



Queensland

Electoral (Voter's Choice) Amendment Bill 2019



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Contents

		Page
1	Short title	4
2	Act amended	4
3	Amendment of s 2 (Definitions)	4
4	Amendment of s 102 (Supply of ballot papers and electoral rolls)	4
5	Amendment of s 122 (How electors must vote)	5
6	Amendment of s 123 (Formal and informal ballot papers)	5
7	Amendment of s 128 (Official counting of votes)	6

2019

A Bill

for

An Act to amend the *Electoral Act 1992* for particular purposes

	The Parliament of Queensland enacts—	1
Clause 1	Short title	2
	This Act may be cited as the <i>Electoral (Voter's Choice) Amendment Act 2019</i> .	3 4
Clause 2	Act amended	5
	This Act amends the <i>Electoral Act 1992</i> .	6
Clause 3	Amendment of s 2 (Definitions)	7
	(1) Section 2, definition <i>continuing candidate</i> —	8
	<i>omit.</i>	9
	(2) Section 2, definition <i>first preference vote</i> , after 'number 1'—	10
	<i>insert—</i>	11
	, or a tick or a cross,	12
Clause 4	Amendment of s 102 (Supply of ballot papers and electoral rolls)	13 14
	Section 102(3)—	15
	<i>omit, insert—</i>	16
	(3) The ballot papers to which subsection (2) applies must contain the following sentences—	17 18
	• Place the number 1, or a tick or a cross, in the square opposite the candidate of your choice.	19 20 21
	• You may, if you wish, indicate your preference for additional candidates by numbering the other squares in your preferred order.	22 23 24 25

Clause 5	Amendment of s 122 (How electors must vote)	1
	Section 122(2)—	2
	<i>omit, insert</i> —	3
	(2) An elector may vote by writing on a ballot paper—	4
	(a) to indicate the elector's preference for only 1 candidate—the number 1, or a tick or a cross, in the square opposite the name of the candidate; or	5
	(a) to indicate the elector's preference for only 1 candidate—the number 1, or a tick or a cross, in the square opposite the name of the candidate; or	6
	(a) to indicate the elector's preference for only 1 candidate—the number 1, or a tick or a cross, in the square opposite the name of the candidate; or	7
	(a) to indicate the elector's preference for only 1 candidate—the number 1, or a tick or a cross, in the square opposite the name of the candidate; or	8
	(a) to indicate the elector's preference for only 1 candidate—the number 1, or a tick or a cross, in the square opposite the name of the candidate; or	9
	(b) to indicate the elector's preferences for more than 1, but not necessarily all, of the candidates—	10
	(b) to indicate the elector's preferences for more than 1, but not necessarily all, of the candidates—	11
	(b) to indicate the elector's preferences for more than 1, but not necessarily all, of the candidates—	12
	(i) the number 1, or a tick or a cross, in the square opposite the name of the candidate who is the elector's first preference; and	13
	(i) the number 1, or a tick or a cross, in the square opposite the name of the candidate who is the elector's first preference; and	14
	(i) the number 1, or a tick or a cross, in the square opposite the name of the candidate who is the elector's first preference; and	15
	(i) the number 1, or a tick or a cross, in the square opposite the name of the candidate who is the elector's first preference; and	16
	(ii) the numbers 2, 3 and so on in the squares opposite the names of any of the other candidates to indicate the order of the elector's preferences for them.	17
	(ii) the numbers 2, 3 and so on in the squares opposite the names of any of the other candidates to indicate the order of the elector's preferences for them.	18
	(ii) the numbers 2, 3 and so on in the squares opposite the names of any of the other candidates to indicate the order of the elector's preferences for them.	19
	(ii) the numbers 2, 3 and so on in the squares opposite the names of any of the other candidates to indicate the order of the elector's preferences for them.	20
	(ii) the numbers 2, 3 and so on in the squares opposite the names of any of the other candidates to indicate the order of the elector's preferences for them.	21
Clause 6	Amendment of s 123 (Formal and informal ballot papers)	22
	(1) Section 123(1)(a), after 'voter's intended'—	23
	<i>insert</i> —	24
	preference or	25
	(2) Section 123(2) and (2A)—	26
	<i>omit, insert</i> —	27
	(2) Despite section 122(3), a ballot paper is taken to contain writing or markings that indicate the voter's intended order of preferences, even though—	28
	(2) Despite section 122(3), a ballot paper is taken to contain writing or markings that indicate the voter's intended order of preferences, even though—	29
	(2) Despite section 122(3), a ballot paper is taken to contain writing or markings that indicate the voter's intended order of preferences, even though—	30
	(2) Despite section 122(3), a ballot paper is taken to contain writing or markings that indicate the voter's intended order of preferences, even though—	31

[s 7]

- (a) the ballot paper contains 2 or more squares in which the same number is written or marked; or
 - (b) there is a break in the order of the preferences indicated in writing or marks in the squares on the ballot paper.
- (2A) For the purpose of counting the votes indicated on a ballot paper mentioned in subsection (2), each of the following numbers written or marked in a square on the ballot paper is to be disregarded—
- (a) a number that is repeated in 2 or more squares and any higher number;
 - (b) a number that indicates a preference after a break in the order of preferences indicated on the ballot paper.

Clause 7 Amendment of s 128 (Official counting of votes)

- (1) Section 128(7)(b) and (9)(b), after ‘that candidate’—
insert—
that is not exhausted
- (2) Section 128(11), after ‘a ballot paper’—
insert—
that is not exhausted
- (3) Section 128—
insert—
(16) In this section—
continuing candidate, in relation to counting votes for an election for an electoral district, means a candidate in the election who has not been excluded at a previous count of votes for the election.

exhausted, for a ballot paper for an electoral district, means there is no vote recorded on the ballot paper for a continuing candidate for the electoral district. 1
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3
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