



New South Wales

Parliamentary Electorates and Elections Amendment (Prohibition on Voting by Criminals) Bill 2004

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to disqualify anyone who has been convicted of an offence and is serving a sentence from voting in a New South Wales election. The disqualification applies to any person who is serving a sentence by way of full-time detention, periodic detention or home detention, or who is on remand pending sentencing or is subject to a parole order or community service order. At present, a person is only disqualified from voting if the person has been sentenced to imprisonment for 12 months or more and is in prison serving that sentence.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

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2004

Explanatory note

Clause 3 gives effect to the amendment to the *Parliamentary Electorates and Elections Act 1912* set out in Schedule 1.

Schedule 1 Amendment

Schedule 1 amends the *Parliamentary Electorates and Elections Act 1912* as described in the Overview.

Introduced by Mr Andrew Humpherson, MP

First print



New South Wales

Parliamentary Electorates and Elections Amendment (Prohibition on Voting by Criminals) Bill 2004

Contents

| | Page |
|---|------|
| 1 Name of Act | 2 |
| 2 Commencement | 2 |
| 3 Amendment of Parliamentary Electorates and Elections Act 1912 No 41 | 2 |
| Schedule 1 Amendment | 3 |



New South Wales

Parliamentary Electorates and Elections Amendment (Prohibition on Voting by Criminals) Bill 2004

No. , 2004

A Bill for

An Act to amend the *Parliamentary Electorates and Elections Act 1912* to disqualify anyone who has been convicted of an offence and is serving a sentence from voting in a New South Wales election.

| | |
|--|---------|
| The Legislature of New South Wales enacts: | 1 |
| 1 Name of Act | 2 |
| This Act is the <i>Parliamentary Electorates and Elections Amendment (Prohibition on Voting by Criminals) Act 2004</i> . | 3 4 |
| 2 Commencement | 5 |
| This Act commences on the date of assent. | 6 |
| 3 Amendment of Parliamentary Electorates and Elections Act 1912 No 41 | 7 8 |
| The <i>Parliamentary Electorates and Elections Act 1912</i> is amended as set out in Schedule 1. | 9 10 |

Schedule 1 Amendment

(Section 3)

Section 21 Disqualifications from voting

Omit section 21 (b). Insert instead:

- (b) has been convicted of an offence, whether in New South Wales or elsewhere, and is:
 - (i) serving a sentence of imprisonment for that offence, whether by way of full-time detention, periodic detention or home detention, or
 - (ii) on remand pending sentencing for that offence, or
 - (iii) subject to a parole order or community service order in relation to that offence, or

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