

TASMANIA

ELECTORAL AMENDMENT (LEGISLATIVE COUNCIL BALLOT PAPERS) BILL 2015

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ELECTORAL AMENDMENT (LEGISLATIVE COUNCIL BALLOT PAPERS) BILL 2015

This Public Bill originated in the Legislative Council, and, having this day passed, is now ready for presentation to the House of Assembly for its concurrence.

D. T. Pearce, *Clerk of the Council*
27 October 2015

(Brought in by the Honourable Gregory Raymond Hall)

A BILL FOR

An Act to amend the *Electoral Act 2004*

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Electoral Amendment (Legislative Council Ballot Papers) Act 2015*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

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3. Principal Act

In this Act, the *Electoral Act 2004** is referred to as the Principal Act.

4. Section 77 amended (How and when nomination takes place)

Section 77(2) of the Principal Act is amended by inserting after paragraph (b) the following paragraph:

- (ba) include, if the nomination is for a Council election and subsection (5) does not apply to the nomination, a statement by the person being nominated stating whether or not the person wants the word “independent” to appear on the ballot paper under the person’s name; and

5. Section 81 amended (Names of registered parties on ballot papers)

Section 81 of the Principal Act is amended by inserting after subsection (2) the following subsection:

- (3) If a person is nominated in accordance with section 77(2) for a Council election and has stated in accordance with paragraph (ba) of that section that he or she wants the word “independent” to appear on the ballot paper under his or

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her name, the word “independent” is to appear on the ballot paper immediately under the name of that candidate.

6. Section 98 amended (Design of Council ballot papers)

Section 98 of the Principal Act is amended by inserting after subsection (1) the following subsection:

- (1A) If any candidate has stated in accordance with section 77(2)(ba) that he or she wants the word “independent” to appear on the ballot paper under his or her name, the word “independent” is to appear on the ballot paper immediately under the ballot paper name of that candidate.

7. Section 244A inserted

After section 244 of the Principal Act, the following section is inserted in Part 10:

**244A. Application of amendments effected by
*Electoral Amendment (Legislative Council
Ballot Papers) Act 2015***

The amendments of this Act effected by the *Electoral Amendment (Legislative Council Ballot Papers) Act 2015* do not apply to a Council election in respect of which a writ, for the holding of the

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election, was issued before the
commencement of that Act.

8. Repeal of Act

This Act is repealed on the three hundred and
sixty fifth day from the day on which it
commences.