



Triple Bottom Line (TBL) Assessment Summary

The Triple Bottom Line Assessment is required to be published in accordance with Part 4, section 23 (1)(b) of the Freedom of Information Act 2016

20/354 COVID-19 Emergency Response Legislation Amendment Bill 2020 (No. 2)

Summary of impacts:

The COVID-19 Emergency Response Legislation Amendment Bill 2020 (No. 2) proposes to:

- amend the *Electoral Act 1992* (the Act) on a temporary basis, only for the October 2020 election, to:
 - expand the eligibility criteria of pre-poll voters so that any eligible elector of the ACT can cast a vote before polling day, at early voting centres;
 - support the Electoral Commission’s deployment of an overseas electronic voting solution for eligible ACT electors who are abroad; and
 - support the Electoral Commission’s deployment of a telephone voting system for eligible ACT electors who are blind or vision impaired and who have a disability; and
- repeal a temporary amendment to section 68BA of the *Supreme Court Act 1933* (SCA) which was introduced by *COVID-19 Emergency Response Act 2020* (COVID Act).

Electoral Act amendments

The telephone voting and overseas electronic voting amendments respond to recommendations from the ACT Legislative Assembly Select Committee Inquiry into the 2016 ACT Election and the Electoral Act.

The expansion of early voting option has been recommended by the Electoral Commission based on advice from the Election Contingency Planning Team, as a response to the COVID-19 pandemic.

Supreme Court Act amendment

The effect of the repeal will be that a judge can no longer order a trial by judge alone (without a jury) for any offence being tried in the Supreme Court of the ACT.

Level of impact	Positive	Negative	Neutral
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Social		
Level of impact	Impact	Summary
Positive	Health (Community and mental health)	<ul style="list-style-type: none"> • The proposed amendments will ensure eligible electors can still participate in the ACT Legislative Assembly election in October 2020 while minimising health risks that may arise during the COVID-19 emergency.

Positive	Access to services	<ul style="list-style-type: none"> The proposed amendments will provide greater accessibility to eligible overseas voters and voters who are blind or vision-impaired and with physical disability to submit a vote to be counted towards the election of members of ACT Legislative Assembly. The proposed amendments will also support the ability of ACT electors to take part in the upcoming periodic election in the event that restrictions caused by COVID-19 are in place for the October 2020 election.
Positive	Access to social inclusion/participation and community activities	<ul style="list-style-type: none"> The proposed amendments will encourage voter participation in the 2020 ACT Legislative Assembly election and encourage inclusiveness.
Positive	Human rights	<ul style="list-style-type: none"> The proposed electoral amendments engage the right to take part in public life and promote the freedom of expression of electors, the right to life and the right to equality and non-discrimination. The amendments will enhance a democratic representative electoral system. The proposed amendment to repeal the temporary amendment in the <i>Supreme Court Act</i> removes the ability for a judge to order a trial by judge alone and is compatible with the right to fair trial.
Positive	Disability	<ul style="list-style-type: none"> The proposed amendments will allow voters who are blind or vision-impaired and with physical disability to cast a secret vote without needing to attend a polling place.
Positive	Justice and Crime	<ul style="list-style-type: none"> The proposed amendment to reinstate trial by jury for offences tried in the Supreme Court will facilitate the democratic participation of the community in the administration of justice, and in turn strengthen public confidence in the legitimacy of the Australian criminal justice system.

Economic		
Level of impact	Impact	Summary
Neutral	ACT Government Budget	<ul style="list-style-type: none"> The proposed electoral amendments for the expansion of early voting and the limited overseas electronic voting solution will require further funding.
Positive	Employment and labour force	<ul style="list-style-type: none"> The proposed electoral amendments have required the engagement and procurement of the services of designers of the overseas e-voting and telephone voting solution.

Environmental

Nil