

Passed by both Houses



New South Wales

Local Government Amendment (COVID-19— Elections Special Provisions) Bill 2021

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney,*

, 2021



New South Wales

Local Government Amendment (COVID-19— Elections Special Provisions) Bill 2021

Act No _____, 2021

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

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

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.