



New South Wales

# Parliamentary Electorates and Elections Amendment (Transitional Provisions) Regulation 2010

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*.

KRISTINA KENEALLY, MP  
Premier

## Explanatory note

The object of this Regulation is to delay the operation of certain provisions of the *Parliamentary Electorates and Elections Act 1912* (being provisions that were inserted into that Act by the *Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Act 2009*) for a transitional period of 12 months.

The provisions to be delayed are:

- (a) section 106 (2B)—which enables a person who presents at a polling place in an electoral district on polling day who is enrolled for another electoral district, but claims to be entitled to enrol for the first electoral district, to transfer their enrolment and cast a provisional vote in the election for that first electoral district, and
- (b) section 114R (5)—which enables a person to cast a provisional pre-poll vote when the person is outside the person's enrolled electoral district, and
- (c) section 115A (2)—which enables a person who presents at a polling place in an electoral district on polling day and who is enrolled for that electoral district, but claims to be entitled to enrol for another electoral district, to transfer their enrolment to that other electoral district and cast a provisional absent vote in the election for that other electoral district.

This Regulation is made under the *Parliamentary Electorates and Elections Act 1912*, including section 176 (the general regulation-making power) and clause 1 of Schedule 22 (the savings and transitional regulation-making power).

**2010 No 549**

Clause 1 Parliamentary Electorates and Elections Amendment (Transitional Provisions) Regulation 2010

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**Parliamentary Electorates and Elections Amendment  
(Transitional Provisions) Regulation 2010**

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Parliamentary Electorates and Elections Act 1912

**1 Name of Regulation**

This Regulation is the *Parliamentary Electorates and Elections Amendment (Transitional Provisions) Regulation 2010*.

**2 Commencement**

This Regulation commences on 24 September 2010 and is required to be published on the NSW legislation website.

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## **Schedule 1      Amendment of Parliamentary Electorates and Elections Regulation 2008**

### **Clause 39**

Insert after clause 38:

#### **39      Transitional provision consequent on enactment of Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Act 2009**

The following provisions of the Act do not operate during the period of 12 months beginning on 24 September 2010 (being the date of commencement of the *Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Act 2009*):

- (a) section 106 (2B),
- (b) section 114R (5),
- (c) section 115A (2).