

2014

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Aboriginal and Torres Strait Islander Affairs)

Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2014

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J2013-731

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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(Minister for Aboriginal and Torres Strait Islander Affairs)

Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2014

A Bill for

An Act to amend the *Aboriginal and Torres Strait Islander Elected Body Act 2008*

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

J2013-731

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

1 **1 Name of Act**

2 This Act is the *Aboriginal and Torres Strait Islander Elected Body*
3 *Amendment Act 2014*.

4 **2 Commencement**

5 This Act commences on the day after its notification day.

6 *Note* The naming and commencement provisions automatically commence on
7 the notification day (see [Legislation Act](#), s 75 (1)).

8 **3 Legislation amended**

9 This Act amends the *Aboriginal and Torres Strait Islander Elected*
10 *Body Act 2008*.

11 **4 Definitions—pt 3**
12 **Section 28, definitions**

13 *omit the definitions of*

14 *hour of nomination*

15 *nomination close day*

16 *nominee*

17 *pre-election period*

5 Timetable for ATSIEB elections
Table 29

substitute

Table 29 ATSIEB election timetable

column 1 item	column 2 election event	column 3 date
1	election start day	the Monday, 47 days before the polling start day
2	nominations close	12 noon on the Monday, 33 days before the polling start day
3	nominations for candidates declared	as soon as practicable after 12 noon on the day after nominations close
4	order of ballot paper decided	as soon as practicable after the nominations for candidates are declared
5	electoral rolls close	5 pm on the Monday, 12 days before the polling start day
6	polling start day	either— (a) the Saturday immediately before the first Sunday in July, 3 years after the last ATSIEB election was held; or (b) if a day is determined under s 29A—that day
7	polling close day	the first Saturday after the polling start day
8	scrutiny starts	not earlier than 7 business days after the polling close day
9	election declared	as soon as practicable after scrutiny ends

1 **6 New section 29A**

2 *insert*

3 **29A Determination of polling day**

4 (1) The Minister may determine the polling start day for an ATSIEB
5 election to be held 3 years after the last election was held.

6 (2) The day determined must be a Saturday.

7 (3) A determination is a notifiable instrument.

8 *Note* A notifiable instrument must be notified under the [Legislation Act](#).

9 **7 Modifications of Electoral Act as applied to ATSIEB**
10 **elections**
11 **Schedule 1, modification 1.4, section 80 (1A) (a)**

12 *omit*

13 Wednesday in April

14 *substitute*

15 Monday

16 **8 Schedule 1, new modification 1.106A**

17 *insert*

18 **[1.106A] Definition of *pre-election period***

19 *substitute*

20 ***pre-election period***, for an ATSIEB election, means the period—

21 (a) starting at 9 am on the first day when a person may be
22 nominated as a candidate for the election; and

23 (b) ending at the end of the last day when an elector may vote in
24 the election.

1 **9 Dictionary, definition of *hour of nomination***

2 *substitute*

3 *hour of nomination*, for an ATSIEB election—see the
4 Electoral Act, section 108 (3), as applied by section 31.

5 *Note* Sch 1, pt 1.2, mod 1.14 modifies the Electoral Act, s 108 (3) in its
6 application to this Act.

7 **10 Dictionary, definition of *nomination close day***

8 *substitute*

9 *nomination close day*, for an ATSIEB election, means the Monday
10 33 days before the polling start day.

11 **11 Dictionary, definition of *nominee***

12 *substitute*

13 *nominee*, for an ATSIEB election, means a person nominated as a
14 candidate for the election.

15 **12 Dictionary, definition of *pre-election period***

16 *omit*

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 10 April 2014.

2 Notification

Notified under the [Legislation Act](#) on 2014.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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