

2021

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Johnathan Davis
and
Andrew Braddock)

Electoral Amendment Bill 2021

Contents

		Page
1	Name of Act	2
2	Commencement	2
3	Legislation amended	2
4	Entitlement	
	Section 72 (1) (a)	2
5	Compulsory enrolment etc—residents	
	Section 73 (4)	2
6	Section 73 (5)	2
7	Section 73 (6), penalty	3

Contents

	Page	
8	Age 16 enrolment Section 75	3
9	Certified extracts and certified lists of electors Section 121 (4), definition of <i>eligible elector</i>	3
10	Entitlement to vote Section 128 (2)	4
11	Compulsory voting Section 129 (1), penalty	4
12	Default notice Section 161 (2)	4

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Electoral Amendment Bill 2021

A Bill for

An Act to amend the *Electoral Act 1992*

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

- 1 **1 Name of Act**
- 2 This Act is the *Electoral Amendment Act 2021*.
- 3 **2 Commencement**
- 4 This Act commences 12 months after its notification day.
- 5 *Note* The naming and commencement provisions automatically commence on
6 the notification day (see [Legislation Act](#), s 75 (1)).
- 7 **3 Legislation amended**
- 8 This Act amends the *Electoral Act 1992*.
- 9 **4 Entitlement**
10 **Section 72 (1) (a)**
- 11 *omit*
- 12 otherwise than under the [Commonwealth Electoral Act](#), section 100
- 13 **5 Compulsory enrolment etc—residents**
14 **Section 73 (4)**
- 15 *omit*
- 16 , an Antarctic elector or a person who is not at least 18 years old
- 17 *substitute*
- 18 or an Antarctic elector
- 19 **6 Section 73 (5)**
- 20 *omit*
- 21 otherwise than under the [Commonwealth Electoral Act](#), section 100

1 **7 Section 73 (6), penalty**

2 *substitute*

3 Maximum penalty:

- 4 (a) in the case of a person who is 16 years old, but not yet 18 years
5 old—0.25 penalty units; or
6 (b) in any other case—0.5 penalty units.

7 **8 Age 16 enrolment**
8 **Section 75**

9 *substitute*

10 **75 Age 14 enrolment**

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

- 13 (a) is at least 14 years old; and
14 (b) would, had the person attained the age of 16 years, be entitled to
15 be enrolled for the electorate; and
16 (c) makes a claim for enrolment.

17 **9 Certified extracts and certified lists of electors**
18 **Section 121 (4), definition of *eligible elector***

19 *omit*

20 at least 18 years old

21 *insert*

22 at least 16 years old

1 **10 Entitlement to vote**
2 **Section 128 (2)**

3 *omit*

4 he or she will be at least 18

5 *insert*

6 the person will be at least 16

7 **11 Compulsory voting**
8 **Section 129 (1), penalty**

9 *substitute*

10 Maximum penalty:

- 11 (a) in the case of a person who is 16 years old, but not yet 18 years
12 old—0.25 penalty units; or
13 (b) in any other case—0.5 penalty units.

14 **12 Default notice**
15 **Section 161 (2)**

16 *substitute*

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

- 18 (a) in the case of a person who is 16 years old, but not yet 18 years
19 old—
20 (i) \$10; or
21 (ii) if a higher penalty is prescribed by regulation—half the
22 penalty prescribed by regulation; or
23 (b) in any other case—\$20 or any higher penalty prescribed by
24 regulation.

Endnotes

1 Presentation speech

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

2 Notification

Notified under the [Legislation Act](#) on 2021.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
