

CONCURRENCE COPY

PARLIAMENTARY ELECTORATES AND ELECTIONS (AMENDMENT) BILL, 1982

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The Local Government (Elections) Amendment Bill, 1982, is cognate with this Bill.

The object of this Bill is to provide that a person is not entitled to be enrolled as an elector for the Legislative Assembly or Legislative Council unless he is an Australian citizen—at present Australian citizens and other British subjects are entitled to be so enrolled. The Bill preserves the voting rights of British subjects (not being Australian citizens) who were enrolled at the commencement of the proposed Act as electors for the Legislative Assembly or Legislative Council or who were enrolled at that commencement in any other State or any Territory of the Commonwealth as electors for the House of Representatives and who subsequently take up residence in New South Wales (Schedule 1 (1)). Similar provisions with respect to the persons entitled to be enrolled as electors for the House of Representatives have been enacted by the Statute Law (Miscellaneous Amendments) Act 1981 (Commonwealth).

The Bill also precludes persons from being enrolled as electors for the Legislative Assembly or Legislative Council if they are the holders of temporary entry permits or are prohibited immigrants under the Migration Act 1958 (Commonwealth) (Schedule 1 (2)). Those persons are already excluded from being enrolled as electors for the House of Representatives by section 39 (5) of the Commonwealth Electoral Act 1918.

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**PARLIAMENTARY ELECTORATES AND ELECTIONS
(AMENDMENT) BILL, 1982**

No. , 1982.

A BILL FOR

An Act to amend the Parliamentary Electorates and Elections Act, 1912,
with respect to the qualification of electors for the Legislative Assembly
and Legislative Council.

[MR ANDERSON—30 *September*, 1982.]

See also Local Government (Elections) Amendment Bill, 1982.

Parliamentary Electorates and Elections (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 Short title.

1. This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1982".

Commencement.

2. (1) This section and section 1 shall commence on the date of assent 10 to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment of Act No. 41, 1912.

15 3. The Parliamentary Electorates and Elections Act, 1912, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

**AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912.**

20

(1) Section 20 (1) (a)—

Omit the paragraph, insert instead:—

(a) who is—

(i) an Australian citizen; or

Parliamentary Electorates and Elections (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

- 5 (ii) a British subject (other than an Australian citizen)
who was, immediately before the day appointed and
notified under section 2 (2) of the Parliamentary
Electorates and Elections (Amendment) Act, 1982,
10 enrolled as an elector for the Assembly or enrolled
in any other State or any Territory of the Common-
wealth as an elector for the House of Representatives;
and

(2) (a) Section 21 (a)—

Omit “or” where lastly occurring.

(b) Section 21 (b)—

- 15 Omit “sentence.”, insert instead “sentence; or”.

(c) Section 21 (c)—

After section 21 (b), insert:—

- 20 (c) is the holder of a temporary entry permit or is a pro-
hibited immigrant under the Migration Act 1958 of the
Parliament of the Commonwealth, as amended and in
force for the time being.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1982

**PARLIAMENTARY ELECTORATES AND ELECTIONS
(AMENDMENT) ACT, 1982, No. 112**

New South Wales



ANNO TRICESIMO PRIMO

ELIZABETHÆ II REGINÆ

Act No. 112, 1982.

An Act to amend the Parliamentary Electorates and Elections Act, 1912,
with respect to the qualification of electors for the Legislative Assembly
and Legislative Council. [Assented to, 1st December, 1982.]

See also Local Government (Elections) Amendment Act, 1982.

Parliamentary Electorates and Elections (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Parliamentary Electorates and Elections (Amendment) Act, 1982".

Commencement.

2. (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment of Act No. 41, 1912.

3. The Parliamentary Electorates and Elections Act, 1912, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

**AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912.**

(1) Section 20 (1) (a)—

Omit the paragraph, insert instead:—

(a) who is—

(i) an Australian citizen; or

Parliamentary Electorates and Elections (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PARLIAMENTARY ELECTORATES
AND ELECTIONS ACT, 1912—*continued.*

- (ii) a British subject (other than an Australian citizen) who was, immediately before the day appointed and notified under section 2 (2) of the Parliamentary Electorates and Elections (Amendment) Act, 1982, enrolled as an elector for the Assembly or enrolled in any other State or any Territory of the Commonwealth as an elector for the House of Representatives; and

(2) (a) Section 21 (a)—

Omit “or” where lastly occurring.

(b) Section 21 (b)—

Omit “sentence.”, insert instead “sentence; or”.

(c) Section 21 (c)—

After section 21 (b), insert:—

- (c) is the holder of a temporary entry permit or is a prohibited immigrant under the Migration Act 1958 of the Parliament of the Commonwealth, as amended and in force for the time being.

In the name and on behalf of Her Majesty I assent to this Act.

J. A. ROWLAND,
Governor.

Government House,
Sydney, 1st December, 1982.

