



New South Wales

Parliamentary Electorates and Elections Amendment (Enrolment) Regulation 2007

under the

Parliamentary Electorates and Elections Act 1912

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Parliamentary Electorates and Elections Act 1912*.

MORRIS IEMMA, M.P.,
Premier

Explanatory note

The object of this Regulation is to require persons making a claim for electoral enrolment, transfer of enrolment or provisional enrolment to provide evidence of their identity when they make the claim. These requirements are imposed by proposed clause 6A and will be the same as those required by regulations to be made under the *Commonwealth Electoral Act 1918* of the Commonwealth in this regard and as they are in force on the **prescribed date**. That date is 16 April 2007 or the date of commencement of those regulations (whichever is later).

Clause 6 (1) is amended to provide that the prescribed form of claims for enrolment, transfer of enrolment or provisional enrolment will be that approved under the *Commonwealth Electoral Act 1918* as at that prescribed date.

This Regulation is made under the *Parliamentary Electorates and Elections Act 1912*, including sections 32 and 176 (the general regulation-making power).

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Clause 1

Parliamentary Electorates and Elections Amendment (Enrolment)
Regulation 2007

**Parliamentary Electorates and Elections Amendment
(Enrolment) Regulation 2007**

under the

Parliamentary Electorates and Elections Act 1912

1 Name of Regulation

This Regulation is the *Parliamentary Electorates and Elections Amendment (Enrolment) Regulation 2007*.

2 Commencement

This Regulation commences on 16 April 2007.

3 Amendment of Parliamentary Electorates and Elections Regulation 2001

The *Parliamentary Electorates and Elections Regulation 2001* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 6 Adoption of Commonwealth forms for purposes of joint rolls

Insert “as at the prescribed date as defined in clause 6A” after “Commonwealth Act” in clause 6 (1).

[2] Clause 6A

Insert after clause 6:

6A Enrolment

(1) Date of effect of this clause

This clause has effect on and from the prescribed date.

(2) Enrolment to be provided

A claim for enrolment, transfer of enrolment or provisional enrolment is required by this clause to be supported by evidence of the claimant’s identity for the purposes of section 32 (2) (c) (ii) of the Act.

(3) Nature of evidence

The evidence is to be as required by subclause (4), (5) or (6), as applicable.

(4) Nature of evidence—first kind (driver’s licence number)

Subject to subclauses (5) and (6), the claimant must provide details of:

- (a) his or her driver’s licence number, and
- (b) the Australian State or Territory in which the licence was issued.

(5) Nature of evidence—second kind (prescribed electors to sight prescribed documents)

If the claimant does not hold a driver’s licence issued by an Australian State or Territory:

- (a) the claimant must show to a person in a class of electors set out in the Schedule of prescribed electors an original document, of a kind set out in the Schedule of prescribed documents, that identifies the claimant, and
- (b) the person must complete the declaration on the enrolment form, stating that the person:
 - (i) is on the roll of electors, and

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Schedule 1 Amendments

(ii) has sighted the original of one of the documents in the Schedule of prescribed documents.

(6) **Nature of evidence—third kind (other circumstances)**

If the claimant is unable to comply with subclause (4) or (5), the claimant must have his or her claim signed by 2 electors, who are able to:

- (a) confirm the claimant's name, and
- (b) confirm that they have known the claimant for at least one month.

(7) **Transitional provision**

This clause does not apply to a claim made before the prescribed date.

(8) **Definitions**

In this clause:

Commonwealth identification regulations means provisions of regulations under the Commonwealth Act imposing requirements in relation to identification for enrolment pursuant to claims for enrolment, transfer of enrolment or age 17 enrolment under that Act.

prescribed date means:

- (a) the date on which the Commonwealth identification regulations first come into operation, unless paragraph (b) applies, or
- (b) 16 April 2007, if those regulations came into operation before 16 April 2007.

Schedule of prescribed documents means the schedule of documents set out in the Commonwealth identification regulations as in force on the prescribed date.

Schedule of prescribed electors means the schedule of electors set out in the Commonwealth identification regulations as in force on the prescribed date.

BY AUTHORITY
