



New South Wales

Government Advertising Amendment (Exemptions) Regulation 2013

under the

Government Advertising Act 2011

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Government Advertising Act 2011*.

BARRY O'FARRELL, MP
Premier

Explanatory note

The objects of this Regulation are as follows:

- (a) to exempt Government advertising campaigns by or on behalf of the Police Integrity Commission and the Electoral Districts Commissioners from the requirements of the *Government Advertising Act 2011* (other than the prohibition on advertising designed to influence support for a political party),
- (b) to clarify that the prohibition on political advertising contained in that Act does not apply to certain electoral advertising campaigns carried out by the Electoral Commissioner or the Election Funding Authority,
- (c) to provide that the requirement to peer review Government advertising campaigns contained in that Act does not apply to certain electoral advertising campaigns carried out by the Electoral Commissioner or the Election Funding Authority.

This Regulation is made under the *Government Advertising Act 2011*, including sections 4 (5) and 15 (the general regulation-making power).

2013 No 433

Clause 1 Government Advertising Amendment (Exemptions) Regulation 2013

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1 Name of Regulation

This Regulation is the *Government Advertising Amendment (Exemptions) Regulation 2013*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Government Advertising Regulation 2012

[1] Clause 3A

Insert after clause 3:

3A Exemption from whole Act (other than prohibition on political advertising)

The Act (other than section 6 (1)) does not apply to a Government advertising campaign by or on behalf of the following:

- (a) a Royal Commission,
- (b) a Special Commission of Inquiry,
- (c) the Independent Commission Against Corruption,
- (d) the Police Integrity Commission,
- (e) the Electoral Districts Commissioners within the meaning of the *Parliamentary Electorates and Elections Act 1912*.

[2] Clause 4

Omit the clause. Insert instead:

4 Exemptions relating to certain advertising campaigns undertaken by Electoral Commissioner or Election Funding Authority

Sections 6 and 7 (2) of the Act do not apply to a Government advertising campaign that:

- (a) the Electoral Commissioner or the Election Funding Authority is required to carry out by law, or
- (b) is carried out by the Electoral Commissioner or the Election Funding Authority for the purposes of, or in connection with, a particular electoral event (such as a State election, a local government election, a referendum or other election that the Electoral Commissioner is required to administer by law).