

16B. Electoral Distribution Commissioners

- (1) For the purposes of this Part there shall be 3 Electoral Distribution Commissioners of whom —
 - (a) one shall be the Chief Justice of Western Australia who shall be chairman;
 - (b) one shall be the Electoral Commissioner; and
 - (c) one shall be the Government Statistician.
- (2) If the office of Chief Justice of Western Australia is vacant, or the Chief Justice is absent or is for any other reason unable to act as an Electoral Distribution Commissioner, the Governor may appoint another Judge of the Supreme Court to act in the office of Electoral Distribution Commissioner and as chairman under subsection (1)(a) during the vacancy, absence or inability.
- (3) A person acting in the office of the Electoral Commissioner under section 5D or 5H(2) shall, while so acting, act in the office of Electoral Distribution Commissioner under subsection (1)(b).
- (4) If the office of the Government Statistician is vacant, or the holder of that office is absent or is for any other reason unable to act as an Electoral Distribution Commissioner, the Governor, on the recommendation of the Premier, may appoint a suitable person to act in the office of Electoral Distribution Commissioner under subsection (1)(c) during the vacancy, absence or inability.
- (5) Before making a recommendation under subsection (4) the Premier shall consult with, and seek the written views of, the parliamentary leader or representative of each party and Independent members in the Parliament.
- (6) The Commissioners shall meet as often as may be necessary for carrying out their duties under this Part.
- (7) For the purposes of this Part the Commissioners have the powers of a duly appointed Royal Commission, and of a chairman of a Royal Commission, under the *Royal Commissions Act 1968*.
- (8) The moneys reasonably required for the purposes of the Commissioners shall be charged, on the certificate of the Auditor General, to the Consolidated Fund, which this subsection appropriates to the necessary extent.

[Section 16B inserted by No. 1 of 2005 s. 4.]