need to liaise and coordinate procedures. The proposal of the AEC has some merit in that people eligible to vote will be enrolled. This is a good check. It also has the effect of deterring people from enrolling. It would be absurd for ECQ and AEC to have differing rules. A joint approach needs to be decided upon and methods determined to encourage enrolment by unenrolled persons (who are entitled to be enrolled).

Yours faithfully,



T.R. Moore
Chief Executive Officer