

CLAUSE NOTES

Electoral Amendment Bill 2025

Clause 1 **Short title**

Clause 2 **Commencement**

Provides that the Act commences on Royal Assent.

Clause 3 **Principal Act**

Provides that the Principal Act that is being amended is *Electoral Act 2004*.

Clause 4 **Section 196 amended (candidate names not to be used without authority)**

Section 196 prohibits the printing, publishing or distribution of advertisements, how to vote cards, handbills, pamphlets, posters or notices that contain a candidate's name, photograph or likeness, without that candidate's written consent.

Under the proposed amendment, the prohibition on the use of a candidate's name, likeness or photograph will only apply in relation to how to vote cards.

In addition to prohibiting the printing, publishing or distribution of a how to vote card containing a candidate's name, photograph or likeness without consent, this clause also proposes an amendment to section 196 to prohibit a person from keeping on display a how to vote card that contains a candidate's name etc without their written consent.

Clause 5 **Repeal of Act**