

# Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Act 2018

Explanatory notes for SL 2018 No. 200

made under the

*Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Act 2018*

## General Outline

### Short title

Proclamation to commence the remaining provisions of the *Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Act 2018*.

### Authorising law

Section 2 of the *Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Act 2018*.

### Policy objectives and the reasons for them

The *Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Act 2018* (the Act) was assented to on 21 May 2018 and section 2 provides that parts 3 and 5 and part 4, division 3 commence on a day to be fixed by proclamation.

Parts 3 and 5 of the Act, commenced by Proclamation on 2 October 2018, amend the *Electoral Act 1992* and the *Local Government Electoral Act 2011*, respectively, to prohibit property developer donations.

The objective of this Proclamation is to commence the remaining provisions of the Act (part 4, division 3) on 3 December 2018. Part 4, division 3 of the Act makes consequential amendments to sections 150L, 150AY and 175G of the *Local Government Act 2009* (LGA) to ensure consistency between amendments to the LGA in the Act and the *Local Government (Councillor Complaints) and Other Legislation Amendment Act 2018*.

The commencement date of 3 December 2018 aligns with the commencement of the remaining provisions of the *Local Government (Councillor Complaints) and Other Legislation Amendment Act 2018* and commencement of the new Councillor complaints system.

## **Achievement of policy objectives**

The policy objective is achieved by fixing 3 December 2018, immediately after the commencement of the *Local Government (Councillor Complaints) and Other Legislation Amendment Act 2018*, section 12 to the extent it inserts section 150L, as the commencement date for the provisions of the Act that are not in force.

## **Consistency with policy objectives of authorising law**

The Proclamation is consistent with the policy objectives of the Act.

## **Inconsistency with policy objectives of other legislation**

No inconsistencies with the policy objectives of other legislation have been identified.

## **Alternative ways of achieving policy objectives**

There are no alternative means of achieving the purpose of the Proclamation.

## **Benefits and costs of implementation**

The benefits and costs of implementation were outlined in the explanatory notes to the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill 2018.

## **Consistency with fundamental legislative principles**

The Proclamation is consistent with the fundamental legislative principles.

## **Consultation**

Consultation on the implementation of the new Councillor complaints system is ongoing with the Local Government Liaison Group, including the Local Government Association of Queensland, the Local Government Managers Australia Queensland Inc. and the Crime and Corruption Commission.

A self-assessment by the Department of Local Government, Racing and Multicultural Affairs has determined that a Regulatory Impact Statement is not required as the regulatory proposal is excluded under category (g) of the *Queensland Government Guide to Better Regulation* – regulatory proposals that are of a machinery nature.