



Victoria Government Gazette

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Subordinate Legislation Act 1994

NOTICE OF DECISION

Local Government (Electoral) Regulations 2005

I, Candy Broad, Minister for Local Government and Minister responsible for administering the **Local Government Act 1989**, give notice under section 12 of the **Subordinate Legislation Act 1994** as follows:

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Local Government (Electoral) Regulations 2005. The proposed Regulations provide for the conduct of local government elections in Victoria.

The RIS was advertised seeking public comment on 9 June 2005 and eighty-six submissions were received.

After considering the submissions, I have decided that the proposed Regulations should be made with the following amendments:

- the Regulations will not prescribe matters to be considered by a reviewer conducting an Electoral Representation Review;
- the proposed prohibition against candidate statements including comment on the council will be removed. Instead, the Regulations will require a candidate to declare that their statement is true and does not include false or defamatory statements and will require the returning officer to include a prominent disclaimer on each page where candidate statements are published;
- the Regulations will allow for including candidates' preferences recommendations. These must be lodged within 3 days of the close of nominations;
- vote-counting outside the municipality will be allowed where so resolved by the council prior to the commencement of the election period;
- the fee for Municipal Election Tribunal application was incorrectly prescribed in the draft Regulations as 10 fee units. The final Regulations will retain the current application fee of 20 fee units;
- minor technical amendments not affecting the objectives of the Regulations will also be made.

Dated Friday 29 July 2005

CANDY BROAD, MLC
Minister for Local Government

SPECIAL

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