

TASMANIA

ELECTORAL (DIGITAL COMMUNICATIONS) AMENDMENT BILL 2020

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ELECTORAL (DIGITAL COMMUNICATIONS) AMENDMENT BILL 2020

(Brought in by Madeleine Ogilvie, Independent Member for Clark)

A BILL FOR

An Act to amend the Electoral Act 2004, to make provision for the use of digital communications, in respect to the holding of elections to elect persons as members of the Tasmanian Parliament, and to regulate the use of telephone and digital communications in the conduct of those elections, and to provide for related matters.

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 (Digital Communications) Amendment Act 2020.

2. Commencement

The provisions of this Act commence on a day or days to be proclaimed.

3. Principal Act

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

4. Interpretation

In this Act, unless the contrary intention appears –

Digital Communication means a communication utilising a carriage service provider, internet carriage service, broadcasting service, any other content service or datacasting service.

Voice Call means a voice call, the content of which consists wholly of a spoken conversation between individuals, or a call the content of which includes a recorded voice.

Electoral (Digital Communications) Amendment Act 2020

Act No of 2020

5. Section 196 amended - Candidate names not to be used without authority

Section 196(1) of the Principal Act is amended by inserting the words “engage in Digital Communications” immediately preceding the words “...publish or distribute...”, and section 196(2) is amended by inserting the words “Digital Communication or any” immediately preceding the words “...matter printed,...”.

6. Section 197 substituted - Misleading and deceptive electoral matter

Section 197 (b) of the Principal Act is repealed and the following section is substituted:

(b) publish on the internet, make a Voice Call, or permit or authorise the publishing on the internet or making of a Voice Call, to convey any electoral matter that is intended to, is likely to or has the capacity to mislead or deceive an elector in or in relation to the recording of his or her vote; or”
