

EXPLANATORY STATEMENT

Electoral and Referendum Amendment (Modernisation and Other Measures) Act 2010

Proclamation

Subsection 2(1) of the *Electoral and Referendum Amendment (Modernisation and Other Measures) Act 2010* (the Act) provides that Schedules 5 and 7 to the Act will commence on a single day to be fixed by Proclamation. However, if any of the provisions in Schedules 5 and 7 do not commence within the period of six months beginning on the day on which the Act receives the Royal Assent, they will commence on the first day after the end of that period. The Act received Royal Assent recently.

The purpose of the Proclamation is to fix 23 July 2010 as the day on which Schedules 5 and 7 to the Act commence.

All the provisions of the Act commenced on Royal Assent, with the exception of Schedules 5, 6 and 7. Schedule 6 will commence in mid January 2011 as the Minister undertook in the Second Reading Speech not to commence this Schedule in advance of the anticipated federal election due to the number of changes that Schedule 6 would make to postal voting processes.

The Act amends the *Commonwealth Electoral Act 1918* (Electoral Act) and the *Referendum (Machinery Provisions) Act 1984*. The amendments introduce reforms following recommendations made in the Joint Standing Committee on Electoral Matters' *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*.

The Government Response to this Report included introducing legislation to improve flexibility in relation to mobile polling and new measures to address the enrolment and continuing enrolment of people experiencing homelessness.

Schedule 5 to the Act inserts new provisions into the Electoral Act to provide for one form of mobile polling with consistent arrangements as determined by the Electoral Commissioner. Schedule 7, amongst other minor matters, inserts new provisions into the Electoral Act to enhance the enrolment and continued enrolment of people experiencing homelessness.

Consultation was unnecessary for this legislative instrument as this instrument is of a machinery nature only.