



Queensland

Electoral (Redistribution Commission) and Another Act Amendment Bill 2015



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2015

A Bill

for

**An Act to amend the *Constitution of Queensland 2001* and the
Electoral Act 1992 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 (Redistribution Commission) and Another Act Amendment Act 2015*. 4
5

Part 2 Amendment of Constitution of Queensland 2001 6
7

Clause 2 Act amended 8

This part amends the *Constitution of Queensland 2001*. 9

Clause 3 Replacement of ss 11 and 12 10

Sections 11 and 12— 11

omit, insert— 12

11 Division of State into electoral districts 13

The State is to be divided into electoral districts as 14
worked out under the *Electoral Act 1992*, part 3. 15

12 Number of members of Legislative Assembly 16

The Legislative Assembly is to consist of— 17

(a) 89 members; or 18

(b) if, as a result of an electoral redistribution 19
under the *Electoral Act 1992*, part 3, there 20
are more than 89 electoral districts—the 21

[s 4]

same number of members as there are
electoral districts. 1
2

Part 3 Amendment of Electoral Act 1992 3 4

Clause 4 Act amended 5
This part amends the *Electoral Act 1992*. 6

Clause 5 Amendment of s 2 (Definitions) 7
(1) Section 2, definition *nonjudicial appointee*— 8
omit. 9
(2) Section 2— 10
insert— 11
chief executive appointee see section 6(2)(c). 12
existing electoral district, in relation to an 13
electoral redistribution, means an electoral 14
district in existence immediately before the need 15
for the electoral redistribution arose. 16
expert appointee see section 6(2)(d). 17
nonjudicial appointee means a chief executive 18
appointee or an expert appointee. 19
prescribed range, for part 3, means from 89 to 20
94, both numbers inclusive. 21
(3) Section 2, definition *appointed commissioner*, ‘the 22
nonjudicial’— 23
omit, insert— 24
a nonjudicial 25

[s 6]

Clause 6	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
	the number of electoral districts	6
Clause 7	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 appointee’—	20
	<i>insert—</i>	21
	chief executive appointee	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.	30

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

Clause 8 Amendment of s 9 (Tenure and terms of office) 16

- (1) Section 9(2), 'nonjudicial appointee'— 17
omit, insert— 18
chief executive appointee 19
- (2) Section 9(3), 'nonjudicial appointee'— 20
omit, insert— 21
chief executive appointee 22

Clause 9 Amendment of s 15 (Meetings of commission) 23

- Section 15(4), '2'— 24
omit, insert— 25
4 26

[s 10]

Clause 10	Replacement of s 34 (Number of electoral districts for the State)	1
		2
	Section 34—	3
	<i>omit, insert—</i>	4
	34 Division of State into electoral districts	5
	The State is to be divided into electoral districts as worked out under this part.	6
		7
Clause 11	Amendment of s 35 (Distribution, and redistribution, of State into electoral districts)	8
		9
	(1) Section 35—	10
	<i>insert—</i>	11
	(1A) Until the first electoral redistribution has become final under this Act after the commencement of the <i>Electoral (Redistribution Commission) and Another Act Amendment Act 2015</i> , the 89 electoral districts for the State at the commencement continue to be the electoral districts for the State.	12
		13
		14
		15
		16
		17
		18
	<i>Note—</i>	19
	See also section 41A.	20
	(2) Section 35(3)—	21
	<i>omit, insert—</i>	22
	(3) Subject to subsections (3A), (4) and (5), when the need for an electoral redistribution arises, the commission must, as soon as practicable, redistribute the State into electoral districts in the way set out in division 3.	23
		24
		25
		26
		27
	(3A) The number of electoral districts resulting from the redistribution—	28
		29
	(a) may be the same as, or an increase in, the number of electoral districts; and	30
		31
	(b) must be within the prescribed range.	32

Clause 12	Amendment of s 41 (Scope of division)	1
	Section 41(2), before paragraph (a)—	2
	<i>insert—</i>	3
	(aa) proposing the appropriate number of	4
	electoral districts for the State (section	5
	41A); and	6
 Clause 13	 Insertion of new s 41A	 7
	After section 41—	8
	<i>insert—</i>	9
	41A Proposing the appropriate number of electoral	10
	districts for the State	11
	(1) As soon as practicable after the need for an	12
	electoral redistribution arises, the commission	13
	must propose the number of electoral districts,	14
	within the prescribed range, that it considers	15
	appropriate for the State.	16
	<i>Note—</i>	17
	The number of proposed electoral districts may be the	18
	same as the number of existing electoral districts.	19
	(2) In proposing the number of electoral districts, the	20
	commission must consider the following	21
	matters—	22
	(a) the extent to which there is a community of	23
	economic, social, regional or other interests	24
	within each existing electoral district;	25
	(b) the ways of communication and travel	26
	within each existing electoral district;	27
	(c) the physical features of each existing	28
	electoral district;	29
	(d) the boundaries and area of each existing	30
	electoral district;	31

[s 14]

	(e)	the extent to which the area of each existing electoral district affects the ability of a member of the Legislative Assembly to effectively represent the district;	1 2 3 4
	(f)	demographic trends in the State.	5
Clause 14	Amendment of s 42 (Inviting suggestions)		6
	(1)	Section 42(1), from ‘need’ to ‘arises’—	7
		<i>omit, insert—</i>	8
		commission has proposed the appropriate number of electoral districts for the State in accordance with section 41A	9 10 11
	(2)	Section 42(3)—	12
		<i>omit, insert—</i>	13
	(3)	The notice must state—	14
	(a)	the number of electoral districts for the State that exist as at the date of the notice; and	15 16
	(b)	the number of electoral districts for the State that the commission has proposed; and	17 18
	(c)	that suggestions are to be given to the commission in writing within 30 days after the notice is published in the gazette in accordance with section 56.	19 20 21 22
Clause 15	Amendment of s 45 (Proposed electoral redistribution must be within numerical limits)		23 24
		Section 45(2)—	25
		<i>omit, insert—</i>	26
	(2)	For each electoral district (a <i>large electoral district</i>) having an area of 100,000km ² or more, the <i>additional large district number</i> is the percentage of the number of km ² in the area of	27 28 29 30

[s 16]

	the electoral district that the commission considers appropriate for the proposed redistribution having regard to any or all of the matters mentioned in section 41A(2).	1 2 3 4
	(3) The percentage must—	5
	(a) be the same for each large electoral district; and	6 7
	(b) not be less than 2% or more than 4%.	8
Clause 16	Amendment of s 46 (Matters to be considered in preparing proposed electoral redistribution)	9 10
	Section 46(1)(d), after ‘boundaries’—	11
	<i>insert—</i>	12
	and areas	13
Clause 17	Amendment of s 47 (Publishing proposed electoral redistribution)	14 15
	Section 47(2)(b)(i) and (ii)—	16
	<i>omit, insert—</i>	17
	(i) a description of the proposed number of electoral districts; and	18 19
	(ii) a description of the boundaries of all proposed electoral districts; and	20 21
	(iii) its reasons for redistributing the State in the way proposed (including the reasons of any commissioner who disagrees with the redistribution in that way).	22 23 24 25 26
Clause 18	Amendment of s 51 (Making electoral redistribution)	27
	Section 51(1)—	28
	<i>omit, insert—</i>	29

[s 19]

	(1)	The commission must, within 60 days after the end of the 30 days mentioned in section 48(1)(b), publish a gazette notice setting out—	1 2 3
	(a)	the number of electoral districts into which the State is redistributed; and	4 5
	(b)	the names and boundaries of the electoral districts.	6 7
Clause 19	Amendment of s 52 (When redistribution takes effect)		8
	Section 52—		9
	<i>insert—</i>		10
	(3)	Despite subsection (1), if the electoral redistribution includes an increase in the number of electoral districts—	11 12 13
	(a)	there is no increase in the number of members of the Legislative Assembly; and	14 15
	(b)	the electoral districts, as in existence before the electoral redistribution, continue in force;	16 17 18
		until a writ for a general election is first issued after the redistribution.	19 20
Clause 20	Amendment of s 53 (Advertising electoral redistribution)		21
	Section 53(2)(b)(i) and (ii)—		22
	<i>omit, insert—</i>		23
	(i)	a description of the number of electoral districts; and	24 25
	(ii)	a description of the boundaries of all electoral districts in the State; and	26 27
	(iii)	its reasons for redistributing the State in that way (including the reasons of	28 29

	any commissioner who disagrees with the redistribution in that way).	1 2
Clause 21	Amendment of s 54 (Tabling all relevant documents)	3
	Section 54(1)(g)—	4
	<i>omit, insert—</i>	5
	(g) the commission's reasons for redistributing the State in the way set out in the notice, together with the reasons of—	6 7 8 9
	(i) the commission for proposing the appropriate number of electoral districts for the State in accordance with section 41A; and	10 11 12 13
	(ii) any commissioner who disagrees with the redistribution in that way.	14 15

Authorised by the Parliamentary Counsel