



Joint Standing Committee on Electoral Matters	
Submission No.	33
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Secretary	

March 22, 2008

Joint Standing Committee on Electoral Matters  
House of Representatives  
PO Box 6021  
Parliament House  
Canberra  
ACT 2600  
Australia.

**RE: Submission to the Joint Standing Committee on Electoral Matters**

To all committee members,

Mr. Tim Pickering A/g Electoral Commissioner has kindly replied to a letter I sent regarding the changes to the Electoral Act which totally disenfranchises all Australian citizens who have lived overseas for more than three years by removing their right to enrol from outside Australia. The old Overseas Voter Form is still on the government website but has been disabled and can no longer be down-loaded.

As a long-time Australian citizen (Certificate of Registration CM(2)2993 of 5 November, 1969) and (NSW) landholder, I am at a loss to understand why such a decision was made and on what pretext. This places Australian citizens living overseas in the same position as prisoners currently serving jail terms.

There are further meaningless restrictions and amendments to the Commonwealth Electoral Act as it currently stands. I quote from Mr. Pickering's communication:

*"... electors ... going overseas (who) intend to return ... within six years may become Eligible Overseas Electors. Such electors need to register within three months of their departure date or within three years after leaving Australia."*

*"(If) an elector's absence is extended past the allowable six years, they may apply for yearly extensions ... within the three months before the current registration expires."*



*"... electors ... not enrolled ... and have been overseas for more than three years, are not eligible to enrol from outside Australia or to vote in Australian Federal elections."*

Does the government inform citizens of these restrictions as they leave the country? Not at all. Yet it is surely in its own interest to do so. Under Australian law, failing to vote carries a penalty. Thus failing to inform citizens of these restrictions is surely also a breach of Australian law.

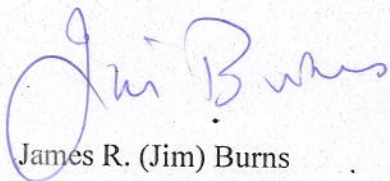
I truly feel outraged that my rights as a citizen, and those of others like me, have been denied by this disenfranchisement.

The JSCEM might do well to consider that United States citizens may vote, in State or Federal elections, regardless of where they choose to live or for how long a period. They may also enrol, or re-enrol after any period of time without enrollment, simply by visiting a US Embassy or Consulate and showing their passport.

I do not therefore humbly request that the JSCEM reinstates all citizens in the same position as myself, to both State and Federal Electoral Rolls: I DEMAND our RIGHTS as citizens to have our place on the rolls and to take part in elections like all other Australian citizens. Furthermore I will pursue this end by all means until it is achieved.

Recommendations to this effect by the JSCEM would undoubtedly bring this matter to a successful conclusion by permitting all such as myself to be immediately reinstated on State and Federal Rolls or by allowing us all to re-enrol, either by replacing the Overseas Voter Form and making it accessible to all regardless of time overseas, or by adopting the US system of enrollment through our nearest embassy or consulate.

Yours faithfully,



James R. (Jim) Burns

cc:

- Rt. Hon. Kevin Rudd  
Parliament House, Canberra
- Rt. Hon. Bob Brown  
Parliament House, Canberra
- Mr. Tim Pickering AEC,  
Kingston, ACT