



New South Wales

Local Government Amendment (Election Date) Bill 2008

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 *Local Government Act 1993* to change the date of ordinary elections of councillors from the fourth to the second Saturday in September every 4 years, starting in 2008, and to make associated amendments.

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 *Local Government Act 1993* 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. Once the amendments have commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

Schedule 1 Amendments

Schedule 1 [1] amends section 287 to make the change referred to in the Overview above.

Schedule 1 [2] amends Schedule 8 to enable regulations to be made of a savings, transitional or other nature consequent on the enactment of the proposed Act.

Schedule 1 [3] inserts a new Part (containing clause 91) into Schedule 8 to provide that section 66FA of the *Parliamentary Electorates and Elections Act 1912* (which applies to parties registered under that Act and is applied, with modifications, to parties registered under the *Local Government Act 1993*) will not apply to a political party registered on or before 27 August 2007. Section 66FA, as it applies in relation to local government elections, provides that the registration of a party does not become effective until the first anniversary of its registration for the following purposes:

- (a) party endorsement on ballot-papers,
- (b) nomination of candidates by a party,
- (c) registration of electoral material by a party.

The new clause ensures that a party registered on or before 27 August 2007 will not be affected by the change to the earlier date for the September 2008 elections.