

**Submission
No 3**

PREPARATIONS FOR THE 2015 NSW STATE ELECTION

Organisation: The Greens
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Position: Member of the Legislative Council
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Greens NSW Submission to the Joint Standing Committee into Electoral Matters Inquiry into Preparations for the 2015 State Election

9 October 2015

The Greens NSW wish to make the following recommendations to the inquiry as per the terms of reference:

For the 2015 State Election:

Recommendation 1: The NSW Electoral Commission ensure that District Returning Officers and Officers in Charge at polling locations, especially pre-poll locations have discretion to intervene in relation to possible breaches of the 6m rule when there are reasonable grounds (eg. inclement weather) to do so.

Recommendation 2: The NSW Electoral Commission review and if necessary update its agreement with the owners/lessees of premises to be used for polling booths to ensure that politically discriminatory behaviour by the owner or lessee of the premises, or by their agents, is explicitly forbidden and subject to penalty for breaches.

Recommendation 3: The NSW Electoral Commission conduct a proper two candidate preferred count in every electorate, including a full distribution of preferences and display these results on its website. In the 2011 state election, the Greens came first or second in 14 electorates on primary vote and after distribution of preferences but only in two of these electorates are the Greens displayed on the NSWEC website as being in the two candidate preferred count.

Recommendation 4: The NSW Electoral Commission calculate each party's state wide Legislative Assembly vote tally and display the result on its website.

Recommendation 5: Completed postal vote application forms should only be returned to the local returning officer and it be made illegal for parties and candidates to encourage voters to send a completed application to anyone other than the District Returning Officer.

Recommendation 6: That pre-poll voting commence on the Friday, that is, eight days, before polling day.

Recommendation 7: Legislate to prohibit false or misleading statements being made about a party or candidate in the media and electoral material with appropriate penalties.

Recommendation 8: Establish an independent election tribunal with power to: adjudicate on the truth of public election statements quickly; make prompt public

announcements about the inaccuracy of published statements; and impose appropriate penalties.

Recommendation 9: Registration of leaflet provisions in S151G of the PE&E Act and procedures of the NSWEC should be reviewed to prevent the registration of material which would be considered by a reasonable person to be likely to mislead electors as to the candidate or party actually responsible for the material.

Recommendation 10: That the requirement that a nil return disclosure including the End Of Financial Year disclosures be audited by a Registered Company Auditor be removed.

As the party's spokesperson on election funding issues, I would be happy to provide further information to the committee on any of the above matters.

Yours sincerely,

A solid black rectangular box redacting the signature of John Kaye.

John Kaye