

**ELECTORAL AMENDMENT (FINANCE AND OTHER MATTERS) BILL 2023**

*Council's Amendments — Consideration in Detail*

The following amendments made by the Council now considered —

No 1

Clause 61, Page 71, line 21 — To delete “Friday” and insert —  
Thursday

No 2

Clause 78, Page 97, lines 1 to 6 — To delete the lines and insert —  
(j) in paragraph (c) delete “or deputy returning officer, who shall forthwith,” and insert:  
for the whole of State electorate or returning officer for a district who must,

No 3

Clause 128, Page 244, after line 20 — To insert —  
***eligible SCA nominee***, in relation to a political entity, means —  
(a) for an endorsed candidate — the political party that endorsed the candidate; or  
(b) for a candidate included in a group — the group; or  
(c) for an elected member —  
(i) if the elected member is a member of a political party — the political party; or  
(ii) if the member is a member of a group — the group;  
or  
(d) for an associated entity — a political party, or the party group of a political party, to which  
the associated entity relates;

No 4

Clause 128, Page 245, line 25 — To delete the line and insert —  
Penalty for this subsection:

No 5

Clause 128, Page 245, after line 28 — To insert —  
(2) Subsection (1) does not apply if —  
(a) a political entity (the ***relevant political entity***) who or which is not a group, political party  
or third-party campaigner, does not have a State campaign account because the relevant  
political entity intends to make use of the State campaign account of another political  
entity; and  
(b) the other political entity is an eligible SCA nominee in relation to the relevant political  
entity; and  
(c) the other political entity consents to make payments for electoral expenditure on  
behalf of the relevant political entity out of the other political entity’s State campaign  
account; and  
(d) the responsible person for the relevant political entity lodges a notice under  
section 175LN(1).

No 6

Clause 128, Page 246, lines 5 and 6 — To delete the lines and insert —  
(a) that the political entity —  
(i) has a State campaign account; or  
(ii) intends to make use of the State campaign account of another political entity named in  
the notice that is an eligible SCA nominee in relation to the political entity and has  
given the consent mentioned in section 175LM(2)(c);  
and

No 7

Clause 128, Page 246, line 12 — To delete “subsection (1)(b) or (c)” and insert —  
this section

No 8

Clause 128, Page 246, lines 16 to 18 — To delete “stating the changes within the period of 5 business days after the day on which the change occurs.” and insert —

stating, within the period of 5 business days after the day on which the change occurs, details about the changes to the information, including —

- (a) if the change is that a new State campaign account is established — the information about that State campaign account mentioned in subsection (1)(b) and (c); and
- (b) if the change is that the political entity intends to make use of the State campaign account of another political entity — that the other political entity is an eligible SCA nominee in relation to the relevant political entity and has given the consent mentioned in section 175LM(2)(c).

No 9

Clause 180, Page 352, after line 11 — To insert —

- (2A) For the purposes of sections 175LM, 175LN and 175U(1) and this section, the first participation day of a person who is, on commencement day, an elected member is the day on which the elected member was nominated for election at the most recent election for which they were a candidate.

No 10

Clause 180, Page 352, after line 31 — To insert —

- (aa) the responsible person for the political entity complies with section 175LM(2) by the end of the period of 5 business days after commencement day; or

**Mr J.R. QUIGLEY:** I move —

That amendment 1 made by the Council be agreed to.

**Ms M.J. DAVIES:** Could the minister walk through why this was amended in the other chamber and give us some context on what the amendment achieves? After the discussion that we had here and, I gather, in the Legislative Council, I understand that it will change the day to provide more time for how-to-vote cards. Perhaps the minister could give some background about how this came about and why. We raised a number of concerns in this chamber about how-to-vote cards, particularly around the timing of being able to get the sign-off for them and then get them processed appropriately. I am curious what conversations were had in the Legislative Council after the discussion in this chamber for it to have come back again.

**Mr J.R. QUIGLEY:** The amendment came about because after debate in the Legislative Council the date was brought forward by one day to doubly ensure, as a safety net, that all the how-to-vote cards would be approved in time for all the parties to get them out immediately.

**Ms M.J. DAVIES:** So that it is very clear in this house, can the minister run through what the process will be from the close of nominations on Thursday in terms of approvals and how it will work from the Electoral Commission’s perspective?

**Mr J.R. QUIGLEY:** On Thursday, the nominations will close. On Thursday afternoon, the ballot will be held and how-to-vote cards can then be lodged on Friday, a business day, rather than on the weekend.

**Ms M.J. DAVIES:** I gather from that that there will be a turnaround of a day and on that Friday how-to-vote cards will be approved by the Electoral Commission so that we can get them in the post and on their merry way to wherever they need to be before pre-poll commences. The concerns raised by the opposition were about the time it would take, given there are likely to be a number of how-to-vote cards submitted. We would then have a quick turnaround time to have them printed then get them to whatever courier or Australia Post to reach the furthest corners of Western Australia so that when pre-poll opens, we have approved how-to-vote cards sitting with those polling booths. Is that the guarantee being given? Is it that there will be a turnaround within a day so that we can do that on the Friday and get them on the road?

**Mr J.R. QUIGLEY:** Sitting at the ministerial table, I never hand out guarantees. That is, however, the clear ambition and it will be 10 days before the opening of pre-poll. We are putting in this extra day in the hope that it will all be cleared on that day. That is the ambition and it will be 10 days before pre-polling.

**Question put and passed; the Council’s amendment agreed to.**

**Mr J.R. QUIGLEY:** I move —

That amendment 2 made by the Council be agreed to.

**Ms M.J. DAVIES:** I have some of the notes that were provided. I thank the minister for the briefing provided yesterday. It was brief and appreciated. Perhaps the minister, for the sake of the record, could explain what we are doing here and why this amendment was required to come about?

**Mr J.R. QUIGLEY:** Certainly. At proposed section 78(2)(c) we will remove the reference to “deputy returning officer”. References to a deputy returning officer were removed elsewhere in the legislation, but this one was omitted. The concept of a deputy returning officer has been replaced with a reference to the returning officer for each district.

**Ms M.J. DAVIES:** I thank the minister; that is in the note in front of me. It is obviously an oversight in drafting.

**Mr J.R. Quigley:** Yes.

**Ms M.J. DAVIES:** That might have been picked up if the bill had gone to the Standing Committee on Legislation. I see that the committee has had one of the most innocuous bills referred to it. Innocuous—is that the right word?

**Ms L. Mettam:** I think so in this case.

**Mr W.J. Johnston** interjected.

**Ms M.J. DAVIES:** It is not controversial is what I was looking for, minister.

This is the only error or oversight that we are dealing with in this suite, because, as I understand it, the remainder of amendments have come about as actual changes as the bill has continued to be considered. This was in essence an oversight that potentially could have been picked up had there been slightly more consultation and perhaps a referral to the legislation committee.

**Question put and passed; the Council’s amendment agreed to.**

**Mr J.R. QUIGLEY:** I move —

That amendment 3 made by the Council be agreed to.

**Ms M.J. DAVIES:** Perhaps the minister could explain, for the purposes of this chamber and for the record, what this amendment does. It was explained that it clarified some matters around state campaign accounts, but from my recollection, and I had a look at *Hansard* from when we had this discussion, it was very clear to me after we had this debate that there was going to be a requirement for state campaign accounts for every candidate and political party. I will let the minister explain how this has come about, then perhaps I will ask some questions. We spent a fair bit of time on this one in the Legislative Assembly, but it has come back slightly different with some additions as result of discussions in the Legislative Council.

**Mr J.R. QUIGLEY:** Yes, my recollection of the discussion in the chamber was that the party could run a state campaign account. This amendment will make it clearer that that is the situation: a candidate can nominate the state campaign account of the party that has endorsed them. The purpose of the amendment is to provide greater clarity and flexibility in relation to the state campaign accounts and operational matters. They would allow for candidates, elected members and associated entities to rely on the state campaign account established by their relevant political party or group, rather than having to create their own for the purpose of electoral expenditure. A new defined term, “eligible SCA nominee”, is created to clearly set out the relationship required to nominate.

Debate interrupted, pursuant to standing orders.

[Continued on page 6664.]