



Queensland

Electoral (Improving Representation) and Other Legislation Amendment Bill 2016



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	government membership of Assembly)	10
Part 5	Amendment of Queensland Independent Remuneration Tribunal Act 2013	
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2016

A Bill

for

An Act to amend the *Constitution of Queensland 2001*, the *Electoral Act 1992*, the *Parliament of Queensland Act 2001* and the *Queensland Independent Remuneration Tribunal Act 2013* for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Electoral (Improving Representation) and Other Legislation Amendment Act 2016*. 4
5

Clause 2 Commencement 6

(1) Parts 2, 4 and 5 commence immediately after the first 7
post-redistribution writ is issued. 8

(2) In this section— 9

first post-redistribution writ means the writ for the general 10
election first issued under the *Electoral Act 1992*, section 82 11
after the post-commencement electoral redistribution has 12
become final. 13

post-commencement electoral redistribution means the first 14
electoral redistribution under the *Electoral Act 1992* that 15
becomes final under that Act after the commencement of part 16
3. 17

Note— 18

For electoral redistributions, see the *Electoral Act 1992*, part 3. 19

Part 2 Amendment of Constitution of Queensland 2001 20
21

Clause 3 Act amended 22

This part amends the *Constitution of Queensland 2001*. 23

Clause 4	Amendment of s 11 (Number of members of Legislative Assembly)	1
	Section 11, ‘89’—	2
	<i>omit, insert—</i>	3
	93	4
		5
Part 3	Amendment of Electoral Act 1992	6
		7
Clause 5	Act amended	8
	This part amends the <i>Electoral Act 1992</i> .	9
Clause 6	Amendment of s 2 (Definitions)	10
	(1) Section 2, definition <i>nonjudicial appointee</i> —	11
	<i>omit.</i>	12
	(2) Section 2—	13
	<i>insert—</i>	14
	<i>chief executive appointee</i> see section 6(2)(c).	15
	<i>expert appointee</i> see section 6(2)(d).	16
	<i>nonjudicial appointee</i> means a chief executive appointee or an expert appointee.	17
		18
	(3) Section 2, definition <i>appointed commissioner</i> , ‘the nonjudicial’—	19
	<i>omit, insert—</i>	20
	a nonjudicial	21
		22

[s 7]

Clause 7	Amendment of s 3 (Average number of enrolled electors for electoral districts)	1 2
	Section 3(1), definition <i>average number of enrolled electors for electoral districts</i> , ‘89’—	3 4
	<i>omit, insert—</i>	5
	93	6
Clause 8	Amendment of s 6 (Establishment of Electoral Commission of Queensland etc.)	7 8
	(1) Section 6(2)(c)—	9
	<i>omit, insert—</i>	10
	(c) 1 other commissioner (the <i>chief executive appointee</i>) appointed as mentioned in subsection (6);	11 12 13
	(d) 2 other commissioners (each an <i>expert appointee</i>) appointed as mentioned in subsection (6A).	14 15 16
	(2) Section 6(4), ‘appointee’—	17
	<i>omit, insert—</i>	18
	appointees	19
	(3) Section 6(6), ‘nonjudicial’—	20
	<i>omit, insert—</i>	21
	chief executive	22
	(4) Section 6—	23
	<i>insert—</i>	24
	(6A) A person appointed as an expert appointee must have qualifications or experience in 1 or more of the following—	25 26 27
	(a) demography;	28
	(b) statistics;	29

-
- (c) regional and town planning. 1
 - (5) Section 6(7)— 2
 - omit, insert—* 3
 - (7) A person may be appointed as the chairperson or 4
 - a nonjudicial appointee only if— 5
 - (a) the Minister has consulted with the 6
 - parliamentary committee about— 7
 - (i) the process of selection for 8
 - appointment; and 9
 - (ii) the appointment of the person as the 10
 - chairperson or nonjudicial appointee; 11
 - and 12
 - (b) the person's appointment is made with the 13
 - support of each member of the Legislative 14
 - Assembly recognised as the leader of a 15
 - political party represented in the Assembly. 16

Clause 9 Amendment of s 9 (Tenure and terms of office) 17

- (1) Section 9(2), 'nonjudicial'— 18
 - omit, insert—* 19
 - chief executive 20
- (2) Section 9(3), 'nonjudicial'— 21
 - omit, insert—* 22
 - chief executive 23

Clause 10 Amendment of s 15 (Meetings of commission) 24

- Section 15(4), '2'— 25
 - omit, insert—* 26
 - 4 27

[s 11]

Clause 11	Amendment of s 34 (Number of electoral districts for the State)	1 2
	Section 34, ‘89’—	3
	<i>omit, insert—</i>	4
	93	5
Clause 12	Amendment of s 35 (Distribution, and redistribution, of State into electoral districts)	6 7
	Section 35(3), ‘89’—	8
	<i>omit, insert—</i>	9
	93	10
Clause 13	Amendment of s 52 (When redistribution takes effect)	11
	(1) Section 52(1), after ‘subject to’—	12
	<i>insert—</i>	13
	subsection (3) and	14
	(2) Section 52(2), ‘The’—	15
	<i>omit, insert—</i>	16
	Subject to subsection (3), the	17
	(3) Section 52—	18
	<i>insert—</i>	19
	(3) For the post-commencement electoral redistribution—	20 21
	(a) there is no increase in the number of members of the Legislative Assembly; and	22 23
	(b) the electoral districts, as in existence before the redistribution, continue in force;	24 25
	until the first post-redistribution writ is issued and any appeal under section 57(6) has been disposed of by the Court of Appeal.	26 27 28

- (4) Subsection (3) has effect despite the *Constitution of Queensland 2001*, sections 12 and 13. 1
2
- (5) In this section— 3
- first post-redistribution writ* means the writ for a 4
general election first issued after the 5
post-commencement electoral redistribution has 6
become final. 7
- post-commencement electoral redistribution* 8
means the first electoral redistribution that 9
becomes final after the commencement of the 10
*Electoral (Improving Representation) and Other 11
Legislation Amendment Act 2016*, part 3. 12

Part 4 Amendment of Parliament of Queensland Act 2001 13 14

Clause 14 Act amended 15
This part amends the *Parliament of Queensland Act 2001*. 16

**Clause 15 Amendment of s 91 (Membership and operation—less 17
than 15% non-government membership of Assembly) 18**
Section 91(1), note, ‘89’— 19
omit, insert— 20
93 21

**Clause 16 Amendment of s 91A (Membership and operation—at 22
least 15% but less than 25% non-government 23
membership of Assembly) 24**
(1) Section 91A(1), note, ‘89’— 25
omit, insert— 26
93 27

[s 17]

(2)	Section 91A(1), note, ‘22’—	1
	<i>omit, insert—</i>	2
	23	3

Clause 17	Amendment of s 91B (Membership and operation—at least 25% but less than 50% non-government membership of Assembly)	4
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(1)	Section 91B(1), note, ‘89’—	7
	<i>omit, insert—</i>	8
	93	9
(2)	Section 91B(1), note, ‘23 to 44’—	10
	<i>omit, insert—</i>	11
	24 to 46	12

Clause 18	Amendment of s 91C (Membership and operation—at least 50% non-government membership of Assembly)	13
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(1)	Section 91C(1), note, ‘89’—	15
	<i>omit, insert—</i>	16
	93	17
(2)	Section 91C(1), note, ‘45’—	18
	<i>omit, insert—</i>	19
	47	20

Part 5	Amendment of Queensland Independent Remuneration Tribunal Act 2013	1 2 3
Clause 19	Act amended	4
	This part amends the <i>Queensland Independent Remuneration Tribunal Act 2013</i> .	5 6
Clause 20	Amendment of s 39 (Meaning of <i>recognised political party</i>)	7 8
	Section 39(1)(a), note, ‘89’—	9
	<i>omit, insert—</i>	10
	93	11