

2023

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Special Minister of State)

Electoral and Road Safety Legislation Amendment Bill 2023

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2023

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Special Minister of State)

Electoral and Road Safety Legislation Amendment Bill 2023

A Bill for

An Act to amend legislation about electoral matters and road safety

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Electoral and Road Safety Legislation Amendment*
4 *Act 2023*.

5 **2 Commencement**

6 (1) This Act (other than the provisions mentioned in subsections (2) and
7 (3)) commences 14 days after its notification day.

8 *Note* The naming and commencement provisions automatically commence on
9 the notification day (see [Legislation Act](#), s 75 (1)).

10 (2) The following provisions commence on 1 July 2024:

- 11 • section 58
12 • sections 60 to 63
13 • section 70
14 • schedule 1, section 1.6.

15 (3) Parts 4 and 5 commence 6 months after this Act's notification day.

16 **3 Legislation amended**

17 This Act amends the following legislation:

- 18 • [Electoral Act 1992](#)
19 • [Public Unleased Land Act 2013](#)
20 • [Road Transport \(Offences\) Regulation 2005](#)
21 • [Road Transport \(Road Rules\) Regulation 2017](#).

22 *Note* This Act also amends other legislation (see schs 1 and 2).

Part 2 Electoral Act 1992

4 Offences against Act—application of Criminal Code etc Section 3A, note 1, new dot points

insert

- section 222O (Ban on gifts given by or on behalf of foreign entities—\$250 or more)
- section 222Q (Ban on acceptance of gifts given by or on behalf of foreign entities—\$250 or more)

5 Meaning of *address*—pt 7 Section 87, definition of *address*

after

registered officer

insert

or secretary

6 Register of political parties New section 88 (2) (d)

insert

(d) the name and address of the secretary of the party.

7 Application for registration of political party New section 89 (1) (da)

insert

(da) state the name and address of the secretary of the party; and

8 Section 89 (1) (f)

2 *substitute*

3 (f) be accompanied by a list containing the following details about
4 at least 100 members of the party who are electors:

5 (i) name;

6 (ii) address;

7 (iii) if either of the following is known by the applicant:

8 (A) date of birth;

9 (B) email address; and

**9 Notification and publication of applications
New section 91 (2) (a) (iv)**

12 *insert*

13 (iv) the name and address of the secretary of the party; and

**10 Refusal of applications for registration
New section 93 (2) (da)**

16 *insert*

17 (da) is a name, or an acronym of a name, that suggests that the party
18 and another political party—

19 (i) are related when the parties are not related; or

20 (ii) have a connection or relationship when the parties do not
21 have that connection or relationship; or

11 New section 93 (2) (g) (iii)

insert

(iii) is a name, or an acronym of a name, that suggests that the party and another political party—

(A) are related when the parties are not related; or

(B) have a connection or relationship when the parties do not have that connection or relationship.

12 New section 93 (2A) and (2B)

insert

(2A) However, subsection (2) (da) and (g) (iii) do not apply to the following:

(a) a function word;

Examples

and, of, the

(b) a collective noun for people;

(c) the name of a country;

(d) the word ‘country’;

(e) the name of a geographical place;

(f) the word ‘democratic’;

(g) a word that is another grammatical form or a commonly accepted variant (including an abbreviation, contraction or alternative form) of a word or class of word mentioned in paragraphs (a) to (f).

- 1 (2B) Despite subsection (2) (da) and (g) (iii), the commissioner must
2 register the party (the *applicant party*) if—
- 3 (a) the other political party gives written consent for the applicant
4 party to use the name or acronym; and
- 5 (b) the applicant party gives the commissioner the written consent;
6 and
- 7 (c) the commissioner does not refuse to register the applicant party
8 for any other reason under this section or section 90 (2).

9 **13 Objection to continued use of name**
10 **Section 95A (1)**

11 *substitute*

- 12 (1) This section applies if—
- 13 (a) the commissioner is satisfied that the name, or an acronym of
14 the name, of a registered party (the *first party*)—
- 15 (i) so nearly resembles the name, or an acronym of the name,
16 of another registered party (the *second party*) that it is
17 likely to be confused with or mistaken for that name; or
- 18 (ii) suggests that the parties—
- 19 (A) are related; or
- 20 (B) have a connection or relationship; and
- 21 (b) the second party was registered later than the first party; and
- 22 (c) the second party was related to the first party when the second
23 party was registered; and
- 24 (d) the registered officer of the first party objects in writing to the
25 continued use of the name by the second party; and

- 1 (e) the commissioner is satisfied that, at the time of the objection—
2 (i) if the name or acronym suggests the parties are related—
3 the parties are not related; or
4 (ii) if the name or acronym suggests the parties have a
5 connection or relationship—the parties do not have that
6 connection or relationship.

7 **14 Section 95A (3)**

8 *omit*

9 **15 Information about political parties**
10 **Section 97A (2)**

11 *substitute*

- 12 (2) Without limiting subsection (1), the commissioner may require the
13 registered officer to give the commissioner a list, as at a stated date,
14 containing the following details about at least 100 members of the
15 party who are electors:
16 (a) name;
17 (b) address;
18 (c) if either of the following is known by the party:
19 (i) date of birth;
20 (ii) email address.

16 New section 105A

insert

105A Number of candidates nominated

The number of candidates nominated in an electorate by the registered officer of a registered party must not exceed the number of members to be elected for the electorate under section 34 (2).

**17 Place and hour of nomination
Section 108 (3)**

omit

23rd

substitute

24th

18 Section 110

substitute

110 Rejection of nominations

- (1) The commissioner must reject the nomination of a person if—
- (a) the nomination is not substantially in accordance with section 105 (Candidates to be nominated); or
 - (b) the commissioner believes on reasonable grounds that the name under which the person is nominated—
 - (i) is obscene; or
 - (ii) is frivolous; or

- 1 (iii) has been assumed for a political purpose; or
- 2 **Examples—subpar (iii)**
- 3 1 a name that includes, completely or partly, the name, or an
- 4 abbreviation of the name, of a political party
- 5 2 a name that includes a political message
- 6 (c) both of the following apply:
- 7 (i) the nomination was made under section 105 (2) (a);
- 8 (ii) the number of candidates nominated for an electorate by
- 9 the registered officer of a registered party exceeds the
- 10 number of candidates able to be nominated for the
- 11 electorate under section 105A (Number of candidates
- 12 nominated).
- 13 (2) If the commissioner rejects a nomination under subsection (1), the
- 14 commissioner must give written notice of the rejection to—
- 15 (a) the person whose nomination is rejected; and
- 16 (b) for a nomination rejected under subsection (1) (c)—the
- 17 registered officer of the registered party.
- 18 (3) A notice given under subsection (2) must set out the reasons for the
- 19 rejection.
- 20 *Note* For what must be included in a statement of reasons, see the [Legislation](#)
- 21 [Act](#), s 179.
- 22 (4) The commissioner must not reject the nomination of a person other
- 23 than under subsection (1).

24 **19 Section 110A heading**

25 *substitute*

26 **110A Publication of information about candidates**

20 Section 110A (1) and (2)

2 *substitute*

3 (1) The following people may ask the commissioner to publish
4 information about a candidate, or a person nominated to be a
5 candidate under section 105 (a *nominee*):

6 (a) the candidate;

7 (b) the nominee;

8 (c) if the candidate or nominee was nominated by the registered
9 officer of a registered party—the registered officer.

10 (2) The commissioner must arrange for the information to be published
11 on the Elections ACT website as soon as practicable after—

12 (a) for information about a candidate—the commissioner receives
13 the information; or

14 (b) for information about a nominee—the nominee is declared to be
15 a candidate under section 109.

**21 Ballot papers
Section 114 (5)**

18 *after*

19 display of the electronic form

20 *insert*

21 or its use by electors

1 **22** **Printing of ballot papers**
2 **Section 116 (1)**

3 *omit*
4 subsections (2) to (7)
5 *substitute*
6 subsection (7)

7 **23** **Section 116 (2) to (4)**

8 *omit*

9 **24** **Division 9.3 heading**

10 *substitute*

11 **Division 9.3** **Electronic voting and vote counting**

12 **25** **New sections 118AA and 118AB**

13 *insert*

14 **118AA** **Arrangements for electronic voting**

15 The commissioner may make arrangements for electronic voting at
16 an election.

17 **118AB** **Approval of electronic devices for electronic voting**

18 (1) The commissioner may approve electronic devices for use in
19 electronic voting by electors at an election.

20 (2) An approval is a notifiable instrument.

1 **26 Security of electronic voting devices and computer**
2 **programs**
3 **Section 118B (2)**

4 *omit*

5 at a polling place or scrutiny centre

6 *substitute*

7 by an approved electronic device or approved computer program

8 **27 Section 120**

9 *substitute*

10 **120 Administrative arrangements**

- 11 (1) The commissioner must make appropriate administrative
12 arrangements for the conduct of each election.
- 13 (2) Without limiting subsection (1), the commissioner must ensure that
14 each polling place is properly equipped with—
- 15 (a) separate voting compartments constructed to screen voters from
16 observation while marking ballot papers; and
 - 17 (b) ballot boxes that can be securely fastened; and
 - 18 (c) ballot papers and other documents and stationery; and
 - 19 (d) if electronic voting is used at the polling place—any equipment
20 necessary for electronic voting.

1 **28** **Procedures for voting**
2 **Section 131 (3)**

3 *omit*
4 or electronic voting
5 *substitute*
6 or an electronic ballot paper

7 **29** **Claims to vote**
8 **Section 133 (2)**

9 *substitute*
10 (2) The officer must—
11 (a) issue a ballot paper to the person for the electorate; and
12 (b) record the issue on the certified list of electors.

13 **30** **Applications for postal voting papers**
14 **Section 136A (1), definition of *eligible elector*, paragraph**
15 **(a) (ii)**

16 *substitute*
17 (ii) at an early polling place; or

18 **31** **Section 136A (9)**

19 *omit*
20 19th day
21 *substitute*
22 3rd Monday

32 Sections 136B and 136C

2 *substitute*

136B Declaration of early polling places

- 4 (1) The commissioner may declare a stated place in the ACT as a place
5 where voters may cast an ordinary or declaration vote before polling
6 day (an *early polling place*).
- 7 (2) If the commissioner makes a declaration under subsection (1), the
8 declaration must also state the days and times the early polling place
9 will be operational during the period—
- 10 (a) beginning on the 2nd Monday before polling day or, if that
11 Monday is a public holiday, the next business day; and
- 12 (b) ending at 8 pm on the day before polling day.
- 13 (3) A declaration is a notifiable instrument.

136C Ordinary voting in ACT before polling day

- 14 (1) This section applies if—
- 15 (a) a person attends an early polling place when the place is
16 operational; and
- 17 (b) the person claims to be entitled to vote at the election; and
- 18 (c) an authorised officer is satisfied that the preliminary certified list
19 of electors for an electorate—
- 20 (i) includes the person's name; and
- 21 (ii) states an address for the person or indicates that the
22 person's address is suppressed; and
- 23 (iii) has not been marked to indicate that a ballot paper has
24 already been issued to the person.
25

- 1 (2) The authorised officer must—
- 2 (a) issue a ballot paper to the person for the electorate; and
- 3 (b) record the issue on the preliminary certified list of electors.
- 4 (3) However, an authorised officer must not issue a ballot paper to a
- 5 person who indicates they have already voted at the election.
- 6 (4) Section 134 applies to the casting of an ordinary vote under this
- 7 section as if—
- 8 (a) it were a vote under section 133; and
- 9 (b) the reference in section 134 to an unoccupied voting
- 10 compartment were a reference to an unoccupied part of the place
- 11 where the person attends before the authorised officer.

12 **136D Declaration voting in ACT before polling day**

- 13 (1) This section applies if—
- 14 (a) a person attends an early polling place when the place is
- 15 operational; and
- 16 (b) the person claims to be entitled to vote at the election; and
- 17 (c) an authorised officer is satisfied that—
- 18 (i) the preliminary certified list of electors for the electorate
- 19 does not specify the person’s name; or
- 20 (ii) the preliminary certified list of electors for the electorate
- 21 has been marked to indicate that a ballot paper has already
- 22 been issued to the person but the person claims not to have
- 23 already voted at the election.

- 1 (2) The authorised officer must—
- 2 (a) issue declaration voting papers to the person; and
- 3 (b) give the person a written statement indicating the consequences
- 4 of casting a declaration vote under this section; and
- 5 (c) record the person’s name.
- 6 (3) However, an authorised officer must not issue declaration voting
- 7 papers to a person who indicates they have already voted at the
- 8 election.
- 9 (4) Section 135 (4) applies to the casting of a declaration vote under this
- 10 section as if—
- 11 (a) it were a declaration vote under section 135; and
- 12 (b) the reference in section 135 (4) to an unoccupied voting
- 13 compartment were a reference to an unoccupied part of the place
- 14 where the person attends before the authorised officer.

15 **136E Arrangements at early polling places**

- 16 (1) This section applies to an early polling place.
- 17 (2) Sections 120 to 123 apply as if the early polling place were a polling
- 18 place.
- 19 (3) The OIC must, at the beginning of each day of polling, exhibit each
- 20 ballot box empty and then securely fasten its cover before any vote is
- 21 taken.
- 22 (4) The OIC must, in the presence of any scrutineers—
- 23 (a) at the end of each day of polling, other than the final day of
- 24 polling, close and seal the ballot boxes containing ballot papers
- 25 for ordinary or declaration voting; and

- 1 (b) at the end of the final day of polling—
- 2 (i) close and seal any ballot boxes containing ballot papers for
3 ordinary or declaration voting; and
- 4 (ii) parcel and enclose in sealed wrapping all unused ballot
5 papers; and
- 6 (iii) parcel and enclose in sealed wrapping all other electoral
7 papers used at the polling place.
- 8 (5) The OIC must give the items mentioned in subsection (4) to the
9 commissioner after the item has been sealed.
- 10 (6) The commissioner must keep any items received under subsection (5)
11 in safe custody for the purposes of scrutiny under part 12.
- 12 (7) Ballot papers cast as ordinary votes may only be removed from ballot
13 boxes and counted after the close of polling on polling day.

14 **136F Declaration of days and times for declaration voting**
15 **outside ACT on or before polling day**

- 16 (1) The commissioner may declare the days and times during the relevant
17 period when voters may cast a declaration vote in a State.

18 *Note* *State* includes the Northern Territory (see [Legislation Act](#), dict, pt 1).

- 19 (2) A declaration is a notifiable instrument.
- 20 (3) In this section:

21 *relevant period* means the period—

- 22 (a) beginning on the 2nd Monday before polling day or, if that
23 Monday is a public holiday, the next business day; and
- 24 (b) ending at 6 pm on polling day.

- 1 **136G Declaration voting outside ACT on or before polling day**
- 2 (1) This section applies if—
- 3 (a) a person attends a place in a State where voters may cast a
4 declaration vote before polling day (an *interstate declaration*
5 *polling place*) when the place is operational; and
- 6 (b) the person claims to be entitled to vote at the election.
- 7 (2) The authorised officer must—
- 8 (a) issue declaration voting papers to the person; and
- 9 (b) give the person a written statement indicating the consequences
10 of casting a declaration vote under this section; and
- 11 (c) record the person's name.
- 12 (3) However, an authorised officer must not issue declaration voting
13 papers to a person who indicates they have already voted at the
14 election.
- 15 (4) Section 135 (4) applies to the casting of a declaration vote under this
16 section as if—
- 17 (a) it were a declaration vote under section 135; and
- 18 (b) the reference in section 135 (4) to an unoccupied voting
19 compartment were a reference to an unoccupied part of the place
20 where the person attends before the authorised officer.
- 21 **136H Electronic voting outside Australia on or before polling**
22 **day**
- 23 (1) This section applies if there is an approved computer program for use
24 in electronic voting by eligible electors in an election.
- 25 (2) An eligible elector may apply to the commissioner to vote
26 electronically at the election.

- 1 (3) On application, the commissioner must give the eligible elector a
2 relevant electronic ballot paper if—
- 3 (a) the application includes a declaration to the effect that the
4 elector is an eligible elector; and
- 5 (b) the commissioner receives the application in the period—
- 6 (i) beginning on the 3rd Monday before polling day or, if that
7 Monday is a public holiday, the next business day; and
- 8 (ii) ending at 4 pm on polling day.
- 9 (4) The eligible elector's electronic vote must be received by the
10 commissioner not later than 6 pm on polling day.
- 11 (5) In this section:
- 12 ***eligible elector*** means an elector—
- 13 (a) who is entitled to vote at the election; and
- 14 (b) either—
- 15 (i) who is an Antarctic elector; or
- 16 (ii) to whom both of the following apply:
- 17 (A) the elector will be outside Australia for all or part of
18 the period beginning on the 3rd Monday before
19 polling day and ending at 6 pm on polling day;
- 20 (B) the elector will not be in Australia when they vote.
- 21 ***relevant electronic ballot paper***, for an eligible elector, means—
- 22 (a) if the commissioner is satisfied that the elector's name is on the
23 certified list of electors for an electorate—an electronic ballot
24 paper for that electorate; or
- 25 (b) in any other case—an electronic ballot paper for the electorate
26 in which the elector claims to be enrolled.

- 1 **136I Telephone voting by electors with a visual impairment on**
2 **or before polling day**
- 3 (1) This section applies if there is an approved computer program for use
4 by eligible electors in an election.
- 5 (2) An eligible elector may apply to the commissioner to vote by
6 telephone at the election.
- 7 (3) On application, the commissioner must give the eligible elector an
8 electronic ballot paper for an electorate to enable the elector to vote
9 by telephone if—
- 10 (a) the commissioner receives the application in the period—
- 11 (i) beginning on the 2nd Monday before polling day or, if that
12 Monday is a public holiday, the next business day; and
- 13 (ii) ending at 4 pm on polling day; and
- 14 (b) the commissioner is satisfied that the name of the elector is on
15 the preliminary certified list of electors for the electorate.
- 16 (4) The eligible elector's electronic vote must be received by the
17 commissioner not later than 6 pm on polling day.
- 18 (5) In this section:
- 19 *eligible elector* means an elector who—
- 20 (a) is entitled to vote at an election; and
- 21 (b) has a visual impairment that makes it difficult for the elector to
22 vote in private without being assisted to vote.

1 **33** **Definitions for div 10.5**
2 **Section 149, definition of *visiting officer***

3 *after*

4 or (3)

5 *insert*

6 or section 150A

7 **34** **New section 149B**

8 *insert*

9 **149B** **Declaration of homelessness polling places**

- 10 (1) The commissioner may declare a place in the ACT as a place where
11 voters may cast an ordinary or declaration vote on or before polling
12 day (a *homelessness polling place*).
- 13 (2) However, the commissioner may make a declaration under
14 subsection (1) only if the commissioner is satisfied that the place is a
15 location people experiencing homelessness are likely to attend or
16 gather.
- 17 (3) If the commissioner makes a declaration under subsection (1), the
18 declaration must also state the days and times the homelessness
19 polling place will be operational during the period—
- 20 (a) beginning on the 5th day before polling day; and
21 (b) ending at 6 pm on polling day.
- 22 (4) A declaration is a notifiable instrument.

- 1 **35** **New section 150A**
- 2 *insert*
- 3 **150A** **Mobile polling—homelessness polling places**
- 4 The commissioner must arrange for an officer to visit a homelessness
- 5 polling place on the days and during the times stated in the declaration
- 6 for the place.
- 7 **36** **Functions of visiting officers**
- 8 **Section 151 (1)**
- 9 *after*
- 10 section 150
- 11 *insert*
- 12 or section 150A
- 13 **37** **Section 151 (2)**
- 14 *omit*
- 15 or correctional centre
- 16 *substitute*
- 17 , correctional centre or homelessness polling place
- 18 **38** **Section 152**
- 19 *substitute*
- 20 **152** **Failure to visit institution or homelessness polling place**
- 21 A failure to do any of the following does not invalidate the result of
- 22 an election:
- 23 (a) make a visit to an institution under section 150;

- 1 (b) make a visit to a homelessness polling place under section 150A;
2 (c) take votes at an institution or homelessness polling place in
3 accordance with section 151.

4 **39 Custody of ballot boxes and electoral papers**
5 **Section 153 (1)**

- 6 *omit*
7 his or her visits under section 150
8 *substitute*
9 their visits under section 150 or section 150A

10 **40 Assistance to voters**
11 **Section 156 (2) (a)**

- 12 *after*
13 postal voter
14 *insert*
15 or a voter casting an electronic vote under section 136H or
16 section 136I

17 **41 Section 156 (4) (e)**

- 18 *before*
19 by folding
20 *insert*
21 for a paper ballot paper—

1 **42 Suspension and adjournment of polling**
2 **New section 160 (1A)**

3 *insert*

4 (1A) A decision to suspend polling under subsection (1) does not invalidate
5 the result of an election.

6 **43 New section 160A**

7 *in division 10.6, insert*

8 **160A Suspension and resumption of electronic voting for**
9 **eligible overseas electors**

10 (1) This section applies if there is an approved computer program for use
11 by eligible electors in an election.

12 (2) The commissioner may suspend the use of the approved computer
13 program at any time if it is not practicable to proceed with it for any
14 reason.

15 (3) A decision to suspend use of the approved computer program does
16 not invalidate the result of the election.

17 (4) If the commissioner suspends the use of the approved computer
18 program, the commissioner may resume using the approved computer
19 program at any time before 6 pm on polling day if it is practicable to
20 do so.

21 (5) On resumption of electronic voting, only an eligible elector who has
22 not already voted is entitled to vote.

23 (6) In this section:

24 *eligible elector* means an eligible elector within the meaning of
25 section 136H (5) and section 136I (5).

1 **44 Scrutiny**
2 **Section 178 (3) (a)**

3 *after*
4 postal votes
5 *insert*
6 or electronic votes under section 136H or section 136I

7 **45 Preliminary scrutiny of declaration voting papers etc**
8 **Section 179 (1) (a)**

9 *after*
10 postal voting
11 *insert*
12 or electronic voting under section 136H

13 **46 Section 179 (5)**

14 *after*
15 preliminary scrutiny
16 *insert*
17 , other than for electronic voting under section 136H,

18 **47 Section 179 (6)**

19 *after*
20 cast
21 *insert*
22 under part 11 (Polling in Antarctica)

Section 48

1 **48 Formality of ballot papers**
2 **New section 180 (2A)**

3 *insert*

4 (2A) Subsection (2) (d) does not apply to an electronic vote cast under
5 section 136H.

6 **49 First count—electronic ballot papers**
7 **Section 183A**

8 *omit*

9 preferences from electronic voting

10 *insert*

11 preferences marked on an electronic ballot paper

12 **50 Recount of electronic scrutiny of ballot papers**
13 **Section 187C (2)**

14 *omit*

15 at a polling place or scrutiny centre

16 *substitute*

17 by an approved electronic device or approved computer program

18 **51 Definitions for pt 14**
19 **Section 198, new definition of *free facilities use***

20 *insert*

21 *free facilities use* means a gift of the use of facilities for a routine
22 meeting of the receiver of the gift and—

23 (a) includes the use of a room and anything reasonably necessary
24 for the conduct of the meeting in the room; but

1 (b) does not include any food, drink or other gift associated with the
2 use of the facilities.

3 **Examples—things reasonably necessary for conduct of meeting in room**
4 tables, chairs, photocopier, microphone, computer

5 **52 Appointed agents**
6 **Section 203 (1)**

7 *omit*

8 a reporting agent

9 *substitute*

10 up to 2 reporting agents

11 **53 Section 203 (3)**

12 *substitute*

13 (3) The appointment of a reporting agent ends—

14 (a) for a person taken to be a reporting agent under subsection (4)
15 or section 204 (2)—if the person resigns from the position with
16 the commissioner’s consent; or

17 (b) in any other case—

18 (i) if the party, MLA or candidate gives the commissioner
19 written notice stating that the appointment has ended; or

20 (ii) if the reporting agent gives the commissioner written
21 notice stating that they have resigned.

22 **54 Registers of reporting agents**
23 **Section 205 (4) (a) and (b)**

24 *substitute*

25 (a) the commissioner receives written notice under section 203 (3);
26 or

1 **55 Section 205 (4), note**

2 *omit*

3 **56 New section 205C**

4 *in division 14.2B, insert*

5 **205C Meaning of *electoral expenditure*—div 14.2B**

6 (1) For this division, *electoral expenditure*, in relation to an election,
7 does not include exempt expenditure.

8 (2) In this section:

9 *exempt expenditure* means any expenditure for translated electoral
10 matter up to a total of not more than 12.5% of the expenditure cap.

11 *expenditure*, for translated electoral matter, means expenditure
12 incurred on any service or material relating to producing,
13 broadcasting, publishing, displaying or distributing translated
14 electoral matter.

15 *translated electoral matter* means any electoral matter if at least 50%
16 of the matter is broadcast, published or displayed in a language other
17 than English.

18 **57 Entitlement to funds**
19 **Section 207 (1), new note**

20 *insert*

21 *Note* Payment under this division is subject to a threshold requirement
22 (see s 208).

58 Sections 216 and 216A

substitute

216 Definitions—div 14.4

In this division:

anonymous gift means a gift for which the receiver does not know some or all of the defined details.

defined details, for a gift, means—

(a) for a gift given on behalf of the members of an unincorporated association, other than a registered industrial organisation—

(i) the name of the association; and

(ii) the names and addresses of the members of the executive committee (however described) of the association; or

(b) for a gift from a trust fund or the funds of a foundation—

(i) the names and addresses of the trustees of the fund or foundation; and

(ii) the name, title or description of the trust fund or foundation; or

(c) in any other case—the name and address of the person or organisation that gave the gift.

216A Records of gifts

(1) This section applies if a political entity receives a gift in the relevant period.

(2) The financial representative of the entity must record the following information for the gift:

(a) the day the gift is received;

- 1 (b) the amount of the gift;
- 2 (c) for a gift other than an anonymous gift—the defined details for
3 the gift;
- 4 (d) for an anonymous gift—that the gift is an anonymous gift.
- 5 (3) In this section:
- 6 *gift* does not include free facilities use.
- 7 *political entity* means—
- 8 (a) a non-party MLA; or
- 9 (b) a party grouping; or
- 10 (c) a non-party candidate grouping; or
- 11 (d) a non-party prospective candidate grouping; or
- 12 (e) an associated entity.
- 13 *Note* A gift received by or on behalf of a party candidate is taken to be received
14 by the party (see s 200).
- 15 *relevant period* means—
- 16 (a) for a party grouping, non-party MLA or associated entity—a
17 financial year; and
- 18 (b) for a non-party candidate grouping or non-party prospective
19 candidate grouping—the period—
- 20 (i) if the candidate was a candidate at an election the polling
21 day for which was within 5 years before polling day for
22 the election at which the candidate is a candidate—starting
23 on the 31st day after the polling day for the last election at
24 which the candidate was a candidate; and

- 1 (ii) in any other case—starting on the earlier of—
- 2 (A) the day when the candidate publicly announced that
- 3 they would be a candidate in the election; and
- 4 (B) the day when the candidate was nominated as a
- 5 candidate for the election in accordance with
- 6 section 105; and
- 7 (iii) ending on the 30th day after polling day for the election.

8 **216B Regular disclosure of gifts**

- 9 (1) This section applies if, in the relevant period, a political entity
- 10 receives—
- 11 (a) a gift that is \$100 or more; or
- 12 (b) 13 or more gifts that are less than \$100 each from the same
- 13 person.
- 14 (2) The financial representative of the entity must give the commissioner
- 15 a return containing the information mentioned in section 216A (2) not
- 16 later than 7 days after the political entity receives—
- 17 (a) for a gift mentioned in subsection (1) (a)—the gift; or
- 18 (b) for a gift mentioned in subsection (1) (b)—the 13th gift and any
- 19 subsequent gift.
- 20 (3) In this section:
- 21 *gift*—see section 216A (3).
- 22 *political entity*—see section 216A (3).
- 23 *relevant period*—see section 216A (3).

1 **59 Disclosure of gifts by non-party candidates**
2 **Section 217 (2) and (3)**

3 *after*
4 non-party candidate
5 *insert*
6 grouping

7 **60 Section 217 (3)**

8 *omit*
9 \$1 000
10 *substitute*
11 \$100

12 **61 Disclosure of gifts by third-party campaigners**
13 **Section 220 (1) (b) (ii)**

14 *omit*
15 \$1 000
16 *substitute*
17 \$100

18 **62 Section 220 (3) (d)**

19 *omit*
20 made anonymously
21 *insert*
22 an anonymous gift

- 1 **63** **Restrictions on acceptance of gifts**
2 **Section 222 (1)**
- 3 *omit*
- 4 \$1 000
- 5 *substitute*
- 6 \$100
- 7 **64** **Application—div 14.4A**
8 **New section 222A (1) (c) and (d)**
- 9 *insert*
- 10 (c) a gift that is paid into a federal account as soon as practicable
11 after the gift is received;
- 12 (d) a gift received by a prospective candidate for an election if the
13 prospective candidate is not later declared a candidate for the
14 election under section 109;
- 15 **65** **New section 222A (3)**
- 16 *insert*
- 17 (3) In this section:
- 18 *federal account*—see the *Commonwealth Electoral Act 1918*
19 (Cwlth), section 287.
- 20 **66** **Definitions—div 14.4A**
21 **Section 222B, definition of *political entity*, paragraph (c)**
- 22 *substitute*
- 23 (c) a non-party candidate grouping; or
- 24 (ca) a non-party prospective candidate grouping; or

- 1 **67** **Ban on gifts from property developers etc—\$250 or more**
2 **Section 222G (4) (a)**
- 3 *after*
4 another person
5 *insert*
6 (the *second person*)
- 7 **68** **New section 222G (4) (aa) and (ab)**
- 8 *insert*
9 (aa) the second person gives the gift, or part of the gift, to the political
10 entity; and
11 (ab) the gift, together with any other gift given to the political entity
12 by the second person at the request of the first person and on
13 behalf of the property developer or close associate of the
14 property developer in the financial year, is \$250 or more; and
- 15 **69** **New division 14.4B**
- 16 *insert*
- 17 **Division 14.4B** **Gifts from foreign entities**
- 18 **222L** **Application—div 14.4B**
- 19 (1) This division does not apply to the following:
20 (a) a gift that—
21 (i) is not money; and
22 (ii) is given to an MLA by or on behalf of a foreign
23 government or a foreign government official; and

- 1 (iii) together with any other gift given to the MLA by or on
2 behalf of the foreign government or foreign government
3 official, is less than \$250;
- 4 (b) a gift that is returned to the giver within 30 days after the gift is
5 received;
- 6 (c) a gift that is paid into a federal account as soon as practicable
7 after the gift is received;
- 8 (d) a gift received by a prospective candidate for an election if the
9 prospective candidate is not later declared a candidate for the
10 election under section 109;
- 11 (e) free facilities use.

12 (2) In this section:

13 *federal account*—see the [Commonwealth Electoral Act 1918](#)
14 (Cwlth), section 287.

15 **222M Definitions—div 14.4B**

16 In this division:

17 *foreign entity* means any entity that is not 1 or more of the following:

- 18 (a) an individual enrolled on the Commonwealth roll;
- 19 (b) an individual enrolled under this Act;
- 20 (c) an individual who is an Australian citizen;
- 21 (d) an individual whose principal place of residence is in Australia;
- 22 (e) a company incorporated under the [Corporations Act](#);
- 23 (f) a company incorporated under a territory law;
- 24 (g) an entity which has its head office located in Australia;
- 25 (h) an entity for which the principal place of activity is, or is in,
26 Australia;

1 (i) a body politic, or part of a body politic, of the Commonwealth,
2 the Territory or a State.

3 *Note* *State* includes the Northern Territory (see [Legislation Act](#), dict,
4 pt 1).

5 *gift* includes a loan, other than a loan given by a financial institution
6 on a commercial basis.

7 *Note* The definition of *gift* in s 198AA also applies to this division.

8 *political entity* means—

- 9 (a) an MLA; or
10 (b) a party grouping; or
11 (c) a non-party candidate grouping; or
12 (d) a non-party prospective candidate grouping; or
13 (e) an associated entity.

14 **222N Ban on gifts given by or on behalf of foreign entities—**
15 **less than \$250**

- 16 (1) This section applies if—
17 (a) a political entity is given a gift by or on behalf of a foreign entity;
18 and
19 (b) the gift, together with any other gift given by the person in the
20 financial year, is less than \$250.
21 (2) The giver of the gift must pay to the Territory an amount equal to the
22 amount of the gift.
23 (3) The amount payable under subsection (2) is a debt payable to the
24 Territory by the person and may be recovered by a proceeding in a
25 court of competent jurisdiction.

- 1 **222O Ban on gifts given by or on behalf of foreign entities—**
2 **\$250 or more**
- 3 (1) A foreign entity commits an offence if—
- 4 (a) the foreign entity gives a gift to a political entity; and
- 5 (b) the gift, together with any other gift given to the political entity
6 by the foreign entity in the financial year, is \$250 or more.
- 7 Maximum penalty: 50 penalty units, imprisonment for 6 months or
8 both.
- 9 (2) A person commits an offence if—
- 10 (a) the person gives a gift to a political entity; and
- 11 (b) the gift, or part of the gift, is given to the political entity on
12 behalf of a foreign entity; and
- 13 (c) the gift, together with any other gift given to the political entity
14 by the person on behalf of the foreign entity in the financial year,
15 is \$250 or more.
- 16 Maximum penalty: 50 penalty units, imprisonment for 6 months or
17 both.
- 18 (3) A person commits an offence if—
- 19 (a) the person asks another person (the *second person*) to give a gift
20 to a political entity on behalf of a foreign entity; and
- 21 (b) the second person gives the gift, or part of the gift, to the political
22 entity; and
- 23 (c) the gift, together with any other gift given to the political entity
24 by the second person at the request of the first person and on
25 behalf of the foreign entity in the financial year, is \$250 or more.
- 26 Maximum penalty: 50 penalty units, imprisonment for 6 months or
27 both.

Section 222P

1 (4) In this section:

2 *asks* includes cause, induce or solicit.

3 **222P Ban on acceptance of gifts given by or on behalf of**
4 **foreign entities—less than \$250**

5 (1) This section applies if—

6 (a) a political entity accepts a gift given to it by or on behalf of a
7 foreign entity; and

8 (b) the gift, together with any other gift given to the political entity
9 by the person in the financial year, is less than \$250; and

10 (c) the political entity has not taken reasonable steps to ensure that
11 the gift is not being given to it by or on behalf of a foreign entity.

12 **Examples—reasonable steps**

13 1 giving potential donors written notice that donations from foreign
14 entities are prohibited

15 2 asking the person who gives the gift about whether the person is a
16 foreign entity, or if the person is giving the gift on behalf of a foreign
17 entity

18 (2) The financial representative of the political entity must pay to the
19 Territory an amount equal to the amount of the gift.

20 (3) The amount payable under subsection (2) is a debt payable to the
21 Territory by the financial representative for the political entity and
22 may be recovered by a proceeding in a court of competent
23 jurisdiction.

24 **222Q Ban on acceptance of gifts given by or on behalf of**
25 **foreign entities—\$250 or more**

26 (1) A political entity commits an offence if—

27 (a) the political entity accepts a gift given to it by or on behalf of a
28 foreign entity; and

1 (b) the gift, together with any other gift given to the political entity
2 by the person in the financial year, is \$250 or more.

3 Maximum penalty: 50 penalty units, imprisonment for 6 months or
4 both.

5 (2) Subsection (1) does not apply if the political entity takes reasonable
6 steps to ensure that the gift is not being given to it by or on behalf of
7 a foreign entity.

8 **Examples—reasonable steps**

9 1 obtaining a written declaration from the person who gives the gift about
10 whether the person is a foreign entity

11 2 asking the person who gives the gift whether the person is a foreign entity

12 3 for a fundraising event intended to collect gifts from a large number of
13 potential donors, providing clear written notice to potential donors that foreign
14 entities are prohibited from giving gifts to a political entity

15 *Note 1* The defendant has an evidential burden in relation to the matters
16 mentioned in s (2) (see [Criminal Code](#), s 58).

17 *Note 2* For recording and disclosure requirements in relation to the receipt of
18 gifts by political entities, see s 216A and s 216B.

19 (3) In deciding whether a political entity has taken reasonable steps under
20 subsection (2), a court must take into account the amount of the gift
21 accepted by the political entity.

22 (4) Subsection (3) does not limit the matters the court may take into
23 account.

24 (5) If a political entity contravenes subsection (1), the financial
25 representative of the political entity must pay to the Territory an
26 amount equal to the amount of the gift.

27 (6) The amount payable under subsection (5) is a debt payable to the
28 Territory by the financial representative for the political entity and
29 may be recovered by a proceeding in a court of competent
30 jurisdiction.

1 **70** **Amounts received**
2 **Section 232 (1) and (2)**

3 *omit*

4 \$1 000

5 *substitute*

6 \$100

7 **71** **New section 232 (3) (ba)**

8 *insert*

9 (ba) for an associated entity that operates a hotel, motel, resort,
10 residential park or other short stay accommodation—an amount
11 received that—

12 (i) is for the provision of accommodation; and

13 (ii) is not more than reasonable consideration for the
14 accommodation;

15 **72** **Section 232 (5), new definitions**

16 *insert*

17 *occupancy agreement*—see the *Residential Tenancies Act 1997*,
18 section 71C.

19 *residential park*—

20 (a) means land that includes sites for accommodating manufactured
21 homes or mobile homes; and

22 (b) includes a caravan park or camping ground.

23 *residential tenancy agreement*—see the *Residential Tenancies*
24 *Act 1997*, section 6A.

1 *short stay accommodation*—

2 (a) means premises, or a part of premises, that a person is allowed
3 to use on a short-term basis under a commercial arrangement;
4 but

5 (b) does not include premises, or part of premises, occupied under
6 a residential tenancy agreement, occupancy agreement, or other
7 agreement that permits a person to use the premises as their
8 principal place of residence.

9 **73 New section 243AA**

10 *before section 243A, insert*

11 **243AA Exception for making copies of returns available for**
12 **inspection**

13 (1) This section applies if—

14 (a) an associated entity gives the commissioner an annual return
15 under section 231B (Annual returns by associated entities); and

16 (b) the annual return includes information mentioned in
17 section 232 (3).

18 (2) Despite section 243, the commissioner is not required to make the
19 information mentioned in section 232 (3) available for public
20 inspection.

21 **74 Validity may be disputed after election**
22 **Section 256 (2) (d)**

23 *before*

24 an officer

25 *insert*

26 the commissioner or

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75 Section 292

substitute

292 Dissemination of unauthorised electoral matter

- (1) A person commits an offence if—
- (a) the person disseminates electoral matter; and
 - (b) the matter does not include a statement that—
 - (i) includes the required information; and
 - (ii) complies with the language requirements; and
 - (iii) complies with the form and access requirements.
- Maximum penalty: 10 penalty units.
- (2) For this section, the *required information* for a statement is—
- (a) the first and last name of the individual who authorised or authored the matter; and
 - (b) a statement to the effect that the individual authorises, or is the author of, the matter; and
 - (c) if the matter is disseminated for a registered party, a candidate for election or a person who has publicly indicated their intended candidature for election—a statement to the effect that the matter is disseminated for the party, candidate or person; and
 - (d) if the matter is disseminated for an entity not mentioned in paragraph (c)—a statement to the effect that the matter is disseminated for the entity and the full name of the entity.
- (3) For this section, the *language requirements* for a statement are as follows:
- (a) if the matter is communicated in English only—the required information is communicated in English;

- 1 (b) if the matter is communicated only in a language other than
2 English—the required information is communicated in English
3 and the other language used in the matter;
- 4 (c) if the matter is communicated in 2 or more languages—the
5 required information is communicated in English and at least
6 1 other language used in the matter.
- 7 (4) For this section, the *form and access requirements* for a statement
8 are as follows:
- 9 (a) for electoral matter disseminated in print form—the required
10 information is—
- 11 (i) communicated in text; and
- 12 (ii) printed in a way that the information—
- 13 (A) cannot be removed or erased under normal
14 conditions or use; and
- 15 (B) will not fade, run or rub off;
- 16 (b) for electoral matter that is an audiovisual recording or
17 communication (other than matter mentioned in paragraph (d),
18 (e) or (f))—the required information is communicated in both
19 speech and text;
- 20 (c) for electoral matter that is an audio recording or communication
21 (other than matter mentioned in paragraph (d), (e) or (f))—the
22 required information is communicated in speech;
- 23 (d) for electoral matter disseminated using a webpage (other than
24 matter mentioned in paragraph (e))—the required information is
25 communicated in text in the footer of the webpage;
- 26 (e) for electoral matter disseminated on social media using an
27 account that is in the name of an individual—the required
28 information is communicated in text by a link in the matter or in
29 a reasonably prominent place on the account;

- 1 (f) for electoral matter not mentioned in paragraphs (a) to (e)—the
2 required information is communicated in a reasonably
3 prominent place;
- 4 (g) for any required information to be communicated in text—the
5 text is—
- 6 (i) reasonably prominent; and
- 7 (ii) legible at a distance at which the matter is intended to be
8 viewed; and
- 9 (iii) displayed in a colour that contrasts with the background on
10 which it appears; and
- 11 (iv) is not placed over complex images or multicoloured
12 backgrounds.

76 Section 293A

14 *substitute*

15 **293A Exception for electoral matter disseminated on social**
16 **media by individuals acting in private capacity**

17 Section 292 does not apply to the dissemination of electoral matter by
18 an individual if—

- 19 (a) the electoral matter—
- 20 (i) is disseminated on or through social media; and
- 21 (ii) is disseminated in a private capacity; and
- 22 (iii) forms part of the expression of the individual's personal
23 political views; and
- 24 (b) the individual—
- 25 (i) is not paid to express the views expressed in the electoral
26 matter; and

- 1 (ii) for electoral matter that is disseminated using an account
2 that is not in the individual's name—the account was not
3 created for the dominant purpose of disseminating
4 electoral matter.

5 **77 Responses to official questions**
6 **Section 319 (3)**

7 *substitute*

8 (3) In this section:

9 *official question* means a question—

10 (a) asked by the commissioner or an officer in the exercise of the
11 commissioner or officer's functions under this Act; or

12 (b) in a form approved under section 340A or otherwise authorised
13 by the commissioner.

14 **78 Interpretation for sch 4**
15 **Schedule 4, clause 1, definition of *surplus***

16 *omit*

17 1 or greater

18 *substitute*

19 greater than zero

20 **79 Dictionary, definition of *approved computer program***

21 *substitute*

22 *approved computer program* means a computer program approved
23 under section 118A (1) (a).

- 1 **80 Dictionary, new definition of *approved electronic device***
- 2 *insert*
- 3 *approved electronic device* means an electronic device approved
- 4 under section 118AB.
- 5 **81 Dictionary, definition of *declaration voting papers*,**
- 6 **paragraph (c)**
- 7 *after*
- 8 postal voting
- 9 *insert*
- 10 or electronic votes under section 136H
- 11 **82 Dictionary, definition of *declaration voting papers*,**
- 12 **paragraph (d)**
- 13 *before*
- 14 an envelope
- 15 *insert*
- 16 for declaration voting papers other than an electronic vote under
- 17 section 136H—
- 18 **83 Dictionary, definition of *OIC*, new paragraph (c)**
- 19 *insert*
- 20 (c) in relation to an early polling place—the officer in charge of the
- 21 place.

Part 3 Public Unleased Land Act 2013

84 Offence—fail to comply with code of practice New section 28 (1A)

insert

(1A) A person commits an offence if—

- (a) the person places, or causes to be placed, an electoral advertising sign on public unleased land; and
- (b) the person fails to comply with the movable signs code of practice for the sign; and
- (c) the failure relates to either—
 - (i) the number of signs that may be placed on public unleased land; or
 - (ii) the sign being placed on public unleased land that is adjacent to a designated public road.

Maximum penalty: 20 penalty units.

85 New section 28 (3)

insert

(3) In this section:

designated public road means a public road, or part of a public road, prescribed by the movable signs code or practice.

electoral advertising sign means a movable sign that contains electoral matter.

electoral matter—

- (a) means any matter that is intended, or is likely, to affect voting in an ACT, Commonwealth or State election or referendum; and

Section 86

- 1 (b) includes any matter that contains an express or implied reference
2 to—
- 3 (i) an ACT, Commonwealth or State election or referendum;
4 or
- 5 (ii) any matter on which electors are required to vote in an
6 ACT, Commonwealth or State election or referendum.
- 7 *Note* *State* includes the Northern Territory (see [Legislation Act](#), dict,
8 pt 1).

9 **86** **Removal of non-compliant electoral advertising signs by**
10 **Territory**
11 **Section 105A (5), definition of *electoral advertising sign***

12 *substitute*

13 *electoral advertising sign*—see section 28 (3).

14 **87** **Section 105A (5), definition of *electoral matter* and note**

15 *omit*

1 **Part 4** **Road Transport (Offences)**
2 **Regulation 2005**

3 **88** **New part 5**

4 *insert*

5 **Part 5** **Miscellaneous**

6 **23** **Power to declare matter that is or is not advertising for**
7 **offence against Road Transport (Road Rules)**
8 **Regulation 2017**

- 9 (1) The Minister may declare matter that is or is not advertising for an
10 infringement notice offence that is an offence against the *Road*
11 *Transport (Road Rules) Regulation 2017*, part 12 (Restrictions on
12 stopping and parking), other than the following provisions:
13
 - 14 • section 213G (Misuse of parking meter)
 - 15 • section 213H (Interfering with parking meter etc)
 - 16 • section 213Q (Misuse of parking ticket machine)
 - 17 • section 213R (Interfering with parking ticket machine etc)
 - 18 • section 213SA (Vehicle parked in designated place must not have
19 sign attached).
- (2) A declaration is a disallowable instrument.

89 Schedule 1, part 1.12A, items 223 to 329

substitute

223	167				
223.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	disobey no stopping sign— advertising/electoral matter displayed	20	347	-
223.2	<ul style="list-style-type: none">in any other case	disobey no stopping sign—no advertising/electoral matter displayed	20	297	-
224	168 (1)				
224.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	disobey no parking sign— advertising/electoral matter displayed	20	182	-

224.2	<ul style="list-style-type: none"> in any other case 	disobey no parking sign—no advertising/electoral matter displayed	20	132	-
225	169				-
225.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop at side of road with continuous yellow edge line—advertising/electoral matter displayed	20	347	-
225.2	<ul style="list-style-type: none"> in any other case 	stop at side of road with continuous yellow edge line—no advertising/electoral matter displayed	20	297	-
226	170 (1)				
226.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop in intersection—advertising/electoral matter displayed	20	182	-
226.2	<ul style="list-style-type: none"> in any other case 	stop in intersection—no advertising/electoral matter displayed	20	132	-

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227	170 (2)				
227.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop on/near intersection (traffic lights)— advertising/electoral matter displayed	20	182	-
227.2	<ul style="list-style-type: none">in any other case	stop on/near intersection (traffic lights)— no advertising/electoral matter displayed	20	132	-
228	170 (3)				
228.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop on/near intersection (no traffic lights)—advertising/electoral matter displayed	20	182	-
228.2	<ul style="list-style-type: none">in any other case	stop on/near intersection (no traffic lights)—no advertising/electoral matter displayed	20	132	-

229	171 (1)				
229.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop on/near children's crossing— advertising/electoral matter displayed	20	499	-
229.2	<ul style="list-style-type: none"> in any other case 	stop on/near children's crossing—no advertising/electoral matter displayed	20	449	-
230	172 (1)				
230.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop on/near pedestrian crossing— advertising/electoral matter displayed	20	499	-
230.2	<ul style="list-style-type: none"> in any other case 	stop on/near pedestrian crossing—no advertising/electoral matter displayed	20	449	-

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231	173 (1)				
231.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop on/near marked foot crossing— advertising/electoral matter displayed	20	499	-
231.2	<ul style="list-style-type: none">in any other case	stop on/near marked foot crossing—no advertising/electoral matter displayed	20	449	-
232	174 (2)				
232.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop near bicycle crossing lights— advertising/electoral matter displayed	20	182	-
232.2	<ul style="list-style-type: none">in any other case	stop near bicycle crossing lights—no advertising/electoral matter displayed	20	132	-

233	175 (1)				
233.1	when advertising or electoral matter displayed in or on vehicle	stop on/near level crossing—advertising/electoral matter displayed	20	182	-
233.2	in any other case	stop on/near level crossing—no advertising/electoral matter displayed	20	132	-
234	176 (1)				
234.1	when advertising or electoral matter displayed in or on vehicle	stop on clearway—advertising/electoral matter displayed	20	347	-
234.2	in any other case	stop on clearway—no advertising/electoral matter displayed	20	297	-
235	177 (1)				
235.1	when advertising or electoral matter displayed in or on vehicle	stop on freeway—advertising/electoral matter displayed	20	347	-

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235.2	in any other case	stop on freeway—no advertising/electoral matter displayed	20	297	-
236	178				
236.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in emergency stopping lane—advertising/electoral matter displayed	20	347	-
236.2	<ul style="list-style-type: none">in any other case	stop in emergency stopping lane—no advertising/electoral matter displayed	20	297	-
237	179 (1)				
237.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in loading zone—advertising/electoral matter displayed	20	228	-
237.2	<ul style="list-style-type: none">in any other case	stop in loading zone—no advertising/electoral matter displayed	20	178	-
238	179 (2) (a)				

238.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop in loading zone longer than ½ hour—advertising/electoral matter displayed	20	228	-
238.2	<ul style="list-style-type: none"> in any other case 	stop in loading zone longer than ½ hour—no advertising/electoral matter displayed	20	178	-
239	179 (2) (b)				
239.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop in loading zone longer than indicated—advertising/electoral matter displayed	20	228	-
239.2	<ul style="list-style-type: none"> in any other case 	stop in loading zone longer than indicated—no advertising/electoral matter displayed	20	178	-

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240	179 (2) (c)				
240.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in loading zone longer than permitted—advertising/electoral matter displayed	20	228	-
240.2	<ul style="list-style-type: none">in any other case	stop in loading zone longer than permitted—no advertising/electoral matter displayed	20	178	-
241	179 (2) (d) (i)				
241.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	taxi/rideshare vehicle/hire car stop in loading zone longer than 2 minutes—advertising/electoral matter displayed	20	224	-
241.2	<ul style="list-style-type: none">in any other case	taxi/rideshare vehicle/hire car stop in loading zone longer than 2 minutes—no advertising/electoral matter displayed	20	174	-
242	179 (2) (d) (ii)				

242.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	taxi/rideshare vehicle/hire car stop in loading zone longer than necessary for passenger assistance requirement—advertising/electoral matter displayed	20	224	-
242.2	<ul style="list-style-type: none"> in any other case 	taxi/rideshare vehicle/hire car stop in loading zone longer than necessary for passenger assistance requirement—no advertising/electoral matter displayed	20	174	-
243	180 (1)				
243.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop in truck zone—advertising/electoral matter displayed	20	228	-
243.2	<ul style="list-style-type: none"> in any other case 	stop in truck zone—no advertising/electoral matter displayed	20	178	-

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244	181 (1)				
244.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in works zone—advertising/electoral matter displayed	20	228	-
244.2	<ul style="list-style-type: none">in any other case	stop in works zone—no advertising/electoral matter displayed	20	178	-
245	182 (1)				
245.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in taxi zone—advertising/electoral matter displayed	20	182	-
245.2	<ul style="list-style-type: none">in any other case	stop in taxi zone—no advertising/electoral matter displayed	20	132	-

246	183 (1)				
246.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop in bus zone—advertising/electoral matter displayed	20	228	-
246.2	<ul style="list-style-type: none"> in any other case 	stop in bus zone—no advertising/electoral matter displayed	20	178	-
247	183A (1)				
247.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on public bus 	stop public bus in bus zone—advertising/electoral matter displayed	20	228	-
247.2	<ul style="list-style-type: none"> in any other case 	stop public bus in bus zone—no advertising/electoral matter displayed	20	178	-

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248	184 (1)				
248.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in minibus zone—advertising/electoral matter displayed	20	228	-
248.2	<ul style="list-style-type: none">in any other case	stop in minibus zone—no advertising/electoral matter displayed	20	178	-
249	185 (1)				
249.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in permit zone—advertising/electoral matter displayed	20	182	-
249.2	<ul style="list-style-type: none">in any other case	stop in permit zone—no advertising/electoral matter displayed	20	132	-

250	186 (1)				
250.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop in mail zone—advertising/electoral matter displayed	20	182	-
250.2	<ul style="list-style-type: none"> in any other case 	stop in mail zone—no advertising/electoral matter displayed	20	132	-
251	187 (1)				
251.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop in bus/transit/truck lane—advertising/electoral matter displayed	20	300	-
251.2	<ul style="list-style-type: none"> in any other case 	stop in bus/transit/truck lane—no advertising/electoral matter displayed	20	250	-

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252	187 (2)				
252.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in bicycle lane—advertising/electoral matter displayed	20	300	-
252.2	<ul style="list-style-type: none">in any other case	stop in bicycle lane—no advertising/electoral matter displayed	20	250	-
253	187 (3)				
253.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in/on tram lane/way/tracks—advertising/electoral matter displayed	20	300	-
253.2	<ul style="list-style-type: none">in any other case	stop in/on tram lane/way/tracks—no advertising/electoral matter displayed	20	250	-

254	188				
254.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop in shared zone—advertising/electoral matter displayed	20	182	-
254.2	<ul style="list-style-type: none"> in any other case 	stop in shared zone—no advertising/electoral matter displayed	20	132	-
255	189 (1)				
255.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	double park—advertising/electoral matter displayed	20	228	-
255.2	<ul style="list-style-type: none"> in any other case 	double park—no advertising/electoral matter displayed	20	178	-

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256	190 (1)				
256.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in/near safety zone— advertising/electoral matter displayed	20	300	-
256.2	<ul style="list-style-type: none">in any other case	stop in/near safety zone—no advertising/electoral matter displayed	20	250	-
257	191				
257.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop near obstruction so as to obstruct traffic—advertising/electoral matter displayed	20	182	-
257.2	<ul style="list-style-type: none">in any other case	stop near obstruction so as to obstruct traffic—no advertising/electoral matter displayed	20	132	-

258	192 (1)				
258.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop on structure—advertising/electoral matter displayed	20	182	-
258.2	<ul style="list-style-type: none"> in any other case 	stop on structure—no advertising/electoral matter displayed	20	132	-
259	192 (2)				
259.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop in tunnel/underpass—advertising/electoral matter displayed	20	182	-
259.2	<ul style="list-style-type: none"> in any other case 	stop in tunnel/underpass—no advertising/electoral matter displayed	20	132	-

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260	193 (1)				
260.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop on crest/curve outside built-up area— advertising/electoral matter displayed	20	182	-
260.2	<ul style="list-style-type: none">in any other case	stop on crest/curve outside built-up area— no advertising/electoral matter displayed	20	132	-
261	194 (1)				
261.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop near fire hydrant/indicator/plug indicator—advertising/electoral matter displayed	20	182	-
261.2	<ul style="list-style-type: none">in any other case	stop near fire hydrant/indicator/plug indicator—no advertising/electoral matter displayed	20	132	-

262	195 (1)				
262.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop at/near bus stop—advertising/electoral matter displayed	20	228	-
262.2	<ul style="list-style-type: none"> in any other case 	stop at/near bus stop—no advertising/electoral matter displayed	20	178	-
263	195A				
263.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on public bus 	stop public bus at/near bus stop—advertising/electoral matter displayed in/on public bus	20	228	-
263.2	<ul style="list-style-type: none"> in any other case 	stop public bus at/near bus stop—no advertising/electoral matter displayed	20	178	-

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264	196 (1)				
264.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop at/near tram stop— advertising/electoral matter displayed	20	228	-
264.2	<ul style="list-style-type: none">in any other case	stop at/near tram stop—no advertising/electoral matter displayed	20	178	-
265	197 (1)				
265.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop on path/strip in built-up area— advertising/electoral matter displayed	20	182	-
265.2	<ul style="list-style-type: none">in any other case	stop on path/strip in built-up area—no advertising/electoral matter displayed	20	132	-

266	197 (1A)				
266.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop on painted island— advertising/electoral matter displayed	20	182	-
266.2	<ul style="list-style-type: none"> in any other case 	stop on painted island—no advertising/electoral matter displayed	20	132	-
267	197 (1B)				
267.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	driver stop on traffic island— advertising/electoral matter displayed	20	182	-
267.2	<ul style="list-style-type: none"> in any other case 	driver stop on traffic island—no advertising/electoral matter displayed	20	132	-

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268	198 (1)				
268.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	obstruct access to ramp/path/passageway— advertising/electoral matter displayed	20	182	-
268.2	<ul style="list-style-type: none">in any other case	obstruct access to ramp/path/passageway— no advertising/electoral matter displayed	20	132	-
269	198 (2)				
269.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop on/across driveway/other access to/from land—advertising/electoral matter displayed	20	182	-
269.2	<ul style="list-style-type: none">in any other case	stop on/across driveway/other access to/from land—no advertising/electoral matter displayed	20	132	-

270	199 (1)				
270.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop near postbox—advertising/electoral matter displayed	20	182	-
270.2	<ul style="list-style-type: none"> in any other case 	stop near postbox—no advertising/electoral matter displayed	20	132	-
271	200 (1)				
271.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	not stop heavy/long vehicle on road shoulder—advertising/electoral matter displayed	20	198	-
271.2	<ul style="list-style-type: none"> in any other case 	not stop heavy/long vehicle on road shoulder—no advertising/electoral matter displayed	20	148	-

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272	200 (2)				
272.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop heavy/long vehicle longer than 1 hr— advertising/electoral matter displayed	20	198	-
272.2	<ul style="list-style-type: none">in any other case	stop heavy/long vehicle longer than 1 hr— no advertising/electoral matter displayed	20	148	-
273	201				
273.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	disobey bicycle parking sign— advertising/electoral matter displayed	20	182	-
273.2	<ul style="list-style-type: none">in any other case	disobey bicycle parking sign—no advertising/electoral matter displayed	20	132	-

274	202				
274.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	disobey motorbike parking sign— advertising/electoral matter displayed	20	182	-
274.2	<ul style="list-style-type: none"> in any other case 	disobey motorbike parking sign—no advertising/electoral matter displayed	20	132	-
275	203 (1)				
275.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop in parking area for disabled— advertising/electoral matter displayed	20	690	-
275.2	<ul style="list-style-type: none"> in any other case 	stop in parking area for disabled—no advertising/electoral matter displayed	20	640	-

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276	203A				
276.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in slip lane—advertising/electoral matter displayed	20	347	-
276.2	<ul style="list-style-type: none">in any other case	stop in slip lane—no advertising/electoral matter displayed	20	297	-
277	203B (1)				
277.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	stop in parking area for electric-powered vehicles—advertising/electoral matter displayed	20	182	-
277.2	<ul style="list-style-type: none">in any other case	stop in parking area for electric-powered vehicles—no advertising/electoral matter displayed	20	132	-

278	203C (1)				
278.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	stop in parking area for charging of electric-powered vehicles— advertising/electoral matter displayed	20	182	-
278.2	<ul style="list-style-type: none"> in any other case 	stop in parking area for charging of electric-powered vehicles—no advertising/electoral matter displayed	20	132	-
279	205 (1)				
279.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	park continuously for longer than permitted—advertising/electoral matter displayed	20	182	-
279.2	<ul style="list-style-type: none"> in any other case 	park continuously for longer than permitted—no advertising/electoral matter displayed	20	132	-

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280	207 (2)	not pay fee/obey instructions	20	-	-
281	208 (1)				
281.1	<ul style="list-style-type: none">by contravening 208 (2)—when advertising or electoral matter displayed in or on vehicle	not parallel park in direction of travel—advertising/electoral matter displayed	20	182	-
281.2	<ul style="list-style-type: none">by contravening 208 (2)—in any other case	not parallel park in direction of travel—no advertising/electoral matter displayed	20	132	-
281.3	<ul style="list-style-type: none">by contravening 208 (3)—when advertising or electoral matter displayed in or on vehicle	not parallel park near left—advertising/electoral matter displayed	20	182	-
281.4	<ul style="list-style-type: none">by contravening 208 (3)—in any other case	not parallel park near left—no advertising/electoral matter displayed	20	132	-

281.5	<ul style="list-style-type: none"> by contravening 208 (4)—when advertising or electoral matter displayed in or on vehicle 	not parallel park near road side—advertising/electoral matter displayed	20	182	-
281.6	<ul style="list-style-type: none"> by contravening 208 (4)—in any other case 	not parallel park near road side—no advertising/electoral matter displayed	20	132	-
281.7	<ul style="list-style-type: none"> by contravening 208 (5)—when advertising or electoral matter displayed in or on vehicle 	parallel park close to front/back of vehicle—advertising/electoral matter displayed	20	182	-
281.8	<ul style="list-style-type: none"> by contravening 208 (5)—in any other case 	parallel park close to front/back of vehicle—no advertising/electoral matter displayed	20	132	-

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281.9	<ul style="list-style-type: none"> by contravening 208 (6)—when advertising or electoral matter displayed in or on vehicle 	parallel park close to dividing line/strip—advertising/electoral matter displayed	20	182	-
281.10	<ul style="list-style-type: none"> by contravening 208 (6)—in any other case 	parallel park close to dividing line/strip—no advertising/electoral matter displayed	20	132	-
281.11	<ul style="list-style-type: none"> by contravening 208 (7)—when advertising or electoral matter displayed in or on vehicle 	parallel park close if no dividing line/strip—advertising/electoral matter displayed	20	182	-
281.12	<ul style="list-style-type: none"> by contravening 208 (7)—in any other case 	parallel park close if no dividing line/strip—no advertising/electoral matter displayed	20	132	-

281.13	<ul style="list-style-type: none"> by contravening 208 (8)—when advertising or electoral matter displayed in or on vehicle 	park so as to obstruct vehicles/pedestrians—advertising/electoral matter displayed	20	182	-
281.14	<ul style="list-style-type: none"> by contravening 208 (8)—in any other case 	park so as to obstruct vehicles/pedestrians—no advertising/electoral matter displayed	20	132	-
282	208A (1)				
282.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	parallel park in direction other than direction of travel (road related area)—advertising/electoral matter displayed	20	182	-
282.2	<ul style="list-style-type: none"> in any other case 	parallel park in direction other than direction of travel (road related area)—no advertising/electoral matter displayed	20	132	-
283	209 (2) (a)				

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283.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	not parallel park in direction of travel— advertising/electoral matter displayed	20	182	-
283.2	<ul style="list-style-type: none">in any other case	not parallel park in direction of travel—no advertising/electoral matter displayed	20	132	-
284	209 (2) (b)				
284.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	not parallel park near centre of median strip—advertising/electoral matter displayed	20	182	-
284.2	<ul style="list-style-type: none">in any other case	not parallel park near centre of median strip—no advertising/electoral matter displayed	20	132	-
285	209 (2) (c)				

285.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	parallel park close to front/back of vehicle—advertising/electoral matter displayed	20	182	-
285.2	<ul style="list-style-type: none"> in any other case 	parallel park close to front/back of vehicle—no advertising/electoral matter displayed	20	132	-
286	210 (1)				
286.1	<ul style="list-style-type: none"> by contravening 210 (2) (a)—when advertising or electoral matter displayed in or on vehicle 	not park at specified angle—advertising/electoral matter displayed	20	182	-
286.2	<ul style="list-style-type: none"> by contravening 210 (2) (a)—in any other case 	not park at specified angle—no advertising/electoral matter displayed	20	132	-

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286.3	<ul style="list-style-type: none">by contravening 210 (2) (b)—when advertising or electoral matter displayed in or on vehicle	not park rear out at specified angle—advertising/electoral matter displayed	20	182	-
286.4	<ul style="list-style-type: none">by contravening 210 (2) (b)—in any other case	not park rear out at specified angle—no advertising/electoral matter displayed	20	132	-
286.5	<ul style="list-style-type: none">by contravening 210 (2A) (a)—when advertising or electoral matter displayed in or on vehicle	not park at 45° (no angle specified)—advertising/electoral matter displayed	20	182	-
286.6	<ul style="list-style-type: none">by contravening 210 (2A) (a)—in any other case	not park at 45° (no angle specified)—no advertising/electoral matter displayed	20	132	-

286.7	<ul style="list-style-type: none"> by contravening 210 (2A) (b)—when advertising or electoral matter displayed in or on vehicle 	not park rear out at 45°— advertising/electoral matter displayed	20	182	-
286.8	<ul style="list-style-type: none"> by contravening 210 (2A) (b)—in any other case 	not park rear out at 45°—no advertising/electoral matter displayed	20	132	-
286.9	<ul style="list-style-type: none"> by contravening 210 (3) (a)—when advertising or electoral matter displayed in or on vehicle 	not park at 90°—advertising/electoral matter displayed	20	182	-
286.10	<ul style="list-style-type: none"> by contravening 210 (3) (a)—in any other case 	not park at 90°—no advertising/electoral matter displayed	20	132	-

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286.11	<ul style="list-style-type: none">by contravening 210 (3) (b) (i)—when advertising or electoral matter displayed in or on vehicle	not park rear in/front in at 90° as specified—advertising/electoral matter displayed	20	182	-
286.12	<ul style="list-style-type: none">by contravening 210 (3) (b) (i)—in any other case	not park rear in/front in at 90° as specified—no advertising/electoral matter displayed	20	132	-
286.13	<ul style="list-style-type: none">by contravening 210 (4) (a) (i)—when advertising or electoral matter displayed in or on vehicle	not park rear in at specified angle—advertising/electoral matter displayed	20	182	-
286.14	<ul style="list-style-type: none">by contravening 210 (4) (a) (i)—in any other case	not park rear in at specified angle—no advertising/electoral matter displayed	20	132	-

286.15	<ul style="list-style-type: none"> by contravening 210 (4) (a) (ii)—when advertising or electoral matter displayed in or on vehicle 	not park rear in at 45° (no angle specified)—advertising/electoral matter displayed	20	182	-
286.16	<ul style="list-style-type: none"> by contravening 210 (4) (a) (ii)—in any other case 	not park rear in at 45° (no angle specified)—no advertising/electoral matter displayed	20	132	-
287	211 (2)				
287.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	not park wholly within parking bay—advertising/electoral matter displayed	20	182	-
287.2	<ul style="list-style-type: none"> in any other case 	not park wholly within parking bay—no advertising/electoral matter displayed	20	132	-
288	211 (3)				

Part 4**Road Transport (Offences) Regulation 2005**

Section 89

288.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	use more parking bays than necessary— advertising/electoral matter displayed	20	182	-
288.2	<ul style="list-style-type: none">in any other case	use more parking bays than necessary—no advertising/electoral matter displayed	20	132	-
289	212 (1)				
289.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	enter/leave median strip parking area contrary to sign—advertising/electoral matter displayed	20	251	-
289.2	<ul style="list-style-type: none">in any other case	enter/leave median strip parking area contrary to sign—no advertising/electoral matter displayed	20	201	-
290	212 (2)				

290.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	not enter/leave median strip parking area forwards—advertising/electoral matter displayed	20	251	-
290.2	<ul style="list-style-type: none"> in any other case 	not enter/leave median strip parking area forwards—no advertising/electoral matter displayed	20	201	-
291	213 (2)				
291.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	not restrain vehicle properly—advertising/electoral matter displayed	20	263	-
291.2	<ul style="list-style-type: none"> in any other case 	not restrain vehicle properly—no advertising/electoral matter displayed	20	213	-
292	213 (3)				

Part 4

Road Transport (Offences) Regulation 2005

Section 89

292.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	leave engine on—advertising/electoral matter displayed	20	263	-
292.2	<ul style="list-style-type: none">in any other case	leave engine on—no advertising/electoral matter displayed	20	213	-
293	213 (4) (a)				
293.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	not remove ignition key (no-one in vehicle—advertising/electoral matter displayed)	20	263	-
293.2	<ul style="list-style-type: none">in any other case	not remove ignition key (no-one in vehicle)—no advertising/electoral matter displayed	20	213	-
294	213 (4) (b)				

294.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	not remove ignition key (only child in vehicle)—advertising/electoral matter displayed	20	263	-
294.2	<ul style="list-style-type: none"> in any other case 	not remove ignition key (only child in vehicle)—no advertising/electoral matter displayed	20	213	-
295	213A (1)				
295.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	park outside metered space—advertising/electoral matter displayed	20	182	-
295.2	<ul style="list-style-type: none"> in any other case 	park outside metered space—no advertising/electoral matter displayed	20	132	-
296	213A (2)				

Part 4**Road Transport (Offences) Regulation 2005**

Section 89

296.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	park in occupied metered space— advertising/electoral matter displayed	20	182	-
296.2	<ul style="list-style-type: none">in any other case	park in occupied metered space—no advertising/electoral matter displayed	20	132	-
297	213A (4)				
297.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	park not completely in metered space— advertising/electoral matter displayed	20	182	-
297.2	<ul style="list-style-type: none">in any other case	park not completely in metered space—no advertising/electoral matter displayed	20	132	-
298	213B (1)				
298.1	<ul style="list-style-type: none">when advertising or electoral matter displayed on motorbike	park motorbike in metered space with more than 2 other motorbikes— advertising/electoral matter displayed	20	182	-

298.2	<ul style="list-style-type: none"> in any other case 	park motorbike in metered space with more than 2 other motorbikes—no advertising/electoral matter displayed	20	132	-
299	213B (2)				
299.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed on motorbike 	park motorbike in metered space blocking other motorbike's path out of the space—advertising/electoral matter displayed	20	182	-
299.2	<ul style="list-style-type: none"> in any other case 	park motorbike in metered space blocking other motorbike's path out of the space—no advertising/electoral matter displayed	20	132	-
300	213C (1)				
300.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed on motorbike 	park without paying meter fee—advertising/electoral matter displayed	20	182	-

Part 4

Road Transport (Offences) Regulation 2005

Section 89

300.2	<ul style="list-style-type: none">in any other case	park without paying meter fee—no advertising/electoral matter displayed	20	132	-
301	213D (1)				
301.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	park after meter expired—advertising/electoral matter displayed	20	182	-
301.2	<ul style="list-style-type: none">in any other case	park after meter expired—no advertising/electoral matter displayed	20	132	-
302	213D (2)				
302.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	park for longer than allowed by meter signs—advertising/electoral matter displayed	20	182	-
302.2	<ul style="list-style-type: none">in any other case	park for longer than allowed by meter signs—no advertising/electoral matter displayed	20	132	-

303	213F (2)				
303.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	park in closed metered space— advertising/electoral matter displayed	20	182	-
303.2	<ul style="list-style-type: none"> in any other case 	park in closed metered space—no advertising/electoral matter displayed	20	132	-
304	213G (a)	insert prohibited thing into parking meter	20	201	-
305	213G (b)	attach anything to parking meter	20	201	-
306	213H (a)	interfere with parking meter	20	700	-
307	213H (b)	fraudulently operate parking meter	20	-	-
308	213I (1)				
308.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	park outside ticket space— advertising/electoral matter displayed	20	182	-

Part 4**Road Transport (Offences) Regulation 2005**

Section 89

308.2	<ul style="list-style-type: none">in any other case	park outside ticket space—no advertising/electoral matter displayed	20	132	-
309	213I (3)				
309.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	park in occupied ticket space—advertising/electoral matter displayed	20	182	-
309.2	<ul style="list-style-type: none">in any other case	park in occupied ticket space—no advertising/electoral matter displayed	20	132	-
310	213I (5)				
310.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	park not completely in ticket space—advertising/electoral matter displayed	20	182	-
310.2	<ul style="list-style-type: none">in any other case	park not completely in ticket space—no advertising/electoral matter displayed	20	132	-
311	213J (1)				

311.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed on motorbike 	park motorbike in ticket space with more than 2 other motorbikes— advertising/electoral matter displayed	20	182	-
311.2	<ul style="list-style-type: none"> in any other case 	park motorbike in ticket space with more than 2 other motorbikes—no advertising/electoral matter displayed	20	132	-
312	213J (2)				
312.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed on motorbike 	park motorbike in ticket space blocking other motorbike's path out of the space— advertising/electoral matter displayed	20	182	-
312.2	<ul style="list-style-type: none"> in any other case 	park motorbike in ticket space blocking other motorbike's path out of the space— no advertising/electoral matter displayed	20	132	-
313	213K (1)				

Part 4

Road Transport (Offences) Regulation 2005

Section 89

313.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	park without current/current equivalent ticket displayed/properly displayed—advertising/electoral matter displayed	20	182	-
313.2	<ul style="list-style-type: none">in any other case	park without current/current equivalent ticket displayed/properly displayed—no advertising/electoral matter displayed	20	132	-
314	213M (1)				
314.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	park after ticket expired—advertising/electoral matter displayed	20	182	-
314.2	<ul style="list-style-type: none">in any other case	park after ticket expired—no advertising/electoral matter displayed	20	132	-
315	213M (2)				

315.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	park after e-payment period ends—advertising/electoral matter displayed	20	182	-
315.2	<ul style="list-style-type: none"> in any other case 	park after e-payment period ends—no advertising/electoral matter displayed	20	132	-
316	213M (3)				
316.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	park for longer than allowed by ticket sign—advertising/electoral matter displayed	20	182	-
316.2	<ul style="list-style-type: none"> in any other case 	park for longer than allowed by ticket sign—no advertising/electoral matter displayed	20	132	-
317	213O (3)				

Part 4

Road Transport (Offences) Regulation 2005

Section 89

317.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	park in closed ticket area/space— advertising/electoral matter displayed	20	182	-
317.2	<ul style="list-style-type: none">in any other case	park in closed ticket area/space—no advertising/electoral matter displayed	20	132	-
318	213P (2) (a)				
318.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	display thing falsely resembling parking ticket—advertising/electoral matter displayed	20	690	-
318.2	<ul style="list-style-type: none">in any other case	display thing falsely resembling parking ticket—no advertising/electoral matter displayed	20	640	-
319	213P (2) (b)				

319.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	display changed/damaged/defaced parking ticket—advertising/electoral matter displayed	20	690	-
319.2	<ul style="list-style-type: none"> in any other case 	display changed/damaged/defaced parking ticket—no advertising/electoral matter displayed	20	640	-
320	213Q (a)	insert prohibited thing into ticket machine	20	700	-
321	213Q (b)	attach anything to ticket machine	20	201	-
322	213R (a)	interfere with ticket machine	20	700	-
323	213R (b)	fraudulently operate ticket machine	20	-	-
324	213S	interfere with parking ticket	20	-	-
325	213SA (1)	sign displaying advertising/electoral matter attached to vehicle parked in designated place	20	640	-

Part 4**Road Transport (Offences) Regulation 2005**

Section 89

326	213T (1)	display parking permit without being entitled	20	-	-
327	213T (2)	display mobility parking scheme authority without being entitled	20	-	-
328	213U (1)	remove/interfere with parking permit/mobility parking scheme authority	20	660	-
329	213U (2) (a)				
329.1	<ul style="list-style-type: none">when advertising or electoral matter displayed in or on vehicle	display copy of parking permit/mobility parking scheme authority—advertising/electoral matter displayed	20	710	-
329.2	<ul style="list-style-type: none">in any other case	display copy of parking permit/mobility parking scheme authority—no advertising/electoral matter displayed	20	660	-
329A	213U (2) (b)				

329A.1	<ul style="list-style-type: none"> when advertising or electoral matter displayed in or on vehicle 	display changed/damaged/defaced parking permit/mobility parking scheme authority—advertising/electoral matter displayed	20	710	-
329A.2	<ul style="list-style-type: none"> in any other case 	display changed/damaged/defaced parking permit/mobility parking scheme authority—no advertising/electoral matter displayed	20	660	-

90 Dictionary, new definitions of *advertising* and *electoral matter*

insert

advertising, for an infringement notice offence that is an offence against the *Road Transport (Road Rules) Regulation 2017*, part 12 (other than an offence mentioned in this regulation, section 23 (1))—

- (a) means any matter declared to be advertising under section 23; but
- (b) does not include—
 - (i) any matter declared not to be advertising under section 23; or
 - (ii) a bumper sticker displayed in or on the vehicle; or
 - (iii) advertising indicating that the vehicle is for sale.

electoral matter, for an infringement notice offence that is an offence against the *Road Transport (Road Rules) Regulation 2017*, part 12 (other than an offence mentioned in section 213G, section 213H, section 213Q, section 213R and section 213SA)—

- (a) means any matter that is intended, or is likely, to affect voting in an ACT, Commonwealth or State election or referendum; and
- (b) includes any matter that contains an express or implied reference to—
 - (i) an ACT, Commonwealth or State election or referendum; or
 - (ii) any matter on which electors are required to vote in an ACT, Commonwealth or State election or referendum; but

Note ***State*** includes the Northern Territory (see *Legislation Act*, dict, pt 1).

- 1 (c) does not include electoral matter on a bumper sticker displayed
2 in or on a vehicle.

1 **Part 5** **Road Transport (Road Rules)**
2 **Regulation 2017**

3 **91 Application—pt 12—bicycles**
4 **Section 166**

5 *after*

6 This part

7 *insert*

8 (other than division 12.12A (Signs attached to vehicles parked in
9 designated place))

10 **92 New division 12.12A**

11 *insert*

12 **Division 12.12A Signs attached to vehicles parked in**
13 **designated place**

14 **213SA Vehicle parked in designated place must not have sign**
15 **attached**

16 (1) A driver must not park a vehicle in a designated place if a sign
17 displaying advertising or electoral matter is attached to the vehicle.

18 Maximum penalty: 20 penalty units.

19 (2) Subsection (1) does not apply to a vehicle being used by or for the
20 Territory.

21 (3) The Minister may, for subsection (1), declare—

22 (a) a road or public unleased land to be a designated place if
23 satisfied that making the declaration is in the interests of road
24 safety; and

25 (b) matter that is or is not advertising.

- 1 (4) A declaration is—
- 2 (a) for subsection (3) (a)—a notifiable instrument; and
- 3 (b) for subsection (3) (b)—a disallowable instrument.
- 4 (5) In this section:
- 5 ***advertising***—
- 6 (a) means any matter declared to be advertising under
- 7 subsection (3) (b); but
- 8 (b) does not include—
- 9 (i) any matter declared not to be advertising under
- 10 subsection (3) (b); or
- 11 (ii) a bumper sticker displayed in or on the vehicle; or
- 12 (iii) advertising indicating that the vehicle is for sale.
- 13 ***designated place*** means a place declared under subsection (3) (a).
- 14 ***electoral matter***—
- 15 (a) means any matter that is intended, or is likely, to affect voting
- 16 in an ACT, Commonwealth or State election or referendum; and
- 17 (b) includes any matter that contains an express or implied reference
- 18 to—
- 19 (i) an ACT, Commonwealth or State election or referendum;
- 20 or
- 21 (ii) any matter on which electors are required to vote in an
- 22 ACT, Commonwealth or State election or referendum; but
- 23 *Note* ***State*** includes the Northern Territory (see [Legislation Act](#), dict,
- 24 pt 1).
- 25 (c) does not include electoral matter on a bumper sticker displayed
- 26 in or on a vehicle.

- 1 *public unleased land*—see the *Public Unleased Land Act 2013*,
2 section 8.
3 *sign* means a board, device, plate or screen.

1 **Schedule 1** **Electoral Act 1992—**
2 **Consequential amendments**

3 (see s 3)

4 **[1.1] New section 131 (1)**

5 *substitute*

- 6 (1) At an election, an elector may cast an ordinary or declaration vote in
7 accordance with division 10.2, 10.3, 10.4 or 10.5.

8 **[1.2] Section 133 (4)**

9 *omit*

10 **[1.3] Section 137 (1)**

11 *omit*

12 section 136B (17) or section 136C

13 *substitute*

14 section 136D (2) (a) or section 136G (2) (a)

15 **[1.4] Section 149, new definition of *homelessness polling***
16 ***place***

17 *insert*

18 *homelessness polling place*—see section 149B (1).

19 **[1.5] Section 232 (5)**

20 *omit*

[1.6] Section 243A (1)

2 *omit*

3 section 216A (Records and regular disclosure of gifts)

4 *substitute*

5 section 216B (Regular disclosure of gifts)

[1.7] Section 291, definition of *polling place*, paragraph (a)

7 *substitute*

8 (a) an early polling place; and

9 (aa) an interstate declaration polling place; and

[1.8] Section 307 (5) (a)

11 *substitute*

12 (a) an early polling place; or

13 (aa) an interstate declaration polling place; or

[1.9] Section 320 (6), definition of *voting centre*, paragraph (a)

15 *substitute*

16 (a) an early polling place; or

17 (aa) an interstate declaration polling place; or

[1.10] Schedule 3, clause 6 (1), definition of *relevant provision*, paragraphs (b) and (c)

20 *substitute*

21 (b) for a vote under section 136D—section 135 (4) as applied by
22 section 136D (4); or

1 (c) for a vote under section 136G—section 135 (4) as applied by
2 section 136G (4); or

3 **[1.11] Dictionary, definition of *anonymously***

4 *omit*

5 **[1.12] Dictionary, definition of *declaration vote***

6 *substitute*

7 *declaration vote* means a vote cast in accordance with any of the
8 following provisions:

- 9 (a) section 135 (Declaration voting at polling places);
10 (b) section 136D (Declaration voting in ACT before polling day);
11 (c) section 136G (Declaration voting outside ACT on or before
12 polling day);
13 (d) section 144A (Requirements for casting postal votes);
14 (e) section 150A (Mobile polling—homelessness polling places).

15 **[1.13] Dictionary, new definition of *early polling place***

16 *insert*

17 *early polling place*—see section 136B (1).

18 **[1.14] Dictionary, definitions of *electoral expenditure* and
19 *electronic voting***

20 *substitute*

21 *electoral expenditure*, in relation to an election—

- 22 (a) for part 14 (Election funding, expenditure and financial
23 disclosure) generally—see section 198; and

1 (b) for division 14.2B (Limitations on electoral expenditure)—see
2 section 205C (1).

3 *electronic voting* means voting at an election using an electronic
4 ballot paper, and includes telephone voting.

5 **[1.15] Dictionary, new definitions of *foreign entity* and *free*
6 *facilities use***

7 *insert*

8 *foreign entity*, for division 14.4B (Gifts from foreign entities)—see
9 section 222M.

10 *free facilities use*, for part 14 (Election funding, expenditure and
11 financial disclosure)—see section 198.

12 **[1.16] Dictionary, definition of *gift***

13 *substitute*

14 *gift*—

15 (a) for part 14 (Election funding, expenditure and financial
16 disclosure) generally—see section 198AA; and

17 (b) for division 14.4A (Gifts from property developers)—see
18 section 222B; and

19 (c) for division 14.4B (Gifts from foreign entities)—see
20 section 222M.

21 **[1.17] Dictionary, new definitions of *homelessness polling place*
22 and *interstate declaration polling place***

23 *insert*

24 *homelessness polling place*, for division 10.5 (Mobile polling)—see
25 section 149B (1).

26 *interstate declaration polling place*—see section 136G (1) (a).

- 1 **[1.18] Dictionary, definition of *political entity***
- 2 *substitute*
- 3 *political entity*—
- 4 (a) for division 14.4A (Gifts from property developers)—see
- 5 section 222B; and
- 6 (b) for division 14.4B (Gifts from foreign entities)—see
- 7 section 222M.

1 **Schedule 2 Technical amendments**

2 (see s 3)

3 **Part 2.1 Electoral Act 1992**

4 **[2.1] Sections 7 (1) (i) and 11**

5 *omit*

6 another Territory law

7 *substitute*

8 another territory law

9 **Explanatory note**

10 This amendment updates language in line with current legislative drafting practice.

11 **[2.2] Section 12B (a) (iii)**

12 *omit*

13 or another Territory

14 **Explanatory note**

15 This amendment updates language in line with current legislative drafting practice.

16 **[2.3] Section 12B (b) (ii)**

17 *omit*

18 Commonwealth, a State or another Territory

19 *substitute*

20 Commonwealth or a State

21 **Explanatory note**

22 This amendment updates language in line with current legislative drafting practice.

1 **[2.4] Section 12B, new note**

2 *insert*

3 *Note* *State* includes the Northern Territory (see [Legislation Act](#), dict, pt 1).

4 **Explanatory note**

5 This amendment inserts a note in line with current legislative drafting practice.

6 **[2.5] Section 12C (1) (h) (ii)**

7 *omit*

8 Commonwealth, a State or another Territory

9 *substitute*

10 Commonwealth or a State

11 **Explanatory note**

12 This amendment updates language in line with current legislative drafting practice.

13 **[2.6] Section 12C (2), definition of *judge*, paragraph (b)**

14 *omit*

15 or another Territory

16 **Explanatory note**

17 This amendment updates language in line with current legislative drafting practice.

18 **[2.7] Section 12C, new note**

19 *insert*

20 *Note* *State* includes the Northern Territory (see [Legislation Act](#), dict, pt 1).

21 **Explanatory note**

22 This amendment inserts a note in line with current legislative drafting practice.

1 **[2.8] Section 19 (4)**

2 *omit*

3 he or she

4 *substitute*

5 the chairperson

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.9] Section 33 (3)**

9 *omit*

10 he or she becomes

11 *substitute*

12 they become

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.10] Sections 33B (1) and 33C (1)**

16 *omit*

17 another Territory law

18 *substitute*

19 another territory law

20 **Explanatory note**

21 This amendment updates language in line with current legislative drafting practice.

1 **[2.11] Section 40 (2)**

2 *omit*

3 he or she

4 *substitute*

5 the commissioner

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.12] Section 48 (2)**

9 *omit*

10 he or she

11 *substitute*

12 the chairperson

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.13] Section 57 heading**

16 *substitute*

17 **57 Rolls of ACT electors and electorates**

18 **Explanatory note**

19 This amendment updates language in line with current legislative drafting practice.

1 **[2.17] Section 76 (5) (a)**

2 *omit*

3 he or she

4 *substitute*

5 the claimant

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.18] Section 77 (2)**

9 *omit*

10 his or her

11 *substitute*

12 the elector's

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.19] Sections 77 (4) and 81 (6)**

16 *omit*

17 he or she

18 *substitute*

19 the commissioner

20 **Explanatory note**

21 This amendment updates language in line with current legislative drafting practice.

1 **[2.20] Section 86**

2 *omit*

3 Territory law

4 *substitute*

5 territory law

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.21] Section 103 (2) (a) (ii)**

9 *omit*

10 or another Territory

11 **Explanatory note**

12 This amendment updates language in line with current legislative drafting practice.

13 **[2.22] Section 103 (2) (b) (i)**

14 *omit*

15 Commonwealth, a State or another Territory

16 *substitute*

17 Commonwealth or a State

18 **Explanatory note**

19 This amendment updates language in line with current legislative drafting practice.

1 **[2.23] Section 103 (2) (b) (ii)**

2 *substitute*

3 (ii) is employed by the Territory, the Commonwealth or a
4 State or by a territory authority or a body (whether
5 incorporated or unincorporated) established by a law of the
6 Commonwealth or a State;

7 **Explanatory note**

8 This amendment updates language in line with current legislative drafting practice.

9 **[2.24] Section 103 (2), new note**

10 *insert*

11 *Note* *State* includes the Northern Territory (see [Legislation Act](#), dict, pt 1).

12 **Explanatory note**

13 This amendment inserts a note in line with current legislative drafting practice.

14 **[2.25] Section 105 (4) (c) and (d)**

15 *omit*

16 he or she

17 *substitute*

18 the nominee

19 **Explanatory note**

20 This amendment updates language in line with current legislative drafting practice.

1 **[2.26] Section 105 (7)**

2 *omit*

3 his or her

4 *substitute*

5 the nominee's

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.27] Section 107 (1)**

9 *omit*

10 his or her

11 *substitute*

12 their

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.28] Section 118A (2) (d) and (3) (b) (i)**

16 *omit*

17 his or her

18 *substitute*

19 their

20 **Explanatory note**

21 This amendment updates language in line with current legislative drafting practice.

1 **[2.29] Section 128 (2)**

2 *omit*

3 he or she

4 *substitute*

5 they

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.30] Sections 129 and 132 (1)**

9 *omit*

10 his or her

11 *substitute*

12 the elector's

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.31] Section 133 (1) (b)**

16 *before*

17 claims

18 *insert*

19 the person

20 **Explanatory note**

21 This amendment corrects a typographical error by inserting missing words.

1 **[2.32] Section 133 (3)**

2 *omit*

3 he or she has

4 *substitute*

5 they have

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.33] Section 134 (b)**

9 *omit*

10 his or her

11 *substitute*

12 the person's

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.34] Section 135 (2)**

16 *omit*

17 he or she has

18 *substitute*

19 they have

20 **Explanatory note**

21 This amendment updates language in line with current legislative drafting practice.

1 **[2.35] Section 135 (4) (c) (i)**

2 *omit*

3 his or her

4 *substitute*

5 the person's

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.36] Section 145 (a)**

9 *omit*

10 he or she

11 *substitute*

12 the elector

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.37] Section 160 (5)**

16 *omit*

17 subsection (2)

18 *substitute*

19 subsection (3)

20 **Explanatory note**

21 This amendment corrects a cross-reference.

1 **[2.38] Section 191 (2) (d)**

2 *omit*

3 he or she

4 *substitute*

5 the former MLA

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.39] Section 192 (1)**

9 *substitute*

10 (1) A person may apply to be a candidate for a seat to which a casual
11 vacancy has occurred if the person—

12 (a) was a candidate at the last election for the electorate in which
13 the vacancy has occurred; and

14 (b) was not elected; and

15 (c) is an eligible person.

16 **Explanatory note**

17 This amendment updates language in line with current legislative drafting practice.

18 **[2.40] Section 192 (2) (a) (i) and (ii)**

19 *omit*

20 he or she

21 *substitute*

22 the applicant

23 **Explanatory note**

24 This amendment updates language in line with current legislative drafting practice.

1 **[2.41] Section 192 (3)**

2 *omit*

3 his or her

4 *substitute*

5 their

6 **[2.42] Section 198, definition of *registered industrial***
7 ***organisation***

8 *substitute*

9 ***registered industrial organisation*** means an organisation registered
10 under the *Fair Work (Registered Organisations) Act 2009* (Cwlth) or
11 under a law of a State providing for the registration of industrial
12 organisations.

13 *Note* **State** includes the Northern Territory (see *Legislation Act*, dict, pt 1).

14 **Explanatory note**

15 This amendment updates language and inserts a note in line with current legislative drafting
16 practice.

17 **[2.43] Section 201 (2), definition of *disclosure day*, paragraph**
18 **(b) (ii) (A)**

19 *omit*

20 he or she

21 *substitute*

22 they

23 **Explanatory note**

24 This amendment updates language in line with current legislative drafting practice.

1 **[2.44] Section 204 (3) and (4)**

2 *omit*

3 his or her

4 *substitute*

5 their

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.45] Section 205K (1)**

9 *substitute*

10 (1) This section does not apply to payments made to a party under this
11 Act, or a corresponding Act of the Commonwealth or a State.

12 *Note* *State* includes the Northern Territory (see [Legislation Act](#), dict, pt 1).

13 **Explanatory note**

14 This amendment updates language and inserts a note in line with current legislative drafting
15 practice.

16 **[2.46] Section 217 (4)**

17 *omit*

18 **Explanatory note**

19 This amendment omits a redundant definition.

1 **[2.47] Section 230 (5)**

2 *omit*

3 his or her

4 *substitute*

5 their

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.48] Section 230 (6) and (7)**

9 *omit*

10 his or her

11 *substitute*

12 their

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.49] Section 238 (4)**

16 *omit*

17 he or she

18 *substitute*

19 the magistrate

20 **Explanatory note**

21 This amendment updates language in line with current legislative drafting practice.

1 **[2.50] Sections 238 (6) (b) and 239 (1)**

2 *omit*

3 he or she

4 *substitute*

5 the person

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.51] Section 240**

9 *substitute*

10 **240 Inability to complete returns**

11 (1) If a person who is required to give the commissioner a return under
12 division 14.4, 14.5 or 14.6 believes it is impossible to complete the
13 return because the person is unable to obtain particulars (the *missing*
14 *particulars*) required for the preparation of the return, the person
15 may—

16 (a) prepare the return to the extent that it is possible to do so without
17 the missing particulars; and

18 (b) give the commissioner the prepared return; and

19 (c) give the commissioner written notice—

20 (i) identifying the return; and

21 (ii) stating that the return is incomplete because the person is
22 unable to obtain the missing particulars; and

23 (iii) identifying the missing particulars; and

24 (iv) setting out the reasons why the person is unable to obtain
25 the missing particulars; and

- 1 (v) if the person believes on reasonable grounds that another
2 person whose name and address is known to the person can
3 give the missing particulars—stating that belief, the
4 reasons for the belief and the name and address of the other
5 person.
- 6 (2) If a person complies with subsection (1), the person must not, for
7 section 236 (2) (c), be taken to have given a return that is incomplete
8 because of the person’s omission of any missing particulars identified
9 in a written notice given to the commissioner in accordance with
10 subsection (1) (c).
- 11 (3) If a person tells the commissioner under subsection (1) (c) or (4) (e)
12 that another person can give the missing particulars, the
13 commissioner may, by written notice, require that the other person
14 give the commissioner written notice of the missing particulars within
15 the period stated in the notice.
- 16 (4) If a person who is required under subsection (3) to give the
17 commissioner the missing particulars considers that they are unable
18 to obtain some or all of the particulars, the person must give the
19 commissioner written notice—
- 20 (a) stating the missing particulars (if any) that the person is able to
21 give; and
- 22 (b) stating that the person is unable to obtain certain missing
23 particulars; and
- 24 (c) identifying the missing particulars the person is unable to obtain;
25 and
- 26 (d) setting out the reasons why the person is unable to obtain those
27 missing particulars; and
- 28 (e) if the person believes on reasonable grounds that another person
29 whose name and address is known to the person can give those
30 missing particulars—stating that belief, the reasons for the belief
31 and the name and address of the other person.

1 (5) A person must not, for section 236 (2) (c), be taken to have given a
2 return that is incomplete because of the person's omission of the
3 missing particulars if the person—

4 (a) is given written notice under subsection (3); and

5 (b) complies with the written notice or gives the commissioner
6 written notice in accordance with subsection (4).

7 **Explanatory note**

8 This amendment updates language in line with current legislative drafting practice.

9 **[2.52] Section 241 (2) (b)**

10 *omit*

11 his or her

12 *substitute*

13 this

14 **Explanatory note**

15 This amendment corrects a typographical error.

16 **[2.53] Section 258 (1) (c)**

17 *omit*

18 his or her

19 *substitute*

20 the applicant

21 **Explanatory note**

22 This amendment updates language in line with current legislative drafting practice.

1 **[2.54] Section 263 (9) (a)**

2 *omit*

3 he or she

4 *substitute*

5 their

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.55] Section 263 (9) (d)**

9 *omit*

10 his or her

11 *substitute*

12 the person's

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.56] Section 271 (b)**

16 *omit*

17 he or she

18 *substitute*

19 the person

20 **Explanatory note**

21 This amendment updates language in line with current legislative drafting practice.

1 **[2.57] Section 290 (3)**

2 *omit*

3 he or she

4 *substitute*

5 the employee

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.58] Section 293 (3) (b)**

9 *substitute*

10 (b) if the residence is outside the ACT—the State or other country
11 of the residence.

12 *Note* *State* includes the Northern Territory (see [Legislation Act](#), dict,
13 pt 1).

14 **Explanatory note**

15 This amendment updates language and inserts a note in line with current legislative drafting
16 practice.

17 **[2.59] Section 294 (1) (a) and (b)**

18 *omit*

19 he or she is

20 *substitute*

21 they are

22 **Explanatory note**

23 This amendment updates language in line with current legislative drafting practice.

1 **[2.60] Section 298**

2 *omit*

3 his or her

4 *substitute*

5 the elector's

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.61] Section 299 (2) and (3)**

9 *omit*

10 Territory authority

11 *substitute*

12 territory authority

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.62] Section 301 (3) (b)**

16 *substitute*

17 (b) that relates to a candidate who—

18 (i) was nominated by the party; and

19 (ii) has publicly declared their candidature to be on behalf of,
20 or in the interests of, the party.

21 **Explanatory note**

22 This amendment updates language in line with current legislative drafting practice.

1 **[2.63] Section 314 (1)**

2 *omit*

3 he or she shall sign it with his or her

4 *substitute*

5 the person must sign it with their

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.64] Section 314 (2)**

9 *omit*

10 his or her

11 *substitute*

12 the person's

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.65] Section 315 (1) (b) and (c)**

16 *omit*

17 he or she

18 *substitute*

19 the person

20 **Explanatory note**

21 This amendment updates language in line with current legislative drafting practice.

1 **[2.66] Section 315 (1) (d)**

2 *substitute*

3 (d) the person is able to sign their own name.

4 **Explanatory note**

5 This amendment updates language in line with current legislative drafting practice.

6 **[2.67] Section 315 (2)**

7 *omit*

8 himself or herself

9 *substitute*

10 themselves

11 **Explanatory note**

12 This amendment updates language in line with current legislative drafting practice.

13 **[2.68] Section 317 (b)**

14 *omit*

15 him or her

16 *substitute*

17 the officer

18 **Explanatory note**

19 This amendment updates language in line with current legislative drafting practice.

1 **[2.69] Section 318 (2)**

2 *omit*

3 his or her

4 *substitute*

5 their

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.70] Sections 321 (1) and 322 (1)**

9 *omit*

10 another Territory law

11 *substitute*

12 another territory law

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.71] Section 323**

16 *omit*

17 his or her

18 *substitute*

19 the commissioner's

20 **Explanatory note**

21 This amendment updates language in line with current legislative drafting practice.

1 **[2.72] Schedule 4, clauses 5, 6 and 9**

2 *omit*

3 him or her

4 *substitute*

5 the candidate

6 **Explanatory note**

7 This amendment updates language in line with current legislative drafting practice.

8 **[2.73] Schedule 4, clause 13 (4), definition of *NCP***

9 *omit*

10 he or she

11 *substitute*

12 the former MLA

13 **Explanatory note**

14 This amendment updates language in line with current legislative drafting practice.

15 **[2.74] Schedule 4, clause 14 (2)**

16 *omit*

17 him or her

18 *substitute*

19 the candidate

20 **Explanatory note**

21 This amendment updates language in line with current legislative drafting practice.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 29 June 2023.

2 Notification

Notified under the [Legislation Act](#) on 2023.

3 Republications of amended laws

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

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