



AUSTRALIAN CAPITAL TERRITORY

Electoral (Amendment) Act (No. 2) 1994

No. 78 of 1994

An Act to amend the *Electoral Act 1992*

[Notified in ACT Gazette S252: 17 November 1994]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Electoral (Amendment) Act (No. 2) 1994*.

Commencement

2. This Act commences on the day on which it is notified in the *Gazette*.

Principal Act

3. In this Act, “Principal Act” means the *Electoral Act 1992*.¹

Closed rolls

4. Section 80 of the Principal Act is amended—
 - (a) by omitting from subsection (2) “and (4)” and substituting “, (4) and (4A)”; and
 - (b) by inserting after subsection (4) the following subsection:

“(4A) This section does not prevent the enrolment, during a period when a roll is closed, of an elector whose claim for enrolment or transfer of enrolment was received before the commencement of that period.”.

Candidates to be nominated

5. Section 105 of the Principal Act is amended by inserting after subsection (8) the following subsection:

“(8A) Where the time by which a nomination under subsection (3) is to be made falls on a day that is a public holiday in the Territory—

- (a) the nomination shall be made by that time on that day; and
- (b) subsection 36 (2) of the *Interpretation Act 1967* does not apply.”.

Place and hour of nomination

6. Section 108 of the Principal Act is amended by adding at the end the following subsection:

“(3) Where the hour referred to in subsection (2) falls on a day that is a public holiday in the Territory—

- (a) anything that, under this Act, is to be done by the hour of nomination is to be done by that time on that day; and
- (b) subsection 36 (2) of the *Interpretation Act 1967* does not apply.”.

Names on ballot papers

7. Section 117 of the Principal Act is amended—

- (a) by omitting from subsection (1) the definition of “independent candidate”; and
- (b) by omitting from paragraph (2) (c) “an independent candidate” and substituting “a candidate other than a party candidate or a grouped candidate”.

Outstanding amounts

8. Section 234 of the Principal Act is amended by inserting “within the meaning of paragraph 230 (2) (c) that are” after “debts”.

Schedule 4

9. Schedule 4 to the Principal Act is amended by adding at the end of paragraph 13 (1) (a) “or (3), as the case requires;”.

NOTE

1. Act No. 71, 1992 as amended by Act No. 44, 1993; Acts Nos. 14 and 38, 1994.

[Presentation speech made in Assembly on 22 September 1994]

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