



New South Wales

# Senators' Elections Amendment Bill 2007

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Senators' Elections Act 1903* (the *Principal Act*) to omit the provision that is now inconsistent with Commonwealth legislation relating to the close of the electoral rolls for the election of Senators for New South Wales.

The Bill also contains amendments to the Principal Act by way of statute law revision.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

**Clause 3** is a formal provision that gives effect to the amendments to the *Senators' Elections Act 1903* set out in Schedule 1.

**Clause 4** provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced.

## **Schedule 1      Amendments**

**Schedule 1 [3]** omits section 4 of the Principal Act which provides that the date fixed for the close of the electoral rolls for a NSW Senate election is 7 days after the issue of the writ. The amendment will ensure consistency with section 155 of the *Commonwealth Electoral Act 1918* (the *Commonwealth Act*), which provides that the date fixed for the close of the electoral rolls is to be 3 working days after the issue of the writ. However, the practical effect of the Commonwealth Act is to close the roll on the issue of the writ because the Commonwealth Act generally prevents names being added to or removed from the electoral rolls after the issue of the writ.

**Schedule 1 [1] and [2]** repeal, by way of statute law revision, provisions of the Principal Act that repeal certain provisions of the *Federal Elections Act 1900*. That Act was repealed in its entirety in 1912.

First print



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New South Wales

# Senators' Elections Amendment Bill 2007

No. , 2007

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## A Bill for

An Act to amend the *Senators' Elections Act 1903* with respect to the close of the electoral rolls.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Senators' Elections Amendment Act 2007</i> .	3
<b>2 Commencement</b>	4
This Act commences on the date of assent to this Act.	5
<b>3 Amendment of Senators' Elections Act 1903 No 9</b>	6
The <i>Senators' Elections Act 1903</i> is amended as set out in Schedule 1.	7
<b>4 Repeal of Act</b>	8
(1) This Act is repealed on the day following the day on which this Act commences.	9 10
(2) The repeal of this Act does not, because of the operation of section 30 of the <i>Interpretation Act 1987</i> , affect any amendment made by this Act.	11 12

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**Schedule 1      Amendments**

		1
	(Section 3)	2
<b>[1] Long title</b>		3
Omit “; to repeal certain provisions of the <i>Federal Elections Act 1900</i> ”.		4
<b>[2] Section 2 Repeal</b>		5
Omit the section.		6
<b>[3] Section 4 Date of close of electoral rolls</b>		7
Omit the section.		8