



New South Wales

Local Government Amendment (COVID-19— Elections Special Provisions) Act 2021 No 24

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Local Government Amendment (COVID-19— Elections Special Provisions) Act 2021 No 24

Act No 24, 2021

An Act to amend the *Local Government Act 1993* to make further provision about the conduct of the 2021 local government elections. [Assented to 1 November 2021]

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Local Government Amendment (COVID-19—Elections Special Provisions) Act 2021*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Amendment of Local Government Act 1993 No 30

Chapter 18 Miscellaneous

Insert after Part 1A—

Part 1B COVID-19 pandemic—2021 local government elections special provisions

747C COVID-19 pandemic—local government elections regulation-making power

- (1) The regulations may modify the application of 1 or more provisions of this Act that apply to the 2021 ordinary elections of councillors for the purposes of responding to the public health emergency caused by the COVID-19 pandemic.
- (2) The Minister may recommend to the Governor that regulations be made under this section only if—
 - (a) the proposed regulations are in accordance with advice issued by the Electoral Commissioner, and
 - (b) the proposed regulations are reasonable to protect the health, safety and welfare of persons from risk of harm caused by the COVID-19 pandemic.
- (3) Regulations made under this section—
 - (a) are not limited by the regulation-making power in this Act, and
 - (b) may override the provisions of this Act.
- (4) A regulation under this section must not enable an election to be conducted exclusively by means of postal voting or postal voting and iVoting.

[Second reading speech made in—

Legislative Assembly on 13 October 2021

Legislative Council on 14 October 2021]