

ELECTORAL AMENDMENT BILL 2016

SECOND READING SPEECH

I move that the Bill be read a second time.

The purpose of the Bill is to improve and modernise electoral processes for electors, political parties and candidates in Western Australia.

I will now outline the major features of the Bill.

To begin, a healthy democracy ensures that all members of the community have equal access to the electoral process. However, many people with disabilities do not have this access. In short, such electors cannot cast a vote in secret. Rather, they have to seek the help of another person to fill out their ballot paper. To address this situation the Electoral Commission will provide internet voting options for electors with disabilities. Internet voting will provide such electors with a sense of empowerment, independence and equality in the electoral process.

Various forms of electronic voting have been used for several years in New South Wales and Victoria. As a result, there is an expectation by electors with a disability that internet voting will be available for the next State election in Western Australia.

The operation of technology assisted voting and in particular internet voting requires the operation of complex information technology platforms. Accordingly, this Bill proposes that the Electoral Commissioner has a degree of flexibility in determining approved procedures. These approved procedures will be published on the Electoral Commission's website and will provide:

- a definition of an eligible elector;
- for the elector with a disability to register to vote via the internet;
- for making of a record for each elector who has voted via the internet;
- for secrecy of electors' votes;
- for each elector to authenticate their vote;
- that any vote cast be securely transmitted to the Electoral Commission and securely stored; and
- for the scrutiny and count of votes cast.

The Bill requires the Electoral Commissioner to ensure the independent auditing of internet voting. There will be considerable penalties for those who interfere with any computer software or data involved. Further, the Electoral Commissioner can determine not to use internet voting if he has any concerns.

Secondly, since 2012, the Australian Electoral Commission (AEC) has been directly enrolling electors on the electoral roll once they receive information from other government agencies, such as the ATO or Centrelink. Once the AEC

receive this information, they communicate with the elector informing them that either: they have been added to the electoral roll; or their details have been updated. The elector does not need to reply if this information is correct. If the information is incorrect the elector has 28 days to inform the AEC.

However, to be on the State electoral roll the elector is required to fill out an enrolment form. These two very different enrolment requirements mean that there are currently 170,000 electors in Western Australia who are on the Commonwealth roll but not the State. This gap is expected to rise to over 220,000 by the State election in March 2017.

Clearly this situation is not sustainable. Further, if the Act is not amended thousands of electors will be confused and turned away at State polling booths. Therefore the Act will be amended, so that when an elector is directly enrolled by the AEC, they will also be enrolled by the State. Retrospective provisions will ensure the 170,000 electors who are not on the State roll will be enrolled once this Bill is passed by the Parliament.

Thirdly, at recent elections across Australia there has been a significant increase in the level of early voting. For example, at the last State election over 150,000 electors voted early. This was an increase of over 37%, on the previous general election, and this figure is expected to rise considerably for the 2017 election.

Currently, to vote early an elector must declare a reason as set out in the Act. The operational reality is polling officials cannot test the veracity of such claims. Further, the increase in early voting reflects the reality of modern lifestyles and work patterns. Therefore, the Act will be amended so electors no longer have to provide a reason to vote early.

Fourthly, currently only candidates can appoint scrutineers. Allowing party secretaries and authorised persons to appoint scrutineers will ease the administrative burden on candidates, political parties and Legislative Council groups. Further, this change will facilitate a more streamlined process at count centres.

The Electoral Commission is of the view that in the modern age pens should be provided for electors to mark their ballot papers. For example, in the last New South Wales State election pens replaced pencils. It is intended pens will be the operational norm at next State elections.

Finally, there are some minor associated administrative changes to the *Electoral Act 1907*.

Pursuant to Standing Order 126, I advise that this Bill is not a uniform legislation Bill. It does not ratify or give effect to any intergovernmental or multilateral agreements to which the Government is a party. Nor does this Bill introduce any uniform scheme or uniform laws throughout the Commonwealth.

I commend the Bill to the House and table an Explanatory Memorandum.