




Speech By
Jim Madden

MEMBER FOR IPSWICH WEST

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LOCAL GOVERNMENT ELECTORAL AND OTHER LEGISLATION (EXPENDITURE CAPS) AMENDMENT BILL

 **Mr MADDEN** (Ipswich West—ALP) (12.51 pm): I rise to speak in support of the Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill. This bill will amend the City of Brisbane Act 2010, the Local Government Act 2009 and the Local Government Electoral Act 2011. The purpose of the bill is to implement an electoral expenditure caps scheme for local government elections. This scheme is another step in the Palaszczuk government's local government reform agenda that delivers on our 2020 election commitment to the people of Queensland to implement electoral expenditure caps for local government elections. With local government elections, it is important that we have the best representation possible on our councils right across Queensland. This bill will ensure the equitable conduct of candidates in our local government elections.

The Department of State Development, Infrastructure, Local Government and Planning released a discussion paper in April 2022 seeking stakeholder feedback on the proposed local government electoral expenditure caps scheme. The discussion paper opened a consultative process where every Queenslanders, including past and present councillors and mayors, were asked to contribute. The feedback to the department indicated broad support introducing local government expenditure caps as provided for in this bill. The local government electoral scheme outlined in this bill will provide for a fair opportunity for anyone to participate in the electoral process. In many ways the scheme is similar to the laws that are already in place for Queensland state elections.

The roadmap to this bill began in 2009 when the Legislative Assembly requested the Economics and Governance Committee review the feasibility of introducing expenditure caps for Queensland local government elections. On 15 September 2020 the committee tabled its report and recommended that an electoral expenditure caps scheme be established in Queensland for local government elections. The committee made seven recommendations and the government supported all seven recommendations in principle, subject to further analysis and consultation.

In accordance with recommendation 1, the bill amends the definition of electoral expenditure in the Local Government Electoral Act 2011 to align with the definition under the state scheme. To implement the government's policy in relation to recommendations 2, 3 and 4, the bill provides for registration of third parties and for a sliding scale of electoral expenditure caps for Queensland local government elections with reference to the number of electors in the relevant division or local government area. The sliding scale does not apply to the Brisbane City Council. In Brisbane the caps are a fixed amount in recognition that the Brisbane City Council's election environment differs from other Queensland local government areas.

While the proposed local government election funding scheme is intended to align with the state scheme where practical and appropriate, the proposed caps for mayor and councillor candidates are grouped in tiers, recognising the differences in elector numbers and the varied shapes and sizes of Queensland's 77 local government areas. The caps for mayoral candidates are spread over five bands. Outside Brisbane City Council the bands begin at a \$30,000 cap for areas with 30,000 or fewer electors.

The highest band outside Brisbane applies to areas with more than 200,000 electors, allowing for a cap of \$175,000 plus an additional 25 cents per elector for each additional elector over 200,000. For the Brisbane City Council mayoral candidates, the cap is \$1.3 million.

For by-elections, the capped expenditure period starts on the day the notice of the by-election is published. For fresh elections, the capped expenditure period starts on the day the notice of the election is published, unless the capped expenditure period for a quadrennial election has already started.

To implement the government's policy in relation to recommendation 5 of the committee report, the bill provides that electoral expenditure incurred by an associated entity of an election participant is treated as though it was incurred by the participant. The bill amends this definition of an associated entity to align with the Electoral Act 1992. This means that associated entities of candidates and groups of candidates will also be subject to the expenditure cap of the relevant election participant to disclosure requirements including electoral expenditure, gifts, loans and other amendments.

To implement the government's policy in relation to recommendation 6, the bill amends the Local Government Electoral Act 2011 to include new compliance and offence provisions to enforce the scheme. Where a councillor is suspended or disqualified, the Local Government Electoral Act 2011 provides the person may only be nominated as a candidate, or for appointment, as a councillor if the person is qualified to be a councillor under the local government legislation. If convicted of an integrity offence, a person is disqualified from being a councillor for a period of four years. If convicted of a serious integrity offence, a person is disqualified from being a councillor for a period of seven years.

The Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill aims to promote fairness and diversity with our local government elections in Queensland. I commend the bill to the House.