

House of Assembly—No 121

As laid on the table and read a first time, 19 May 2016

South Australia

Electoral (Prisoner Voting) Amendment Bill 2016

A BILL FOR

An Act to amend the *Electoral Act 1985*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Electoral (Prisoner Voting) Amendment Act 2016*.

5 2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Electoral Act 1985*

3—Amendment of section 69—Entitlement to vote

- 10 (1) Section 69—after subsection (2) insert:

- (3) A person who is in custody serving a sentence of imprisonment of 3 years or longer for an offence against the law of the Commonwealth or of a State or Territory is not entitled to vote at an election.

- 15 (3a) Subsection (3) applies whether the person started serving the sentence before, on or after the commencement of that subsection.

- (2) Section 69—after subsection (4) insert:

- (5) For the purposes of this section, a reference to a person *in custody serving a sentence of imprisonment* includes—

- 20 (a) a prisoner (within the meaning of the *Correctional Services Act 1982*); and
- (b) a prisoner who is on home detention under the *Correctional Services Act 1982*; and
- 25 (c) a person who is detained in a training centre within the meaning of the *Young Offenders Act 1993*; and
- (d) a person who is subject to detention of a kind that is—
 - (i) imposed by or under an Act or law; and

- (ii) prescribed by the regulations for the purposes of this subsection.