

2023

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Electoral Legislation Amendment
(Lowering the Voting Age) Bill 2023**

No. , 2023

*Written by Max Chandler-Mather
Introduced by Jordology MP*

**A Bill for an Act to amend the law relating to
elections and referendums, and for related purposes**

Contents

1	Short title	1
2	Commencement	1
3	Schedules	2
Schedule 1—Amendments		3
	<i>Commonwealth Electoral Act 1918</i>	3
	<i>Referendum (Machinery Provisions) Act 1984</i>	6

A Bill for an Act to amend the law relating to elections and referendums, and for related purposes

The Parliament of Australia enacts:

1 Short title

This Act is the *Electoral Legislation Amendment (Lowering the Voting Age) Act 2023*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Schedule 1 Amendments

Commencement information

Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	The day after this Act receives the Royal Assent.	

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Commonwealth Electoral Act 1918

1 Subsection 4(3)

Omit “age 16”, substitute “age 14”.

2 Paragraph 55(2)(b)

Omit “18”, substitute “16”.

3 Subsection 90B(10) (subparagraph (g)(iii) of the definition of *additional information*)

Omit “18”, substitute “16”.

4 Paragraph 93(1)(a)

Omit “18”, substitute “16”.

5 Paragraph 93(3)(b)

Omit “18”, substitute “16”.

6 Subsection 93(4)

Omit “18”, substitute “16”.

7 Paragraphs 95(1)(c) and (f)

Omit “18”, substitute “16”.

8 Paragraphs 95(6)(a) and (b)

Omit “18”, substitute “16”.

9 Subsection 95(7)

Omit “18”, substitute “16”.

10 Paragraph 95(8)(a)

Omit “18”, substitute “16”.

11 Paragraph 95(13)(e)

Omit “18”, substitute “16”.

12 Subsection 98(1)

Omit “16”, substitute “14”.

13 Subsection 98(3)

Omit “16”, substitute “14”.

14 At the end of section 98

Add:

- (6) A provisional vote cast under section 235 by a person who is entitled to enrolment, but is not currently enrolled, qualifies as a claim to enrolment under this section.

15 Section 100 (heading)

Omit “16”, substitute “14”.

16 Paragraph 100(1)(a)

Omit “16, but is under 18,”, substitute “14, but is under 16,”.

17 Paragraph 100(1)(b)

Omit “18”, substitute “16”.

18 Subsection 100(2)

Omit “18”, substitute “16”.

19 Subsection 101(6A)

Omit “18”, substitute “16”.

20 After subsection 102(5)

Insert:

- (5A) If a claim under subsection 101 is made on the polling day for an election, then, despite subsection (4) of this section:
 - (a) the claim must be regarded as having been received before the start of the suspension period; and

- (b) if the claimant's name is entered on the Roll in accordance with the claim, the enrolment must, in relation to any vote recorded by the claimant in an election, be regarded as having been effected before the start of the suspension period.

21 Paragraph 108(a)

Omit "16", substitute "14".

22 Subsection 120(2) (table item 4)

Omit "16", substitute "14".

23 Paragraph 121(1)(c)

Omit "16", substitute "14".

24 Paragraph 208(2)(b)

Omit "18", substitute "16".

25 Paragraph 221(3)(a)

Omit "18", substitute "16".

26 At the end of subsection 235(1)

Add:

- ; or (f) the person makes a claim for enrolment on the polling day of an election.

27 After subsection 235(3)

Insert:

- (3A) A person mentioned in paragraph (1)(f) must present to the polling official:
 - (a) a claim for enrolment in accordance with section 101; and
 - (b) any of the following evidence as to the person's identity:
 - (i) if the person holds a driver's licence issued under the law of a State or Territory, or a law in force in Norfolk Island—that driver's licence;
 - (ii) if the person holds an Australian passport—that Australian passport;

- (iii) an attestation as to the person's identity that is in the approved form and signed by another person who is enrolled;
- (iv) any other evidence of the person's identity that is of a kind prescribed by the regulations for the purpose of this paragraph.

28 At the end of subsection 245(4)(d)

Add:

; or (e) was 16 or 17 years of age on the day of the election.

29 Section 342

Omit "16", substitute "14".

30 Subsection 343(1)

Omit "16", substitute "14".

Referendum (Machinery Provisions) Act 1984

31 Paragraph 22(2)(b)

Omit "18", substitute "16".

32 At the end of subsection 37(1)

Add:

; or (f) the person makes a claim for enrolment on the voting day for a referendum.

33 After subsection 37(3)

Insert:

(3A) A person mentioned in paragraph (1)(f) must present to the polling official:

- (a) a claim for enrolment in accordance with section 101 of the *Commonwealth Electoral Act 1918*; and
- (b) any of the following evidence as to the person's identity:
 - (i) if the person holds a driver's licence issued under the law of a State or Territory, or a law in force in Norfolk Island—that driver's licence;

- (ii) if the person holds an Australian passport—that Australian passport;
- (iii) an attestation as to the person’s identity that is in the approved form and signed by another person who is enrolled;
- (iv) any other evidence of the person’s identity that is of a kind prescribed by the regulations for the purpose of this paragraph.

34 At the end of subsection 45(4)

Add:

- ; or (e) was 16 or 17 years of age on the voting day of the referendum.