

Explanatory note

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

Overview of Bill

The object of this Bill is to make it an offence for a person to authorise, cause or permit the publication of an electoral advertisement containing a statement of fact that is inaccurate and misleading to a material extent.

The offence will apply to State and local government elections and will carry a maximum penalty of 1000 penalty units (\$110,000) for a body corporate and 100 penalty units (\$11,000) for individuals.

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 to the proposed Act.

Clause 3 is a formal provision that gives effect to the amendments to the *Parliamentary Electorates and Elections Act 1912* set out in Schedule 1.

Clause 4 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

Schedule 1 Amendment

Schedule 1 inserts a new section 151AA into the Act containing the provisions referred to in the Overview.