

South Australia

Electoral (Control of Corflutes) Amendment Regulations 2024

under the *Electoral Act 1985*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Electoral (Control of Corflutes) Amendment Regulations 2024*.

2—Commencement

These regulations come into operation on the day on which they are made.

Part 2—Amendment of *Electoral Regulations 2009*

3—Amendment of regulation 16—Prescribed circumstances (section 115)

- (1) Regulation 16—delete "the following circumstances are prescribed in relation to the exhibition of electoral advertisements" and substitute:

subsection (1) of that section does not apply in relation to the exhibition of electoral advertisements in the following circumstances

- (2) Regulation 16—after its present contents as amended by this regulation (now to be designated as subregulation (1)) insert:
- (2) For the purposes of section 115(2b)(c)(ii) of the Act, subsection (2a) of that section does not apply in relation to the exhibition of an electoral advertising poster in the following circumstances:
- (a) the exhibition of an electoral advertising poster that is attached to an office or committee room of a political party, member of Parliament or candidate in an election, provided that the place of exhibition is more than 100 metres from the entrance to a polling booth open for polling;
 - (b) the exhibition of an electoral advertising poster that is adhered to a vehicle or exhibited on the roof of, or a trailer (within the meaning of the *Motor Vehicles Act 1959*) attached to, a vehicle;
 - (c) the exhibition of an electoral advertising poster that is attached to fencing or fixtures in or around the following:
 - (i) an enclosed area of land commonly used for playing sports or games, or accommodating the spectators at any sport or game;
 - (ii) an enclosed area of land contiguous to, and used in connection with, land referred to in subparagraph (i),
if the poster is exhibited as part of a paid sponsorship in relation to sports or games played on the land;
 - (d) the exhibition of an electoral advertising poster at a show or fair by a political party or member of Parliament, or a candidate or group in an election (the *exhibitor*), if—
 - (i) the show or fair is organised by a person or body that is not—
 - (A) a political party, associated entity (within the meaning of section 130A) or member of Parliament; or
 - (B) a candidate or group in an election; and
 - (ii) the exhibitor holds or sponsors a stall at the show or fair (whether involving the payment of a fee or otherwise) or pays money in sponsorship of the show or fair;
 - (e) the exhibition of an electoral advertising poster that is adhered to a person's rubbish bin if the bin is placed on the kerbside by the person in the usual way for the purposes of a regular roadside rubbish collection service.

4—Insertion of regulation 17A

After regulation 17 insert:

17A—Requirements for electoral advertising posters near polling booths (section 125)

For the purposes of section 125(1b) of the Act, an electoral advertising poster exhibited under section 125(1a) must comply with the requirements under Part 13 of the Act relating to electoral advertisements.

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 15 February 2024

No 5 of 2024