



Electoral Legislation Amendment (Miscellaneous Measures) Regulations 2021

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 15 April 2021

David Hurley
Governor-General

By His Excellency's Command

Ben Morton
Assistant Minister for Electoral Matters
Parliamentary Secretary to the Minister for Finance

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
	Schedule 1—Amendments	2
	<i>Electoral and Referendum Regulation 2016</i>	2
	<i>Electronic Transactions Regulations 2020</i>	3

1 Name

This instrument is the *Electoral Legislation Amendment (Miscellaneous Measures) Regulations 2021*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	20 April 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the following:

- (a) the *Commonwealth Electoral Act 1918*;
- (b) the *Referendum (Machinery Provisions) Act 1984*;
- (c) the *Electronic Transactions Act 1999*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Electoral and Referendum Regulation 2016

1 Section 5 (definition of *electronically assisted voting method*)

Omit “sight-impaired”, substitute “electronically assisted”.

2 Section 5

Insert:

registered electronically assisted voter means:

- (a) a sight-impaired person; or
- (b) an Antarctic elector;

who is registered with the Electoral Commissioner for the purpose of voting by an electronically assisted vote.

3 Section 5 (definition of *registered sight-impaired voter*)

Repeal the definition.

4 Division 1A of Part 4

Repeal the Division.

5 Division 1 of Part 4 (heading)

Omit “for sight-impaired people”.

6 Subsection 15(1)

Repeal the subsection, substitute:

- (1) The Electoral Commissioner must make arrangements for the establishment of one or more call centres to receive telephone calls from sight-impaired persons or Antarctic electors who wish to:
 - (a) register for the purpose of being eligible to vote by an electronically assisted vote; or
 - (b) vote by an electronically assisted vote.

7 Paragraph 15(2)(a)

After “person”, insert “or Antarctic elector”.

8 Paragraph 15(2)(b)

Omit “sight-impaired”, substitute “electronically assisted”.

9 Subsection 15(2) (example)

After “person”, insert “or Antarctic elector”.

10 Paragraph 16(1)(a)

Omit “sight-impaired”, substitute “electronically assisted”.

11 Paragraph 16(1)(b)

Omit “sight-impaired”, substitute “electronically assisted”.

12 Subsection 16(1) (note)

After “sight-impaired”, insert “or an Antarctic elector”.

13 Subsections 16(2) and (3)

Omit “sight-impaired”, substitute “electronically assisted”.

14 Subsection 16(4)

Omit “sight-impaired”, substitute “electronically assisted”.

15 Subsection 17(1)

Omit “sight-impaired” (wherever occurring), substitute “electronically assisted”.

16 Paragraph 17(2)(c)

Omit “sight-impaired”, substitute “electronically assisted”.

17 Paragraph 17(3)(b)

Omit “sight-impaired” (wherever occurring), substitute “electronically assisted”.

18 Subparagraph 17(3)(i)(i)

Omit “sight-impaired”, substitute “electronically assisted”.

19 Subsection 18(1)

Omit “sight-impaired”, substitute “electronically assisted”.

20 Subsection 18(2)

Omit “sight-impaired”, substitute “electronically assisted”.

21 Section 19 (heading)

Omit “**sight-impaired**”, substitute “**electronically assisted**”.

22 Subsections 19(1) and (2)

Omit “sight-impaired”, substitute “electronically assisted”.

23 At the end of paragraphs 24(2)(d) and (3)(d)

Add “or Antarctic elector”.

24 Schedule 3

Repeal the Schedule.

Electronic Transactions Regulations 2020**25 Clause 1 of Schedule 1 (table item 19)**

Omit “and (5)),”, substitute “and (5))”.

26 Clause 1 of Schedule 1 (table item 19)

Omit “(e) Part XVII”.

27 Clause 1 of Schedule 1 (table item 78)

Omit “, IVA and V”, substitute “and IVA”.
