

South Australia

Local Government (Elections) (Local Government Elections Review) Amendment Regulations 2025

under the *Local Government (Elections) Act 1999*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Local Government (Elections) (Local Government Elections Review) Amendment Regulations 2025*.

2—Commencement

These regulations come into operation on the day on which section 21 of the *Statutes Amendment (Local Government Elections Review) Act 2025* comes into operation.

Part 2—Amendment of *Local Government (Elections) Regulations 2025*

3—Substitution of regulation 16

Regulation 16—delete the regulation and substitute:

16—Transitional provision for gifts received

- (1) Subject to this regulation, the application of old Part 14 in relation to gifts received by candidates before the commencement day is not affected by the amendments effected by the *Statutes Amendment (Local Government Elections Review) Act 2025*.

- (2) Despite subregulation (1)—
- (a) if a candidate includes details relating to all gifts received by the candidate required to be included in a return under section 81 of old Part 14 in the first return relating to gifts furnished by the candidate under new Part 14, the candidate will be taken to have complied with the requirements of old Part 14 in relation to those gifts; and
 - (b) a failure to submit a return under old Part 14 (including in accordance with paragraph (a)) will be taken to be a failure to comply with new Part 14.
- (3) For the purposes of the periodic elections to determine the membership of councils to be held in 2026, the ***special disclosure period*** and ***disclosure period*** under sections 81 and 81A (respectively) of new Part 14 in relation to a candidate who is not a new candidate will be taken to commence on the commencement day.
- (4) For the purposes of subregulation (3), a candidate is a ***new candidate***, in relation to an election, if the person had not been a candidate in the last general election of a council and had not been a candidate at a supplementary election held after the last general election of a council.
- (5) In this regulation—
- commencement day*** means the day on which section 21 of the *Statutes Amendment (Local Government Elections Review) Act 2025* comes into operation;
- new Part 14*** means Part 14 of the Act (as in force on and after the commencement day);
- old Part 14*** means Part 14 of the Act (as in force immediately before the commencement day).

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

after consultation with the Local Government Association and with the advice and consent of the Executive Council
on 18 December 2025

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