



Speech By  
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**MEMBER FOR LYTTON**

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## **LOCAL GOVERNMENT ELECTORAL (IMPLEMENTING STAGE 2 OF BELCARRA) AND OTHER LEGISLATION AMENDMENT BILL**

### **ELECTORAL AND OTHER LEGISLATION AMENDMENT BILL**

 **Ms PEASE** (Lytton—ALP) (2.42 pm): I rise to speak in support of the cognate bills before the House today. All members of this House have a solemn role in safeguarding our democracy, and all around the world we are seeing what happens when trust in our democratic institutions diminishes. It is worth reminding the House just how much work needed to be done to reform our electoral system when the Palaszczuk government first came into government. This work was required due to the concerted efforts of the Newman government to undermine and water down Queensland's electoral integrity laws.

Despite the efforts of the Newman acolytes opposite, the Palaszczuk government has proved that we are up to the task. Elements of the cognate bills build upon some of the very first actions of the newly elected Palaszczuk government in 2015. In particular, I am very proud that we were able to lower the disclosure threshold for political donations back down to \$1,000 after the Newman government raised it to \$13,500. We have heard today how far those opposite are prepared to go to keep their information about donors from Queensland voters—hiding \$3 million worth of donations. That is shameful.

The Palaszczuk government has also implemented a property developer donation ban which was recommended by the CCC in the Belcarra report. The Electoral and Other Legislation Amendment Bill builds on these accountability measures. In order to retain the integrity of Queensland's disclosure regime, the bill will impose an obligation that entities disclose the true source of a political gift or loan. This obligation applies to the intermediary entities who are required to inform a gift or loan recipient the true source of the political donation.

Similarly, the ultimate recipients of donations will be required to disclose the true source of the gift or loan in their disclosure documents. These provisions will prevent both donors and their recipients circumventing our disclosure laws as well as our prohibited donor legislation. One could imagine a scenario where a prohibited donor would seek to filter a donation to a political party through an entity that was not a prohibited donor. This bill will curb any such possibility.

Under the new legislation, financial records relating to electoral funding and expenditure will be retained by parties, candidates, third parties and the ECQ for five years from the date of a claim or return being made. This change complements the change made in respect of the time in which prosecutions arising from the Electoral Act can be commenced—going from three years to four years. This change means that prosecuting authorities can be assured they will have the relevant financial records available to them.

The EOLA Bill also creates a more professionalised election day experience for all Queenslanders. The bill updates sections 31 and 32 of the Electoral Act 1992 to allow the Electoral Commission of Queensland to appoint an elector as the returning officer or assistant returning officer for an electoral district. Currently, the Governor in Council is permitted to make the appointments to

these roles on the recommendation of the commission. Recommendation 4 of the independent panel's review of the conduct of the 2016 local government elections, the referendum and the Toowoomba South by-election was that the practice of the Governor in Council appointing returning officers for state elections should be abolished and all returning officers should be appointed by the ECQ. The Local Government Electoral Act 2011 already uses this process.

This change will support a more consistent approach and transparent processes for the selection and appointment of returning officers, which was also a recommendation by the independent panel. The change will reduce the regulatory burden and costs for government and will provide greater administrative efficiencies and flexibility for the ECQ in managing returning officers. In accordance with other recommendations made by the independent panel, the ECQ is introducing an open merit process and performance assessment for returning officer roles and seeks greater flexibility to effectively manage these positions. For example, they require flexibility to manage the positions in the event of illness or underperformance. For this purpose, the ECQ is building a contingent workforce for the appointment of replacement returning officers when required.

ECQ staff will also allow for the preliminary processing of declaration votes to create efficiencies in the way votes are counted. The bills will amend the deadline for the receipt of applications for postal votes by the Electoral Commission of Queensland. An application for a postal vote will need to be received before 7 pm on the day that is 12 days before polling day for that relevant elector to receive a postal vote. This will ordinarily mean that the cut-off will be 7 pm on the second Monday before polling day. Currently, this deadline is 7 pm on the Wednesday before polling day. This does not reflect Australia Post's delivery standards. Currently, the deadline may disenfranchise electors, even those who try to comply with it but have a very limited or no prospect of receiving their ballot papers prior to polling day.

The amendment would ensure that voters request a postal vote in a timely way and provide sufficient time for them to receive and return their ballot paper and declaration envelope. There will also be a requirement for Electoral Commission Queensland to action a request for postal votes as soon as possible after receiving it. This will provide statutory backing to the timely dispatch of postal votes by the commission to support the franchise of postal voters. The bill implements the 10-day cut-off recommended by the independent panel report and requested by Electoral Commission Queensland. The end result is the same. The bill is worded to require a 12-day cut-off to take into account any public holidays that may fall in this period, which would arise if an extraordinary general election was called.

Changing the deadline for the receipt of postal votes by the Electoral Commission of Queensland to 7 pm on the day that is 12 days before polling day places some responsibility on voters to request postal votes in a timely way. However, this outcome is preferable to a potential postal voter complying with the law and then not receiving their ballot paper due to postal delays. There are certain alternatives in place for some of those who miss the postal vote application deadline. Pre-poll voting is available and the telephone voting service is available to certain eligible electors. Taken together, these changes represent an increase in the accountability for political parties, candidates and third parties and also provide a more streamlined election day experience for us all.

I commenced my contribution by reflecting on the way in which the Newman government trashed our electoral integrity laws. We cannot take our electoral system for granted and we need to be vigilant about any threats to the integrity of our democracy. The need for vigilance is heightened when we hear some of the contributions from those opposite. Hearing from some of the members opposite during this debate is like hearing Campbell Newman all over again. For example, the member for Toowoomba South likes to portray himself as relatively moderate and a vanilla variety of the LNP operative. He almost gets away with it when we compare him to the former shadow attorney-general the member for Kawana, but he gave the game away yesterday. Upset that he could not get a run with his prepared lines on compulsory preferential voting and conceding that the EOLA Bill was relatively uncontroversial, the member for Toowoomba South could not help but have a crack at someone—at anyone—so he turned his attention to the chair of the independent panel Jim Soorley. He referred to what he called the 'so-called independent panel'. He could not commit to actually saying that Mr Soorley was not up to the job and had nothing to say about the other two independent panel members, but his approach is typical of the former Newman government: if someone is not on your team, attack them. It is despicable to cast aspersions on the perception of integrity and the independence of the panel, particularly when you cannot identify any actual deficiencies in their report.

The changes proposed in the cognate bills are common sense and bolster the accountability and transparency of our democracy. The Palaszczuk government will never allow us to return to the dark days of the Newman government. I commend the bills to the House.