

Serial 8
Electoral Legislation Amendment Bill (No. 2) 2016
Mr Wood

A Bill for an Act to amend the *Electoral Act* and the *Electoral Regulations*

NORTHERN TERRITORY OF AUSTRALIA

ELECTORAL LEGISLATION AMENDMENT ACT (NO. 2) 2016

Act No. [] of 2016

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2016

An Act to amend the *Electoral Act* and the *Electoral Regulations*

[Assented to [] 2016]
[Second reading [] 2016]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Electoral Legislation Amendment Act (No. 2) 2016*.

Part 2 Amendment of Electoral Act

2 Act amended

This Part amends the *Electoral Act*.

3 Section 50 amended

Section 50(2)

omit, insert

(2) The person must:

- (a) place the number "1" in the candidate square for the candidate of the person's first preference; and

- (b) place consecutively increasing whole numbers in the candidate squares for the other candidates in the order of the person's preferences until a number is placed in all candidate squares.

4 Section 94 amended

Section 94(2) to (3A)

omit, insert

- (2) For section 50(2)(a) and (b), a voter is taken to have indicated the voter's order of preferences for all the candidates on a ballot paper in the circumstances mentioned in subsection (3), (3A) or (3B).
- (3) If there are only 2 candidates and the voter placed a single "1", "✓" or "✕" in one candidate square and either placed a "2" in the remaining candidate square or left it blank, then:
 - (a) the candidate whose candidate square is placed with a "1", "✓" or "✕" is taken to be the voter's first preference; and
 - (b) the other candidate is taken to be the voter's last preference.
- (3A) If there are 3 or more candidates and the voter placed a single "1", "✓" or "✕" in one candidate square and placed consecutively increasing whole numbers (starting with a "2") in the remaining candidate squares until a number is placed in each of those candidate squares, then:
 - (a) the candidate whose candidate square is placed with a single "1", "✓" or "✕" is taken to be the voter's first preference; and
 - (b) the number placed in each of the other candidate squares is taken to indicate the rest of the voter's order of preferences.
- (3B) If there are 3 or more candidates and the voter placed a single "1", "✓" or "✕" in one candidate square, left one candidate square blank and placed consecutively increasing whole numbers (starting with a "2") in the remaining candidate squares until a number is placed in each of those candidate squares, then:
 - (a) the candidate whose candidate square is placed with a single "1", "✓" or "✕" is taken to be the voter's first preference; and
 - (b) the candidate whose candidate square is left blank is taken to be the voter's last preference; and

- (c) each number placed in any other candidate square is taken to indicate the voter's order of preferences between the first and last preferences.

5 Section 128 amended

- (1) Section 128(2)(a)
omit
conduct a second count and for that purpose
- (2) Section 128(2)(a)
omit
, if any
- (3) Section 128(2)(b)
omit
then remaining in the count –
insert
cast –
- (4) Section 128(2)(b)
omit
, if any
- (5) Section 128(2)(b)
omit
then remaining in the count.
insert
cast.

6 Part 20 inserted

After section 360

insert

Part 20 Transitional matters for Electoral Legislation Amendment Act (No. 2) 2016

361 Transitional matter

The amendments made to this Act by the *Electoral Legislation Amendment Act (No. 2) 2016* do not apply to an election or general election (including an extraordinary general election) for which a writ was issued under Part 5 before the commencement of that Act.

Part 3 Amendment of Electoral Regulations

7 Regulations amended

This Part amends the *Electoral Regulations*.

8 Regulation 5 inserted

After regulation 4

insert

5 Transitional matter for *Electoral Legislation Amendment Act (No. 2) 2016*

The amendments made to Form 1 in the Schedule by the *Electoral Legislation Amendment Act (No. 2) 2016* (the **amending Act**) do not apply to an election or general election (including an extraordinary general election) for which a writ was issued under Part 5 of the Act before the commencement of the amending Act.

9 Schedule amended

Form 1

omit

all words from "Place" to "count."

insert

Number the boxes 1 to [*number of candidates*] in the order of your choice. Remember, number *every* box to make your vote count.

Part 4 Expiry of Act

10 Expiry of Act

This Act expires on the day after it commences.