

# Government Advertising Regulation 2012

[2012-503]



New South Wales

## Status Information

### Currency of version

Historical version for 14 November 2014 to 30 November 2014 (accessed 18 July 2024 at 15:35)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Does not include amendments by**  
*Electoral and Lobbying Legislation Amendment (Electoral Commission) Act 2014 No 30* (not commenced)

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 14 November 2014

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# Government Advertising Regulation 2012



New South Wales

## 1 Name of Regulation

This Regulation is the [Government Advertising Regulation 2012](#).

## 2 Commencement

This Regulation commences on 5 October 2012 and is required to be published on the NSW legislation website.

## 3 Definition

(1) In this Regulation:

**the Act** means the [Government Advertising Act 2011](#).

(2) Notes included in this Regulation do not form part of this Regulation.

### 3A Exemption from whole Act (other than prohibition on political advertising)

The Act (other than section 6 (1)) does not apply to a Government advertising campaign by or on behalf of the following:

- (a) a Royal Commission,
- (b) a Special Commission of Inquiry,
- (c) the Independent Commission Against Corruption,
- (d) the Police Integrity Commission,
- (e) the Electoral Districts Commissioners within the meaning of the [Parliamentary Electorates and Elections Act 1912](#),
- (f) a State owned corporation,
- (g) a university established or continued by or under a statutory instrument.

## 4 Exemptions relating to certain advertising campaigns undertaken by Electoral

### **Commissioner or Election Funding Authority**

Sections 6 and 7 (2) of the Act do not apply to a Government advertising campaign that:

- (a) the Electoral Commissioner or the Election Funding Authority is required to carry out by law, or
- (b) is carried out by the Electoral Commissioner or the Election Funding Authority for the purposes of, or in connection with, a particular electoral event (such as a State election, a local government election, a referendum or other election that the Electoral Commissioner is required to administer by law).

### **5 Exemption of routine advertising from requirement for head of agency compliance certificate**

- (1) This clause applies to Government advertising campaigns (***routine campaigns***) where the cost of the campaign is not likely to exceed \$50,000 and the campaign principally involves the dissemination of any of the following:
  - (a) information about routine matters relating to the provision of services, including notification of service changes,
  - (b) information about requirements imposed on persons,
  - (c) community announcements or notices about community events or activities,
  - (d) notices or announcements required to be made by or under any law,
  - (e) recruitment notices,
  - (f) government tender or procurement notices.
- (2) A routine campaign, and the Government agency concerned, are exempt from section 8 of the Act if:
  - (a) the campaign is procured on behalf of the agency by a member of staff, or a member of staff who is a member of a class of members of staff, authorised in writing by the head of the agency, and
  - (b) the authorised officer is otherwise authorised to incur the expenditure on behalf of the agency, and
  - (c) the authorised officer certifies in writing, before or after the campaign begins, that the campaign:
    - (i) is a campaign to which this clause applies, and
    - (ii) complies with the Act, the regulations and the Government advertising guidelines, and

- (iii) contains accurate information, and
- (iv) is necessary to achieve a public purpose, and
- (v) is an efficient and cost effective means of achieving that purpose.

**6 Exemption from restrictions on Government advertising campaigns during pre-election period**

- (1) Section 10 of the Act does not apply to a Government advertising campaign relating to the following matters:
  - (a) the Asian Football Confederation Asian Cup 2015,
  - (b) the International Cricket Council Cricket World Cup 2015,
  - (c) NSW Seniors Week.
- (2) Section 10 of the Act does not apply to a Government advertising campaign by or on behalf of the following:
  - (a) the Art Gallery of New South Wales Trust,
  - (b) the Australian Museum Trust,
  - (c) the Centennial Park and Moore Park Trust,
  - (d) Destination NSW,
  - (e) the Historic Houses Trust of New South Wales,
  - (f) the Trustees of the Museum of Applied Arts and Sciences (also known as the Powerhouse Museum),
  - (g) the NSW Trustee and Guardian,
  - (h) the Office of Environment and Heritage (but only for the purposes in connection with the National Parks and Wildlife Service),
  - (i) the Royal Botanic Gardens and Domain Trust,
  - (j) the State Library of New South Wales,
  - (k) the Sydney Cricket and Sports Ground Trust,
  - (l) the Sydney Harbour Foreshore Authority,
  - (m) the Sydney Olympic Park Authority,
  - (n) the Sydney Opera House Trust,

- (o) the Zoological Parks Board of New South Wales (also known as the Taronga Conservation Society Australia),
- (p) the Technical and Further Education Commission (also known as the TAFE Commission).