



New South Wales

Local Land Services Amendment (Elections) Regulation 2013

under the

Local Land Services Act 2013

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Land Services Act 2013*.

KATRINA HODGKINSON, MP
Minister for Primary Industries

Explanatory note

The object of this Regulation is to amend the *Local Land Services Regulation 2014* to allow voters to indicate their preference for a number of candidates in an election for members of local boards equal to the number of persons to be elected. (The *Local Land Services Regulation 2014* is made on 1 January 2014 by clause 3 of Schedule 6 to the *Local Land Services Act 2013*.)

This Regulation is made under the *Local Land Services Act 2013*, including section 206 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Local Land Services Amendment (Elections) Regulation 2013*.

2 Commencement

This Regulation commences on 1 January 2014 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Local Land Services Regulation 2014

[1] Schedule 1 Elections for members of local boards

Omit clause 24 (1). Insert instead:

- (1) Each voter must vote by marking the ballot paper (with ticks, crosses or other marks) next to the names of the voter's preferred candidates (not being more than the number of persons to be elected in the election).

[2] Schedule 1

Omit clause 26 (2). Insert instead:

- (2) Despite subclause (1), if, in the opinion of the returning officer, an elector's intention is clearly indicated on a ballot paper, the ballot paper of the elector is not informal merely because:
 - (a) the ballot paper contains an unnecessary mark, or
 - (b) the number of candidates the voter has recorded a vote for is less than the number to be elected in the election.

[3] Schedule 1

Omit clause 32 (1). Insert instead:

- (1) Each voter who wishes to vote is to mark the electronic ballot form (by typing ticks, crosses or other marks) opposite the names of the voter's preferred candidates (not being more than the number of persons to be elected in the election).

[4] Schedule 1

Omit clause 34 (2). Insert instead:

- (2) The voting website is to provide a warning message to a person:
 - (a) in the case of a person casting an informal vote—that their proposed vote is informal, and
 - (b) in the case of a person casting votes for a number of candidates less than the number of persons to be elected in the election—that their proposed vote is for a number of candidates less than the number of persons to be elected in the election.
- (2A) For the avoidance of doubt, an electronic vote is not informal merely because the number of candidates the voter has recorded a vote for is less than the number to be elected in the election.