

LEGISLATIVE COUNCIL

ELECTORAL AMENDMENT (MISCELLANEOUS MATTERS) BILL 2026

(Amendments and New Clauses to be proposed in Committee by DAVID ETTERSHANK)

1. Clause 2, line 2, omit "This Act" and insert "(1) This Act (other than sections 6, 7, 8, 9, 10, 12, 13, 15, 16, 17, 29 and 30 and paragraph (a) of section 3)".
2. Clause 2, after line 3 insert—

"(2) Sections 6, 7, 8, 9, 10, 12, 13, 15, 16, 17, 29 and 30 and paragraph (a) of section 3 come into operation on 29 November 2026."

NEW CLAUSES

3. Insert the following New Clause to follow Clause 14—

'14A New section 84A inserted

After section 84 of the **Electoral Act 2002** insert—

"84A Preference whispering

A person must not sell, or make any other commercial arrangement for, any services that, in exchange for a fee, provide advice or purport to advise, whether in writing or orally, a person or registered political party on how to allocate preferences for candidates or groups in an election.

Penalty: In the case of a natural person, 60 penalty units or 6 months imprisonment;

In the case of a body corporate, 300 penalty units.

Note

Section 179A applies to an offence against this section.".'.

4. Insert the following New Clause to follow Clause 17—

'17A Criminal liability of officers of bodies corporate—accessorial liability

After section 179A(2)(d) of the **Electoral Act 2002** insert—

"(da) section 84A;".'.
5. Clause 33, lines 8 and 9, omit "the first anniversary of its commencement" and insert "29 November 2027".