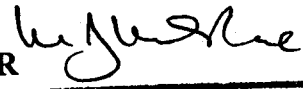


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THE LEGISLATIVE ASSEMBLY FOR  
THE AUSTRALIAN CAPITAL TERRITORY

*ELECTORAL ACT 1992*

**ELECTORAL REGULATIONS (AMENDMENT)**

**EXPLANATORY MEMORANDUM**

Circulated by authority of

Gary Humphries  
Attorney-General

## ELECTORAL REGULATIONS (AMENDMENT)

### Explanatory Memorandum

Section 292 of the *Electoral Act 1992* requires that printed electoral matter be authorised with the name and street address of the author or authoriser. Section 295 of the Act allows for exemptions to the authorisation rules to be set out in regulations.

The definition of "electoral matter" includes some publications currently published by ACT government agencies. As the main purpose of the authorisation provisions is to identify the persons or organisations responsible for publishing electoral matter, there is no need for ACT government publications to be authorised if the identity of the responsible agency is clearly set out.

The Electoral Regulations (Amendment) amends the Electoral Regulations to exempt:

- (a) reports published under the Annual Reports (Government Agencies) Act 1995; and
- (b) publications of a government agency that include the name of the agency, the City of Canberra Arms and the words 'Australian Capital Territory', 'Australian Capital Territory Legislative Assembly', 'ACT Legislative Assembly', 'Australian Capital Territory Government' or 'ACT Government' from the authorisation requirements of sections 292 of the *Electoral Act 1992*.

A 'government agency' has the same meaning as in the *Public Sector Management Act 1994*. This includes an administrative unit, a Territory instrumentality or a statutory office holder and the staff required to assist the statutory office holder.

New subregulation 6(2) provides that publications of government agencies (other than annual reports) published for the first time within 6 months prior to a general election will have to be authorised under the Electoral Act if the publication includes a picture of an MLA. To allow agencies to comply with this requirement prior to the 1998 election, it will only apply to documents published on or after 1 December 1997. This requirement is not intended to apply to distribution of material that has been published for the first time outside the period commencing 6 months before an election.

The Regulations are made under section 341 of the *Electoral Act 1992*. The regulations are to commence on the day on which they are notified in the Gazette.