

Water (Elections) Bill

EXPLANATORY MEMORANDUM

Clause 1 sets out the purpose of the Act.

Clause 2 provides for the Act (except section 7 (3)) to come into operation on the day on which it receives Royal Assent. Section 7 (3) is deemed to have come into operation on 1 November 1990.

Clause 3 defines the **Water Act 1989** as the Principal Act.

Clause 4 inserts a definition of election into section 3 of the **Water Act 1989** to make clear that election refers to both ordinary elections and also an extraordinary election to fill a casual vacancy.

Clause 5 sets out the powers of the Governor in Council to make regulations for or with respect to the holding of an election. These powers extend to all aspects of the conduct of an election including enrolment, preparation of voters' rolls, nomination of candidates, postal and pre-poll voting, how-to-vote cards, preferential voting, how the result is determined and the holding of an inquiry into an election where a dispute arises. The Governor in Council is also empowered to prescribe fees for candidates who nominate for election and a penalty for not voting.

Clause 6 enables a person who is not enrolled on a voter's roll to become a candidate at an extraordinary election to fill a casual vacancy.

Clause 7 makes statute law revision amendments to the **Water Act 1989**.

