



# Youth Electorate Advisory Council Act 2019 (NSW)

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# Youth Electorate Advisory Council Act 2019 (NSW)

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A Bill that provides the youth of NSW electorates with the opportunity to share their perspectives on the necessary direction of their local community and state

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# Explanatory Notes

## WHAT THE BILL AIMS TO ACCOMPLISH

Currently there exists a gap between parliamentary members and the people they represent. This is particularly evident in the youth under 18 years old as they are yet afforded the right to vote. Communities, specifically the youth no longer feel they are being appropriately represented by their politicians. The creation of the “political elite” has created a barrier that prevents effective communication of the issues that actually affect the community.

This bill aims to close this gap between the MP and the community by establishing an advisory board. This advisory board would represent the views of the community, while effectively providing an avenue to inform the MP of their concerns and suggested actions. In a recent study, the ‘What’s Up in Your World’ survey conducted by TripleJ Hack found that 85% of young people didn't believe politicians were acting in the best interests for young people and 89% didn't believe politicians are acting in the best interests of the planet<sup>1</sup>. This is something that needs to change.

In the past twelve months we have seen large scale school strikes happening more frequently, with thousands of students skipping school to protest and demand new policies addressing climate change. These advisory boards would allow young people to express their views to politicians about topics that they are passionate about such as the environment and mental health. These people will have the opportunity to express their views directly to MPs in a structured and mediated environment.

This bill would also encourage the engagement of young people in politics. There is a perceived apathy in youth towards the political system and by giving them the opportunity to create real change in their community these stereotypes and views can be addressed. This program would also educate young people on the legislative process making them more aware citizens.

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<sup>1</sup> McCormack, A., 2019. Vast majority of young people have no faith politicians are working in the best interests of the planet, research finds. [Online]  
Available at: <https://www.abc.net.au/triplej/programs/hack/whats-up-in-your-world/11021316>  
[Accessed 30 June 2019].

# Part 1 Preliminary

## 1. Long Title

**Youth Electorate Advisory Council Act 2019 (NSW)**

## 2. Short Title

This Act may be cited as the **Electorate Advisory Act 2019 (NSW)**

## 3. Commencement

This Act shall commence 31 days after Royal Assent from the NSW Youth Governor.

## 4. Objectives

1. To Provide the youth of NSW with greater representation in parliamentary decision making. This Bill aims to ensure that decisions made by the Parliament of NSW would consider the views of all people in society, especially young people. This will draw light on issues affecting young people that can be addressed by young people but not acted on in any capacity by the young people themselves, only lawmakers.
2. To spark the interest of young people across the state about the legal and political system while increasing participation of young people in the affairs of the state. Help to ensure that the needs of all levels of society are being adequately addressed and advocated for. This will increase inclusivity and broaden the scope of ideas put to Parliament.
3. To hold local members accountable to their campaign ideas. With busy timetables and a high workload, Parliamentary Members can lose sight of what their electorates require from their representatives. This advisory board aims to enable local members of Parliament a simpler, time effective, authentic process by which they can easily identify community problems, which may have been difficult for Members previously. This ensures that the people who are being represented have their voices heard, in turn making the democratic process more representative.

To provide guidance to lawmakers in rectifying issues specifically affecting young people from a panel of expertise, in order to assist the state in improving aspects of our local communities for future generations. By including young people in decision making of the state, via the local electorate, it ensures that their values and needs will be considered and laws can be made to accommodate this. The aim of this is to create a society that respects and considers the values of all its citizens while planning ahead in its decision making.

## 5. Definitions

- (a) **NSW** - “The state of New South Wales”
- (b) **Electorate** - “The area represented by one Member of Parliament”
  - (i) In the case of this bill - The term electorate refers to those represented individually by each member of the Legislative Assembly
  - (ii) Also referred to as an “**Electoral District**”
  - (iii) As of receiving royal assent there are 93 single-member districts that this bill will specifically effect
    - (1) Any new electorate after the 2019 State Election will immediately be subject to this act
- (c) **Youth** - “The period between childhood and adult age”
  - (i) **Childhood** - “The state or period of being a child”.
  - (ii) Thus this bill deems “youth” to be those between 16 and 18 years of age as they are not classified as a child due to certain legal rights
- (d) **Electoral Advisory Board (EAB)**: The aforementioned youth council dedicated to improving youth services and youth representation by Parliamentary Members
- (e) **Advisory** - Having or consisting in the power to make recommendations but not to take action enforcing them
- (f) **Advocate for Children and Young People** - The Advocate for Children and Young People is an independent statutory appointment reporting to the NSW Parliament through the Parliamentary Joint Committee on Children and Young People. The office is established under the *Advocate for Children and Young People Act 2014*.
  - (i) Also referred to in short as “**ACYP**”
- (g) **Board** - A group of persons having managerial, supervisory, investigatory, or advisory powers
  - (i) In this case such group would be holding advisory powers.
  - (ii) For logistical reasons referred to “group of persons” is specifically ...
- (h) **Recommendation** - A suggestion or proposal as to the best course of action, especially those put forward by an authoritative body
- (i) **Suggestion** - An idea or plan put forward for consideration.
- (j) **Proposal** - A plan or suggestion, especially a formal or written one, put forward for consideration by others

## Part 2 Substantive

### 6. Establishing of Electoral Advisory Board

The Electoral Advisory Boards (EAB) intend to include a diverse portfolio of young people (aged 16-25) in each electorate whose purpose will be to provide guidance to Local State Members on the issues affecting them within their electorate. EABs will be established within every electorate across NSW and will be tailored to address the individual electorate's chief concerns. It will draw on diverse age and socioeconomic groups which will provide Local Members with a more detailed understanding of the issues affecting young people within the community.

### 7. Role of the advisory boards

The EAB's role within its individual electorate is to highlight and discuss the issues and policies that affect our youth. These conclusions should be formulated into proposals which can then be taken to the electorate's member as a way of providing community (electorate) insights and suggestions where issues are observed and suggestions provided on how these issues might be solved. The advisory board's role within the electorate is to represent community interests, this means that diversity is paramount as this will help in providing a variety of viewpoints (***selection process for members discussed further in section 8 and 10***). Boards are to be mediated by the ACYP or a subsidiary which the ACYP is responsible for ensuring that the EAB is a safe environment that is working towards the Electoral Advisory Act's goals. Members are to serve terms of one year and are required to fulfill a quota of a number of meetings (to be advised) in a year with at least two with an MP at the meeting to present to.

### 8. Selection Process for New Members

The selection process for members is to be based on the model adopted by the Advocate for Children and Young People's state advisory councils (ACYP). In the ACYP model, interested individuals from the ages of 16-25 (in a particular state) undergo an online application process followed by a formal interview, after which 12 of them will be selected to be a part of the council. The Youth Advisory Electorate Council will only differ slightly from this model. Instead of 12 individuals being picked from around the state, it will be 12 individuals from a particular electorate who will be picked to be on their particular electorate's council. Additionally, the number of individuals selected to be on the council will be in accordance with the population of their particular electorate. More specifically, the largest electorate will have 20 individuals represent a variety of perspectives from their electorate, however, the smallest electorate will have 8. In regards to choosing the actual individuals on the council, careful consideration needs to be made in regards to having a diverse range of opinions within the

council. There would be a limit of 3 reapplications non-consecutively. Applications would be open in November and December with new members being inducted in January.

## 9. Community Outreach and Advertising

The electoral advisory board further in its role seeks to promote youth engagement in local electorate through the introduction of “community outreach programs”. Although not mandatory under this legislation, each EAB is highly advised to conduct community outreach programs such as:

- Fairs
- Community forums
- Discussions
- And meetup's with local MP's

In order to promote and ensure that all people of each electorate, especially young people have the opportunity to engage with the EAB and take part in the decision making process, regardless of them being selected to participate in this forum.

Furthermore, the EAB for each electorate is expected to publish it's meetings discussions, reports and findings to an official state government website for EAB's in order to ensure that all members of the community have access to what is being discussed. This is to ensure that the wider community can see if their own views are adequately being expressed by the EAB, as well creating a systematic catalogue of all past meetings across the state for the government to access in the best interest of local communities.

## 10. Arrangements for Expiry of Board Membership

New committees of EAB Members will be inducted by the ACYP on the 30th of January Annually after online application process. The ACYP is responsible for ensuring that EABs are advertised to schools and community programs to ensure reasonable coverage and allow a diverse range of people to join committees.

When assembling a committee the ACYP must ensure racial, sexual, religious, socioeconomic, geographical, political and age diversity so that the committee is truly reflective of the community. Committee members are subject to a three term limit and cannot join the committee after having been in the committee for three years. EAB members are expected to attend committee meetings promptly and for the full twelve months that they are signed on. If a member leaves for any reason the ACYP has the discretion on whether he/she should replace the member. Members can be removed from the EAB by the ACYP if they are disrupting or not maintaining the commitment to the EAB.

## Part 3 Amendments

Clause Number	8
Existing Clause Wording	The selection process for members is to be based upon the model adopted by the Advocate for Children and Young People’s state advisory councils (ACYP). In the ACYP model, interested individuals from the ages of 16-25 (in a particular state) undergo an online application process followed by a formal interview, after which 12 of them will be selected to be a part of the council. However, the Youth Advisory Electorate Council will differ slightly from this model.
Amendment Request	Add “The selection process will diverge from the ACYP model by allowing individuals from ages 12-25 to apply for a place on the advisory board.”
New Clause shall now read	The selection process for members is to be based upon the model adopted by the Advocate for Children and Young People’s state advisory councils (ACYP). In the ACYP model, interested individuals from the ages of 16-25 (in a particular state) undergo an online application process followed by a formal interview, after which 12 of them will be selected to be a part of the council. However, the Youth Advisory Electorate Council will differ slightly from this model. The selection process will diverge from the ACYP model by allowing individuals from ages 12-25 to apply for a place on the advisory board.

Clause Number	6
Existing Clause Wording	The Electoral Advisory Board (EAB) intends to include a diverse portfolio of young people (aged 16-25) in an electorate whose purpose will be to provide guidance to Local State Members on the issues affecting them within their electorate.
Amendment Request	To change “(aged 16-25)” to “(aged 12-25)”

New Clause shall now read	The Electoral Advisory Board (EAB) intends to include a diverse portfolio of young people (aged 12-25) in an electorate whose purpose will be to provide guidance to Local State Members on the issues affecting them within their electorate.
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Clause Number	5 (c) (ii)
Existing Clause Wording	Thus this bill deems “youth” to be those between 16 and 18 years of age as they are not classified as a child due to certain legal rights
Amendment Request	To change “those between 16 and 18 years of age as they are not classified as a child due to certain legal rights” to “those between 12 and 25 years of age as this age group is generally considered youth by many other government and community organisations”
New Clause shall now read	Thus this bill deems “youth” to be those between 12 and 25 years of age as this age group is generally considered youth by many other government and community organisations

Clause Number	9
Existing Clause Wording	<p>The electoral advisory board further in its role seeks to promote youth engagement in local electorate through the introduction of “community outreach programs”. Although not mandatory under this legislation, each EAB is highly advised to conduct community outreach programs such as :</p> <ul style="list-style-type: none"> <li>● Fares</li> <li>● Community forums</li> <li>● Discussions</li> <li>● And meetups with local MP’s</li> </ul> <p>In order to promote and ensure that all people of each electorate, especially young people have the opportunity to engage with the EAB and take part in the decision making process, regardless of them being selected to participate in this forum.</p>
Amendment Request	<p>To change “The electoral advisory board further in its role seeks to promote youth engagement in local electorate through the introduction of “community outreach programs”. Although not mandatory under this legislation, each EAB is highly advised to conduct community outreach programs such as :</p> <ul style="list-style-type: none"> <li>● Fairs</li> <li>● Community forums</li> </ul>

	<ul style="list-style-type: none"><li>• Discussions</li><li>• And meetup's with local MP's</li></ul> <p>In order to promote and ensure that all people of each electorate, especially young people have the opportunity to engage with the EAB and take part in the decision making process, regardless of them being selected to participate in this forum.” to “Members would be expected to stay involved with the community to understand the issues present in communités. This may involve attendance at various community events in their electorate. This will allow members to speak to those in their communities and identify issues that need to be addressed. However the EAB would be strictly an advisory board and would not be involved in the running of any events.”</p>
New Clause shall now read	Members would be expected to stay involved with the community to understand the issues present in communités. This may involve attendance at various community events in their electorate. This will allow members to speak to those in their communities and identify issues that need to be addressed. However the EAB would be strictly an advisory board and would not be involved in the running of any events.