2021

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Johnathan Davis

and

Andrew Braddock)

Electoral Amendment Bill 2021

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Electoral Amendment Bill 2021

A Bill for

An Act to amend the [Electoral Act 1992](http://www.legislation.act.gov.au/a/1992-71%22%20%5Co%20%22A1992-71)

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Electoral Amendment Act 2021*.

2 Commencement

This Act commences 12 months after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

3 Legislation amended

This Act amends the [Electoral Act 1992](http://www.legislation.act.gov.au/a/1992-71).

4 Entitlement
Section 72 (1) (a)

omit

otherwise than under the [Commonwealth Electoral Act](https://www.legislation.gov.au/Series/C1918A00027), section 100

5 Compulsory enrolment etc—residents
Section 73 (4)

omit

, an Antarctic elector or a person who is not at least 18 years old

substitute

or an Antarctic elector

6 Section 73 (5)

omit

otherwise than under the [Commonwealth Electoral Act](https://www.legislation.gov.au/Series/C1918A00027), section 100

7 Section 73 (6), penalty

substitute

Maximum penalty:

 (a) in the case of a person who is 16 years old, but not yet 18 years old—0.25 penalty units; or

 (b) in any other case—0.5 penalty units.

8 Age 16 enrolment
Section 75

substitute

75 Age 14 enrolment

The commissioner must enrol a person on the roll for an electorate if the person—

 (a) is at least 14 years old; and

 (b) would, had the person attained the age of 16 years, be entitled to be enrolled for the electorate; and

 (c) makes a claim for enrolment.

9 Certified extracts and certified lists of electors
Section 121 (4), definition of eligible elector

omit

at least 18 years old

insert

at least 16 years old

10 Entitlement to vote
Section 128 (2)

omit

he or she will be at least 18

insert

the person will be at least 16

11 Compulsory voting
Section 129 (1), penalty

substitute

Maximum penalty:

 (a) in the case of a person who is 16 years old, but not yet 18 years old—0.25 penalty units; or

 (b) in any other case—0.5 penalty units.

12 Default notice
Section 161 (2)

substitute

 (2) For subsection (1) (c) (ii), the prescribed penalty is—

 (a) in the case of a person who is 16 years old, but not yet 18 years old—

 (i) $10; or

 (ii) if a higher penalty is prescribed by regulation—half the penalty prescribed by regulation; or

 (b) in any other case—$20 or any higher penalty prescribed by regulation.

Endnotes

1 Presentation speech

 Presentation speech made in the Legislative Assembly on 2 December 2021.

2 Notification

 Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 2021.

3 Republications of amended laws

 For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au/).

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