

2026

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Andrew Braddock)

Electoral (Eligibility) Amendment Bill 2026

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Electoral (Eligibility) Amendment Bill 2026

A Bill for

An Act to amend the *Electoral Act 1992*, and for other purposes

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

- 1 **1 Name of Act**
- 2 This Act is the *Electoral (Eligibility) Amendment Act 2026*.
- 3 **2 Commencement**
- 4 This Act commences on 1 February 2028.
- 5 *Note* The naming and commencement provisions automatically commence on
- 6 the notification day (see [Legislation Act](#), s 75 (1)).
- 7 **3 Legislation amended**
- 8 This Act amends the *Electoral Act 1992* and the legislation mentioned
- 9 in schedule 1.
- 10 **4 Contents of roll**
- 11 **New section 58 (1) (f)**
- 12 *insert*
- 13 (f) whether the person is an Australian citizen or a permanent
- 14 resident.
- 15 **5 Entitlement**
- 16 **Section 72 (1) (a)**
- 17 *substitute*
- 18 (a) subject to subsection (2), the person is otherwise entitled to be
- 19 enrolled on the Commonwealth roll; and
- 20 **6 Section 72 (2)**
- 21 *substitute*
- 22 (2) A person's entitlement to be enrolled for an electorate under
- 23 subsection (1) is not affected only because 1 or more of the following
- 24 apply:
- 25 (a) the person is serving a sentence of imprisonment;

- 1 (b) the person—
 2 (i) is younger than 18 years old; but
 3 (ii) is at least 16 years old;
 4 (c) the person—
 5 (i) is not an Australian citizen; but
 6 (ii) is a permanent resident.

7 **7 Compulsory enrolment etc—residents**
 8 **Section 73 (4)**

9 *omit*
 10 , an Antarctic elector or a person who is not at least 18 years old
 11 *substitute*
 12 or an Antarctic elector

13 **8 Section 73 (5)**

14 *omit*
 15 otherwise than under the Commonwealth Electoral Act, section 100

16 **9 Section 73 (6), penalty**

17 *substitute*
 18 Maximum penalty:
 19 (a) for a person who is at least 18 years old—0.5 penalty units; or
 20 (b) for a person younger than 18 years old—0.25 penalty units.

- 1 **10 Section 75**
- 2 *substitute*
- 3 **75 Age 14 enrolment**
- 4 The commissioner must enrol a person on the roll for an electorate if
- 5 the person—
- 6 (a) is at least 14 years old; and
- 7 (b) would, had the person turned 16 years old, be entitled to be
- 8 enrolled for the electorate; and
- 9 (c) makes a claim for enrolment.
- 10 **11 Eligibility—MLAs**
- 11 **Section 103 (1) (a) and (b)**
- 12 *substitute*
- 13 (a) an Australian citizen or a permanent resident; and
- 14 (b) at least 16 years old; and
- 15 **12 Certified extracts and certified lists of electors**
- 16 **Section 121 (4), definition of *eligible elector***
- 17 *omit*
- 18 at least 18 years old
- 19 *substitute*
- 20 at least 16 years old

- 1 **13 Entitlement to vote**
- 2 **Section 128 (2)**
- 3 *omit*
- 4 at least 18 years old
- 5 *substitute*
- 6 at least 16 years old
- 7 **14 Compulsory voting**
- 8 **Section 129 (1), penalty**
- 9 *substitute*
- 10 Maximum penalty:
- 11 (a) for a person who is at least 18 years old—0.5 penalty units; or
- 12 (b) for a person younger than 18 years old—0.25 penalty units.
- 13 **15 Default notice**
- 14 **Section 161 (2)**
- 15 *substitute*
- 16 (2) For subsection (1) (c) (ii), the prescribed penalty is—
- 17 (a) for a person who is at least 18 years old—\$20 or any higher
- 18 amount prescribed by regulation; or
- 19 (b) for a person younger than 18 years old—\$10 or an amount that
- 20 is half of the amount prescribed under paragraph (a).
- 21 **16 Dictionary, new definition of *permanent resident***
- 22 *insert*
- 23 *permanent resident*—see the *Australian Citizenship*
- 24 *Act 2007* (Cwlth), section 5.

Schedule 1 Consequential amendments

(see s 3)

Part 1.1 Aboriginal and Torres Strait Islander Elected Body Act 2008

[1.1] Schedule 1, modification 1.8, section 105 (4) (da)

substitute

(da) contain a declaration by each nominator, signed by the nominator, to the effect that, on the day the nominator signs the nomination form, the nominator is—

(i) an Aboriginal or Torres Strait Islander person; and

(ii) at least 16 years old; and

(iii) enrolled, or entitled to be enrolled, for an electorate in the ACT; and

[1.2] Schedule 1, modification 1.30, section 120A (2), definition of *certified extract of electors*

omit

at least 18 years of age

substitute

at least 16 years old

[1.3] Schedule 1, modification 1.34, section 128 (1) (b)

omit

at least 18 years old

substitute

at least 16 years old

1 **Part 1.2** **Juries Act 1967**

2 **[1.4] Section 9**

3 *substitute*

4 **9 Liability to serve as jurors**

5 Each person whose name is on the roll of electors of the ACT is liable
6 to serve as a juror unless—

- 7 (a) they are younger than 18 years old; or
8 (b) they are a disqualified person; or
9 (c) they are exempt from serving as a juror.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 29 October 2026.

2 Notification

Notified under the [Legislation Act](#) on 2026.

3 Republications of amended laws

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

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