

Mayor: R.Scott Fraser

C.E.O.: Peter Stewart

All Correspondence to be addressed to :  
The Chief Executive Officer



P.O. Box 46,  
Thargomindah, 4492

Phone: 07 4655 3133

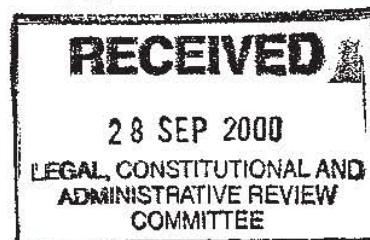
Fax: 07 4655 3131

email: BullooShireCouncil@bigpond.com

PS:KLD: 70/72/10

Submission No 5

21 September 2000



Spec 33.2

The Research Director  
Legal, Constitutional and Administrative Review Committee  
Parliament House, George Street  
**BRISBANE QLD 4000**

Dear Sir/Madam

**Re: Inquiry into Preventing Electoral Fraud**

I refer to correspondence dated 13 September 2000 regarding the *Inquiry into Preventing Electoral Fraud*. Please find enclosed comments from the Bulloo Shire Council in respect to the Inquiry.

I thank you for the opportunity to provide input into the inquiry. Should you have any further enquiries, please do not hesitate to contact the undersigned at this office.

Yours faithfully

Peter Stewart  
Chief Executive Officer



## INQUIRY INTO THE PREVENTION OF ELECTORAL FRAUD

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The Bulloo Shire Council is located in far south western Queensland. The Shire covers an area of over 73,000 square kilometres and has a total of 289 persons on the Electoral Roll.

In response to the *Inquiry into the Prevention of Electoral Fraud*, Council provides below, suggested amendments to the *Local Government Act* to alleviate the possibility of electoral fraud within the Bulloo Shire. It should be noted that these concerns relate to *full postal voting*:-

- a) That section 358(2)(d)(iii) of the *Local Government Act* for full postal vote be amended so that ballot papers must be received by 6:00 pm on election day, thus removing the 10 day period: and
- b) That section 301(2)(b) which currently restricts the time from nomination day to polling day to 42 days (6 weeks), be extended to 49 days (7 weeks).

### **Background:**

- a) This section of the Act is open to potential abuse by unscrupulous voters who deliberately do not vote until after the election, but sign their declaration envelope as if they had voted before election day.

When, in a close election count, to know the latest figures and still (admittedly illegally) have a loophole in the system where an electors vote will count as formal, leaves too much opportunity to cheat to the advantage or disadvantage of individual candidates.

At the March 2000 elections, preliminary count on election evening showed a difference between the two (2) candidates for the position of Mayor at fourteen (14) votes. At that date 71% of potential votes had been received. After the ten (10) day period 88% of votes were counted. This 17% equates to a further forty-nine (49) votes received. As the electorate knew the count at 71%, Council believes the temptation could be there not to complete ballot papers until after this result is known. Honesty aside, it is possible for collaboration between candidates and unscrupulous voters to be swayed one way or the other. It should also be noted that candidates or scrutineers present at the preliminary count by marking off the roll would know exactly who hasn't at that point in time voted. Again the temptation may be there to knock on some doors.

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- b) It is recognised that the request to remove the ten (10) day period for receiving ballot papers will impact on section 301(2)(b). The two sections are linked in terms of the turn around time for receiving postal ballot papers.

Although strongly supporting removal of the ten (10) day period for the reasons stated, unless section 301(2)(b) is also amended then there will be some important practical implications for this Shire.

There is currently a 42 day maximum period from nomination day to polling day (ie 6 weeks). The following scenario demonstrates the need to increase this period to 49 days (7 weeks):

The earliest nomination day for the 2000 elections was 12 February. If this was declared nomination day for the Bulloo Shire Council, and nominations were faxed to the printer on this day, the earliest possible arrival of ballot papers at Thargomindah is Friday 18 February. (Thargomindah receives 2 aerservices a week on Mondays and Fridays).

Mail leaves Thargomindah on Tuesdays and Thursdays so the earliest possible despatch of ballot papers is Tuesday 22 February.

For mail to reach properties in the SW corner of our Shire (approximately 15% of the voters on the electoral roll), the following is required:

Mail travels from Thargomindah to Brisbane to Adelaide to Leigh Creek (in South Australia), reaching Leigh Creek approximately 25 February, where once a fortnight the mailman delivers from Leigh Creek to properties in SW Queensland. Hence, the approximate date for delivery time to properties is 10 March. Two weeks later the mailman returns (approximately Friday 24 March) and the ballot paper is taken to Leigh Creek (postmark therefore approximately Monday 27 March – after close of elections). The ballot papers would be returned to Thargomindah around 29 March. This is four days after the election.

As can be seen, the 42 day period would not suffice at Bulloo Shire. I realise we are probably the exception rather than the rule but you can from this example see the connection and the problems created.

Council would appreciate your support for the amendment as stated above.

**PS** *This request was supported at the LGAQ State Conference recently held at the Gold Coast.*

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