

2018

The Parliament of the
Commonwealth of AustraliaSim

HOUSE OF REPRESENTATIVES

As Amended

Electoral Modifiers Bill 2018

No. 1, 2018

(Drafted by RunasSudo)

(Introduced by ForzaAustralia)

**A Bill for an Act to provide for electoral modifiers,
and for related purposes**

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A Bill for an Act to provide for electoral modifiers, and for related purposes

The Parliament of Australia enacts:

Part 1—Preliminary

1 Short title

This Act is the *Electoral Modifiers Act 2018*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information

Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this ActAssent.	The day after this Act receives the Royal Assent.	

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Supremacy of Act

Despite anything to the contrary in this or any other Act, if a provision of another Act is inconsistent with a provision of this

Act, the latter takes precedence, and the former shall, to the extent of the inconsistency, be without force or effect.

4 Regulations

The Electoral Commissioner may make regulations not inconsistent with this Act prescribing any matter permitted or required by this Act to be prescribed by regulation.

5 Regulations must be tabled before parliament

A regulation made under section 4 does not come into effect until it has been approved by resolution by each House of the Parliament.

Part 2—Electoral modifiers

6 Simulated voters

- (1) For the purpose of electing members to the House of Representatives and to the Senate, each Division in the House of Representatives is to contain, in addition to the voters registered in that Division under the *Commonwealth Electoral Act 1918*, a number of **simulated voters**, provided that the number of simulated voters in each Division does not exceed 50% of the total number of voters in that Division.
- (2) The simulated voters are to vote in the corresponding House of Representatives and Senate elections in accordance with this Act.
- (3) The Electoral Commission must, by regulation, determine the number of simulated voters in each Division of the House of Representatives.

7 Election modifiers

- (1) The Electoral Commission must, by regulation, determine a list of ***election modifiers*** to apply in an election, and determine how those election modifiers are to be scored.

Example: An election modifier could be voting turnout in the previous parliamentary term, or activity in campaigning.

- (2) Election modifiers—
 - (a) must be impartial and objective; and
 - (b) must not be based on ideology or prejudice; and
 - (c) must not penalise any activity undertaken lawfully and in good faith, irrespective of the nature or content of that activity.
- (3) Election modifiers may be applied at the level of—
 - (a) individual candidates; and
 - (b) the political parties to which those candidates belong; and
 - (c) the coalitions to which those political parties belong; and (d) any other level prescribed by regulation.
- (4) The Election Commission must, by regulation, determine how the scores in each level in subsection (3) are translated into the overall scores of the individual candidates.
- (5) The votes cast by simulated voters in an election must be based on the overall scores of the individual candidates in the election modifiers.
- (6) The Election Commission must, by regulation, determine how the scores of the candidates in the election modifiers are translated into the votes cast by the simulated voters in subsection (4).

8 Regulations not to be applied retrospectively

- (1) The Electoral Commissioner must not make regulations that cause activity undertaken or things done prior to the making of the regulation, which were not the subject of an electoral modifier prior to the making of the regulation, to be the subject of electoral modifiers.