CLAUSE NOTES

Electoral Amendment (Legislative Council Ballot Papers) Bill 2010

- Clause 1:   provides, as a convenient and standard drafting measure, for the short title of the Bill.

- Clause 2:   provides for the commencement of the Bill (on Royal Assent); there does not seem to be any legal, practical or other reason why the Act should not be able to commence on that date

- Clause 3:   provides, as a convenient and standard drafting measure, for the proposed amended Act – the Electoral Act 2004 – to be referred to in the amending legislation as the Principal Act; there are sound legislative drafting and EnAct processing reasons for so providing

- Clause 4:   provides for the amendment of section 77 of the Electoral Act 2004. Generally speaking the amendment will require a nomination for a Council election to include a statement by the nominee as to whether he or she wishes to be identified as an independent

- Clause 5:   provides for the amendment of section 81 of the Electoral Act 2004. Generally speaking the amendment will require that, where a candidate has stated that he or she wishes to be identified as an independent, then that is to be indicated on the ballot paper

- Clause 6:   provides for the amendment of section 98 of the Electoral Act 2004. Generally speaking it will require ballot papers to be so assigned to reflect the reforms proposed by clauses 4 and 5

- Clause 7:   provides for the insertion of a new section 244A into the Electoral Act 2004 so as to ensure that the changes proposed will not administratively disrupt any Council election that may be in train when and if the proposed changes take effect

- Clause 8:   provides, as a convenient and now almost standard drafting measure, for the automatic repeal of this prospective amending Act after it has done its work

the aim being, in crude terms, to ensure that, as far as possible, the State's legislative database, when searched at the "current timepoint", is populated mainly by principal legislation and that Tasmanians do not have to trawl through long lists of spent amending legislation when trying to ascertain the law

noting that all spent amending legislation will always be accessible on the database as sessional (i.e. historical) versions