

2004

**THE LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT AMENDMENTS TO THE
ELECTORAL AMENDMENT BILL 2003**

SUPPLEMENTARY EXPLANATORY STATEMENT

**Circulated by authority of
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Attorney General**

OUTLINE

These amendments make a range of changes to the Electoral Amendment Bill 2003 in order to amend the *Electoral Act 1992* (the Electoral Act). These amendments are intended to remove all references to “ballot groups” from the Electoral Act.

Under the Electoral Act as it currently stands, a ballot group is an entity that can be registered by a Member of the Legislative Assembly (MLA) who is not a member of a registered political party (an independent MLA). A registered ballot group is able to nominate candidates for elections to the Legislative Assembly, with candidates identified on the ballot paper by printing the ballot group’s registered name or abbreviation.

Like registered political parties, registered ballot groups also have rights and obligations under the funding and disclosure scheme. These include the right to receive public funding according to the votes received by the ballot group’s candidates, and the obligation to submit disclosure returns detailing receipts, expenditure and debts.

The ballot group provisions were included in the Electoral Act before the 2001 election as part of a reform of the party registration scheme, which saw the abolition of the concept of “parliamentary party”, which allowed any MLA (or any member of a parliament in another jurisdiction) to register a political party without any membership requirement. The current registration model is a two-tiered scheme consisting of registered political parties, all of which must have at least 100 members who are ACT electors, and registered ballot groups, established by independent MLAs.

In considering the operation of this two-tiered arrangement, the Government has concluded that it would be preferable to put all registered ballot entities on an equal footing. Rather than give independent MLAs an advantage over other candidates and allow them to register a ballot group name without any demonstrated community support, these amendments would remove all references to ballot groups in the Electoral Act and require all political participants to register a political party containing at least 100 members if they wish to have a party name listed on the ballot papers.

Financial Implications

There are no financial implications related to these amendments.

DETAILED EXPLANATION

Amendments 1 – 13

All of the amendments proposed relate to the removal of references to ballot groups from the Electoral Act. In order to ensure a consistent approach, all of these amendments need to be passed in total.