

## PRESELECTION BALLOTS

This fact sheet relates to registered political parties that conduct preselection ballots for candidates in State or local government elections. The Electoral Commission of Queensland (ECQ) is responsible for overseeing the conduct of preselection ballots under Part 9 of the *Electoral Act 1992* (EA).

### What is a preselection ballot?

Preselection is the process by which a political party chooses an individual to become a candidate endorsed by the party for a particular election. Depending on the rules in the political party's constitution, a party may conduct a preselection ballot as part, or whole, of the preselection process.

A preselection ballot involves members of the political party voting for their preferred candidate in a ballot. A party member will vote in the ballot in their capacity as a member of the political party, rather than as a member of a committee of the party.

If the selection of a candidate for an election involves a poll of the party members followed by the endorsement of the poll result by a party committee, only the poll constitutes a preselection ballot.

### What are the requirements for preselection ballots?

The requirements for preselection ballots are set out in part 9 of the EA, part 4 and schedule 1 of the Electoral Regulation 2013 (ER), and in a party's own constitution.

All registered political parties in Queensland must have a constitution that contains the rules for selecting a candidate to be endorsed for an election.

If part or whole of the preselection process involves conducting a ballot of party members, the party's constitution must also include a rule that requires that a preselection ballot must satisfy the general principles of free and democratic elections. The general principles are set out in section 76(2) of the EA.

Part 9 of the EA requires the party's registered officer to provide the ECQ with written notice at least 7 days before voting in a preselection ballot is to be held, and to notify the ECQ of all preselection ballots held for candidates in a state election within 30 days after polling day for the election. Penalties apply if the registered officer fails to notify the ECQ in accordance with these provisions.

The ER contains the model procedures for the conduct of preselection ballots, which include procedures for nomination of candidates, preparation of the roll, voting, counting and certification of results.

The ECQ provides a copy of the model procedures to the registered officer of a registered political party when it is first registered. If a preselection ballot is to be conducted by a registered political party for an election, the registered officer must provide a copy of the model procedures to each person who is a candidate in the ballot.

More information

For more information about preselection ballots, please refer to the ECQ's [Preselection Ballot Handbook](#), the [Electoral Act 1992](#), the [Electoral Regulation 2013](#), or contact the ECQ on 1300 881 665 or by emailing [fad@ecq.qld.gov.au](mailto:fad@ecq.qld.gov.au).

## How does the ECQ oversee preselection ballots?

The ECQ is empowered under part 9 of the EA to undertake audits or inquiries into preselection ballots to identify whether they were conducted in accordance with the model procedures and the party's constitution.

The ECQ may inquire into a preselection ballot of a candidate for a state or local government election on its own initiative or following the receipt of a complaint from a candidate or a party member who is eligible to vote in the ballot. The inquiry may be initiated by the ECQ before or after the voting in the ballot takes place.

After each state election, the ECQ will undertake a random audit of preselection ballots conducted by registered political parties for candidates in the election. The ECQ will decide the total number of preselection ballots that it will audit as soon as practicable after the 30th day after polling day, and it will conduct a random draw to select which ballots will be audited. Registered political party representatives will be invited to observe the draw if they wish, and candidates (or their representatives) may also attend.

As part of an inquiry or audit into a preselection ballot, the ECQ will require the party's registered officer to provide documentation relating to the ballot within a specified timeframe. Failure to comply with the ECQ's requests to provide documentation may result in enforcement action being taken by the ECQ.

Following the conclusion of an inquiry or audit, the ECQ will provide a report to the Minister, which must be tabled in Parliament. For an inquiry, the report must state whether the preselection ballots were conducted in accordance with the model procedures and the party's constitution. For an audit, the report must identify the ballots examined as part of the audit and any ballots in which someone voted in contravention of the model procedures or the party's constitution.

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