

## TASMANIA

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# **ELECTORAL AMENDMENT (LEGISLATIVE COUNCIL BALLOT PAPERS) BILL 2010**

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# **ELECTORAL AMENDMENT (LEGISLATIVE COUNCIL BALLOT PAPERS) BILL 2010**

*(Brought in by the Honourable Gregory Raymond Hall)*

## **A BILL FOR**

### **An Act to amend the *Electoral Act 2004***

Be it enacted by His 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 2010*.

#### **2. Commencement**

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

#### **3. Principal Act**

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

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\*No. 51 of 2004

*Electoral Amendment (Legislative Council Ballot Papers) Act*  
*2010*  
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**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 and independents 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 her name, then, provided he or she is not a registered member, the word “independent” is to appear on the ballot paper immediately under the name of that candidate.

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**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, then, provided he or she is not a registered member, 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 2010***

The amendments of this Act effected by the *Electoral Amendment (Legislative Council Ballot Papers) Act 2010* do not apply to a Council election in respect of which a writ, for the holding of the election, was issued before the commencement of that Act.

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**8. Repeal of Act**

This Act is repealed on the ninetieth day from the day on which it commences.