

FIRST PRINT

**PARLIAMENTARY ELECTORATES AND ELECTIONS
(AMENDMENT) BILL 1991**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Election Funding (Amendment) Bill 1991.

The object of this Bill is to amend the Parliamentary Electorates and Elections Act 1912 so as to require the Electoral Commissioner to advertise an application for the registration of a political party and to take into consideration any objections received within 14 days before deciding whether to register the party.

The amendment will not apply to parties that are already registered.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act to commence on a day to be proclaimed.

Clause 3 inserts a new section 66DA to give effect to the object mentioned above.

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**PARLIAMENTARY ELECTORATES AND ELECTIONS
(AMENDMENT) BILL 1991**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
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**PARLIAMENTARY ELECTORATES AND ELECTIONS
(AMENDMENT) BILL 1991**

NEW SOUTH WALES



No. , 1991

A BILL FOR

An Act to amend the Parliamentary Electorates and Elections Act 1912 in relation to the registration of political parties.

Parliamentary Electorates and Elections (Amendment) 1991

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Parliamentary Electorates and Elections (Amendment) Act 1991.

Commencement

2. This Act commences on a day to be appointed by proclamation.

Amendment of Parliamentary Electorates and Elections Act 1912 No. 41

3. The Parliamentary Electorates and Elections Act 1912 is amended by inserting after section 66D the following section:

Notice of application for registration

66DA. (1) On receipt of an application for the registration of a party, the Electoral Commissioner must cause a notice to be published in one or more newspapers circulating throughout New South Wales.

(2) The notice must state that the application has been received and request that any objections to the application be lodged with the Electoral Commissioner within 14 days after the date of publication of the notice.

(3) The notice must set out the particulars that are required by section 66D to be set out in the application and must state that the application can be inspected at a specified address.

(4) However, subsection (3) does not require the following particulars to be set out in the notice: the names, addresses and signatures of 200 electors, and any other particulars prescribed by the regulations for the purposes of this subsection. Nor does it require documents accompanying the application to be set out in or to accompany the notice.

(5) The Electoral Commissioner must consider all objections received during the period of 14 days, for the purpose of determining:

- (a) whether the party referred to in the application is an eligible party; and
- (b) whether the application was duly made; and
- (c) whether the Electoral Commissioner should refuse to register the party.

Parliamentary Electorates and Elections (Amendment) 1991

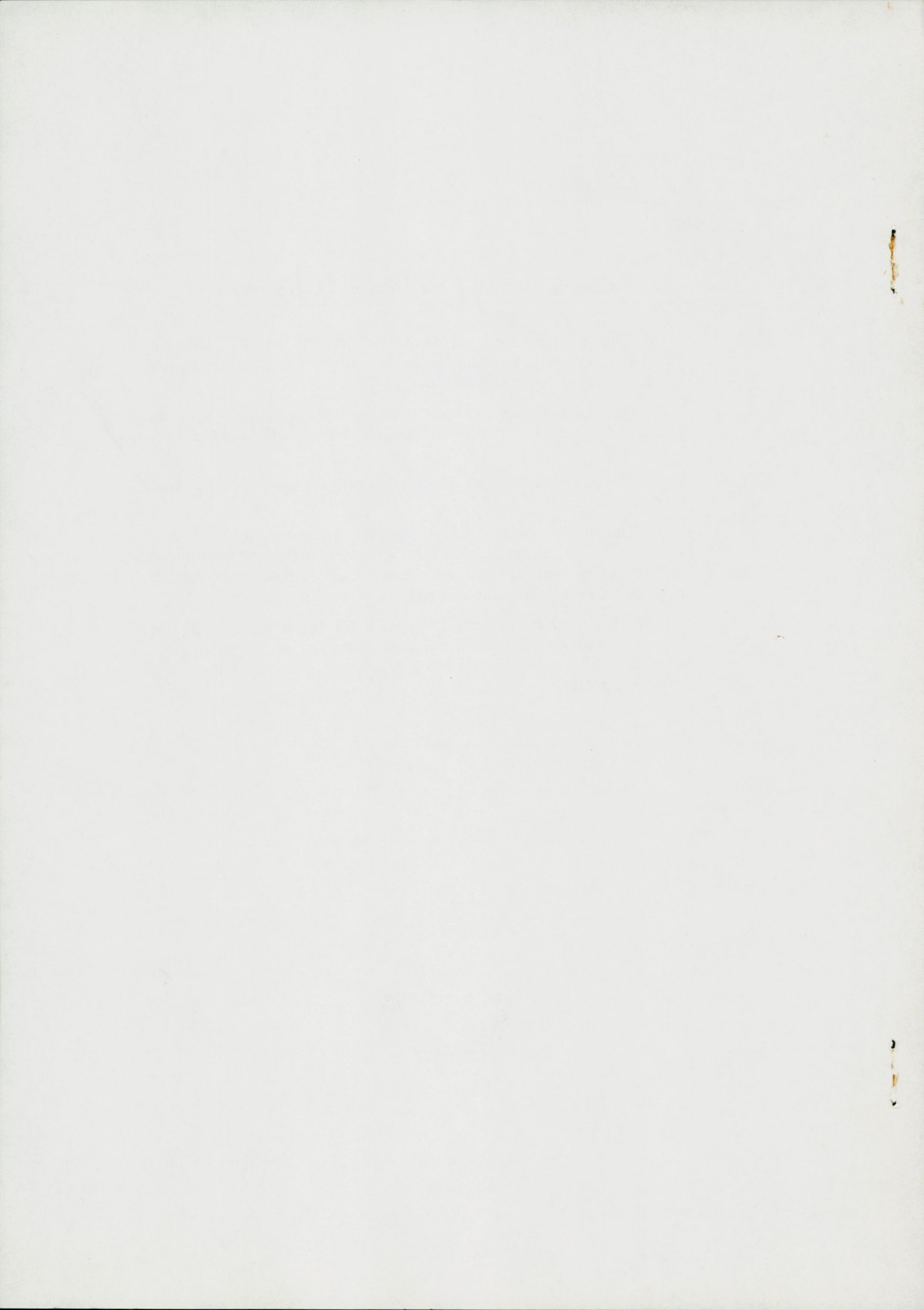
(6) This section does not limit the matters that the Electoral Commissioner may take into consideration when determining the matters referred to in subsection (5).

(7) The Electoral Commissioner must not register the party until the period of 14 days has expired and all the objections have been considered.

(8) The decision of the Electoral Commissioner on any such objection is final.

(9) This section extends to an amended application referred to in section 66G (4), unless the Electoral Commissioner is of the opinion that the amendment is of a minor nature only and does not warrant publication of a further notice under this section.

(10) This section does not apply to applications received by the Electoral Commissioner before the commencement of this section, nor does it affect the registration of any party effected before that commencement.



**PARLIAMENTARY ELECTORATES AND ELECTIONS
(AMENDMENT) ACT 1991 No. 14**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Parliamentary Electorates and Elections Act 1912 No. 41
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**PARLIAMENTARY ELECTORATES AND ELECTIONS
(AMENDMENT) ACT 1991 No. 14**

NEW SOUTH WALES



Act No. 14, 1991

An Act to amend the Parliamentary Electorates and Elections Act 1912 in relation to the registration of political parties. [Assented to 3 May 1991]

Parliamentary Electorates and Elections (Amendment) 1991

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Parliamentary Electorates and Elections (Amendment) Act 1991.

Commencement

2. This Act commences on a day to be appointed by proclamation.

**Amendment of Parliamentary Electorates and Elections Act 1912
No. 41**

3. The Parliamentary Electorates and Elections Act 1912 is amended by inserting after section 66D the following section:

Notice of application for registration

66DA. (1) On receipt of an application for the registration of a party, the Electoral Commissioner must cause a notice to be published in one or more newspapers circulating throughout New South Wales.

(2) The notice must state that the application has been received and request that any objections to the application be lodged with the Electoral Commissioner within 14 days after the date of publication of the notice.

(3) The notice must set out the particulars that are required by section 66D to be set out in the application and must state that the application can be inspected at a specified address.

(4) However, subsection (3) does not require the following particulars to be set out in the notice: the names, addresses and signatures of 200 electors, and any other particulars prescribed by the regulations for the purposes of this subsection. Nor does it require documents accompanying the application to be set out in or to accompany the notice.

(5) The Electoral Commissioner must consider all objections received during the period of 14 days, for the purpose of determining:

- (a) whether the party referred to in the application is an eligible party; and
- (b) whether the application was duly made; and
- (c) whether the Electoral Commissioner should refuse to register the party.

Parliamentary Electorates and Elections (Amendment) 1991

(6) This section does not limit the matters that the Electoral Commissioner may take into consideration when determining the matters referred to in subsection (5).

(7) The Electoral Commissioner must not register the party until the period of 14 days has expired and all the objections have been considered.

(8) The decision of the Electoral Commissioner on any such objection is final.

(9) This section extends to an amended application referred to in section 66G (4), unless the Electoral Commissioner is of the opinion that the amendment is of a minor nature only and does not warrant publication of a further notice under this section.

(10) This section does not apply to applications received by the Electoral Commissioner before the commencement of this section, nor does it affect the registration of any party effected before that commencement.

[*Minister's second reading speech made in—
Legislative Assembly on 10 April 1991
Legislative Council on 17 April 1991*]





