



Queensland Legislative Assembly	
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MP: Hon Hinchliffe	By Leave <input type="checkbox"/>
Clerk's Signature: 	

**ECONOMICS AND GOVERNANCE COMMITTEE**  
**Report No. 7, 56<sup>th</sup> Parliament**  
**Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation**  
**Amendment Bill 2018**

**QUEENSLAND GOVERNMENT RESPONSE**

**INTRODUCTION**

On 6 March 2018, the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill 2018 (the Bill) was introduced into Parliament.

The Bill was referred to the Economics and Governance Committee (the Committee). On 23 April 2018, the Committee tabled in the Legislative Assembly its report (No. 7, 56<sup>th</sup> Parliament) on the Bill.

The Queensland Government response to the Committee's Report and recommendations is provided below.

**Committee recommendation 1:**

*The committee recommends the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill 2018 be passed.*

**Queensland Government response:**

The Government thanks the Committee for its thorough consideration of the Bill and notes the Committee's recommendation 1 that the Bill be passed.

**Committee recommendation 2:**

*The committee recommends that the Department of Local Government, Racing and Multicultural Affairs and the Department of Justice and Attorney-General work with the Electoral Commission Queensland to develop examples of what is a property developer and a close associate, and what constitutes 'regularly' in the context of making relevant planning applications, to assist affected parties and the Electoral Commission Queensland and the courts in determining the application of the proposed legislation.*

**Queensland Government response:**

The Government does not support this recommendation.

The Electoral Commission Queensland (ECQ) is established under the *Electoral Act 1992* as an independent statutory authority responsible for administering the Act. The proposed provisions in the Bill are modelled on the *Election Funding, Expenditure and Disclosures Act 1981* (NSW). Property developers and their close associates have been prohibited from making political donations in NSW since the prohibition commenced on 14 December 2009.

The application of the prohibition will be a matter for consideration on a case by case basis with relevant terms being given their ordinary meaning. It would be a matter for the ECQ what information is published to provide guidance in these matters.

**Committee recommendation 3:**

*The committee recommends the Bill be amended to insert a purpose statement in the Electoral Act 1992, similar to the proposed purpose statement in the Local Government Electoral Act 2011.*

**Queensland Government response:**

The Government does not support this recommendation.

The Explanatory Notes to the Bill outline the policy objectives of the Bill relevant to the proposed amendments to the *Electoral Act 1992*, including to:

1. *“reinforce integrity and minimise corruption risk that political donations from property developers has potential to cause at both a State and local government level;*
2. *improve transparency and accountability in State and local government...”*

The *Local Government Electoral Act 2011* already contained a purpose statement that is being amended to support the policy objectives of the Bill.

As the *Electoral Act 1992* does not presently include a purpose provision, no amendment is being made in this regard in this Bill. The inclusion of a general purpose provision would be a matter for future consideration by Government. In the interim, the Explanatory Notes, parliamentary speeches (and other extrinsic material) may be used as an aid to assist in the interpretation and understanding of the purpose of the proposed amendments.