

Electoral (Improving Representation) and Another Act Amendment Bill 2015

Explanatory Notes

Title of the Bill

The short title of the Bill is the Electoral (Improving Representation) and Another Act Amendment Bill 2015.

Policy Objectives

The objectives of the Bill are to:

1. change the number of electoral districts for the State by increasing the number of members of the Legislative Assembly from 89 to 93 so as to improve representation;
2. improve the establishment of an Electoral Commission of Queensland by way of bipartisan support of a parliamentary committee; and
3. improve redistribution of electoral districts by the appointment of a nonjudicial appointee with qualifications and experience in applied demography.

Reasons for the Bill

The Bill importantly ensures that Queenslanders will have more equitable and improved access to representation, taking into consideration the disbursement of population throughout the state and the number of members of the Legislative Assembly increasing in South East Queensland.

There is evidence that population density is continuing to increase in South East Queensland and that certain areas in rural and remote Queensland are experiencing declining populations.

The two issues of density and distance, among other things, is a distinguishing difference between challenges encountered by members providing representation in rural and regional electoral districts as compared with those in South East Queensland. For example, the electoral district of Mount Isa covers 570,502 square kilometres in total, that is, 32.9% of the entire state of Queensland.

Ensuring equitable access to representation in expansive rural electoral districts as well as regional electoral districts in Queensland should be a priority, equal to ensuring equitable access to representation for those residing in the more densely populated area of South East Queensland.

Providing people with a voice in the deliberations of government as well as giving people the real ability to bring their grievances and concerns to the attention of a member of the Legislative Assembly is vital to delivering good government in Queensland.

Redistributions must objectively improve electors' equitable access to members of the Legislative Assembly and improve representation in the Queensland Parliament.

The Bill will also importantly contribute toward improving the establishment of an Electoral Commission of Queensland by way of bipartisan support of a parliamentary committee. This will effectively enhance the prevention of bias, instilling greater public confidence in the process, and thereby improving democracy in Queensland.

Achievement of the Policy Objectives

There are no alternate ways of achieving the policy objectives of the Bill.

Estimated Cost of Government Implementation

The costs associated with the Bill are reasonable and justified to maintain and improve representation for constituents and residents throughout Queensland.

It is expected that all costs can be met by the efficient allocation of budgetary resources available to the Queensland Government.

Consistency with Fundamental Legislative Principles

It is recognised that Fundamental Legislative Principles (FLPs) are the principles relating to legislation that underlie a parliamentary democracy based on the rule of law. FLPs include the requirement that legislation has sufficient regard to the rights and liberties of individuals and further the institution of Parliament. The Bill is consistent with FLPs and importantly has regard to rights and liberties of individuals. Furthermore, the Bill does not impose obligations retrospectively.

Consultation

There has been no public consultation on the Bill.

Consistency with other Jurisdictions

The Bill is specific to the state of Queensland however it is consistent with the common objective of maintaining and improving representation in other jurisdictions.

Notes on provisions

Part 1 Preliminary

Clause 1 Short title

Clause 1 states that if enacted the Bill may be cited as the *Electoral (Improving Representation) and Another Act Amendment Act 2015*.

Clause 2 Commencement

Clause 2 affirms that amendments to the Constitution of Queensland 2001 commence immediately after the writ for the general election first issued under the *Electoral Act 1992*, after the 2016 electoral redistribution has become final.

Part 2 Amendment of Constitution of Queensland 2001

Clause 3 Act amended

Clause 3 states that this part amends the *Constitution of Queensland 2001*.

Clause 4 Amendment of s 11 (Number of members of Legislative Assembly)

Clause 4 amends the *Constitution of Queensland 2001* to increase the number of members of the Legislative Assembly from 89 to 93.

Part 3 Amendment of Electoral Act 1992

Clause 5 Act amended

Clause 5 states that this part amends the *Electoral Act 1992*.

Clause 6 Amendment of s 2 (Definitions)

Clause 6 provides a definition of the term bipartisan support as relevant to the establishment of an Electoral Commission of Queensland.

Clause 7 Amendment of s 3 (Average number of enrolled electors for electoral districts)

Clause 7 amends the *Electoral Act 1992* to increase the number of electoral districts for the State from 89 to 93, as relevant to determining the average number of enrolled electors for electoral districts.

Clause 8 Amendment of s 6 (Establishment of Electoral Commission of Queensland etc.)

Clause 8 provides for the appointment of a nonjudicial appointee with qualifications and experience in applied demography, and for appointments to be made with the bipartisan support of the parliamentary committee.

Clause 9 Amendment of s 22 (Terms and conditions of appointment etc.)

Clause 9 provides for further appointments to be made with the bipartisan support of the parliamentary committee.

Clause 10 Amendment of s 34 (Number of electoral districts for the State)

Clause 10 amends the *Electoral Act 1992* to increase the number of electoral districts for the State from 89 to 93.

Clause 11 Amendment of s 35 (Distribution, and redistribution, of State into electoral districts)

Clause 11 amends the *Electoral Act 1992* to increase the number of electoral districts for the State from 89 to 93.

Clause 12 Amendment of s 52 (When redistribution takes effect)

Clause 12 provides transitional provisions for when the redistribution takes effect.