



New South Wales

# Electoral Amendment (Voting Age) Bill 2022

## Explanatory note

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

## Overview of Bill

The object of this Bill is to amend the *Electoral Act 2017* to—

- (a) entitle persons over the age of 16 years old to vote in elections in New South Wales, and
- (b) exclude persons under the age of 18 years old from the obligation to vote in elections in New South Wales, and
- (c) entitle persons over the age of 14 years old to enrol to vote in New South Wales.

## 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.

## Schedule 1 Amendment of Electoral Act 2017 No 66

**Schedule 1[1]** lowers the age at which a person is entitled to enrol to vote in New South Wales from 16 years of age to 14 years of age.

**Schedule 1[3]** lowers the age at which a person is entitled to vote in New South Wales from 18 years of age to 16 years of age. **Schedule 1[2], [4]–[9] and [11]** make consequential amendments.

**Schedule 1[10]** excludes electors under the age of 18 from the obligation to vote in New South Wales.



New South Wales

# Electoral Amendment (Voting Age) Bill 2022

## Contents

---

		Page
	1 Name of Act	2
	2 Commencement	2
<b>Schedule 1</b>	<b>Amendment of Electoral Act 2017 No 66</b>	<b>3</b>



New South Wales

# Electoral Amendment (Voting Age) Bill 2022

No. \_\_\_\_\_, 2022

---

## **A Bill for**

An Act to amend the *Electoral Act 2017* to lower the age that a person becomes entitled both to enrol and to vote in New South Wales elections.

---

**The Legislature of New South Wales enacts—**

1

**1 Name of Act**

2

This Act is the *Electoral Amendment (Voting Age) Act 2022*.

3

**2 Commencement**

4

This Act commences on the date of assent to this Act.

5

<b>Schedule 1</b>	<b>Amendment of Electoral Act 2017 No 66</b>	1
<b>[1] Section 30 Entitlement to enrol</b>		2
	Omit “16 years of age” from section 30(1)(a).	3
	Insert instead “14 years of age”.	4
<b>[2] Section 30(1)(a), note</b>		5
	Omit “18 years of age”.	6
	Insert instead “16 years of age”.	7
<b>[3] Section 31 Entitlement to vote</b>		8
	Omit “18 years of age” from section 31(2).	9
	Insert instead “16 years of age”.	10
<b>[4] Section 31(2), note</b>		11
	Omit “18 years of age”.	12
	Insert instead “16 years of age”.	13
<b>[5] Section 32 Compulsory enrolment: obligation to enrol and keep enrolment details updated</b>		14
	Omit “18 years of age” from section 32(3)(a).	15
	Insert instead “16 years of age”.	16
<b>[6] Section 32(3), note</b>		17
	Omit “16 years of age” and “18 years of age”.	18
	Insert instead “14 years of age” and “16 years of age”, respectively.	19
<b>[7] Section 45 Persons who are to provide information</b>		20
	Omit “16 years but not 18 years of age” from section 45(3)(iii).	21
	Insert instead “14 years but not 16 years of age”.	22
<b>[8] Section 46 Authorised roll of electors to be prepared for each election</b>		23
	Omit “18 years of age” from section 46(3).	24
	Insert instead “16 years of age”.	25
<b>[9] Section 128 Questions to be put if voter challenged</b>		26
	Omit “age of 18 years” from section 128(1)(b).	27
	Insert instead “age of 16 years”.	28
<b>[10] Section 207 Offence of failing to vote</b>		29
	Omit section 207(3). Insert instead—	30
	(3) In this section, <i>elector</i> does not include the following—	31
	(a) an eligible overseas elector,	32
	(b) an itinerant elector,	33
	(c) an elector who has not attained 18 years of age on the date appointed as the election day for the election.	34
		35
		36

<b>[11] Section 253 Application of Divisions 1 and 2 to elections to fill casual vacancies in Legislative Council</b>	1
Omit “age of 18 years” from section 253(2)(c).	2
Insert instead “age of 16 years”.	3
	4