

ELECTORAL DISTRICTS.

12° Elizabeth II., No. LXIX.

No. 69 of 1963.

**AN ACT to amend the Electoral Districts Act,
1947-1955.**

[Assented to 17th December, 1963.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title
and citation.

1. (1) This Act may be cited as the *Electoral Districts Act Amendment Act, 1963*.

(2) In this Act the Electoral Districts Act, 1947-1955, is referred to as the principal Act.

(3) The Principal Act as amended by this Act may be cited as the *Electoral Districts Act, 1947-1963*.

2. This Act shall come into operation on a date to be fixed by proclamation. Commencement.

3. Section two of the principal Act is amended— S. 2 amended.

- (a) by substituting for the words, “the Supreme Court” in lines one and two of paragraph (a) of subsection (1), the words, “Western Australia”;
- (b) by substituting for the words, “Under Secretary for”, in line one of paragraph (b) of subsection (1), the words, “Surveyor General in”; and
- (c) by substituting for the words, “Under Secretary for”, in line five of subsection (2), the words, “Surveyor General in”.

4. Subsection (2) of section seven of the principal Act is amended— S. 7 amended.

- (a) by adding after the word, “districts” in line five, the words, “but the boundaries of the North-West Area as described in the final recommendations as that expression is defined in section eleven A of this Act shall not be altered”; and
- (b) by repealing the proviso.

5. Section nine of the principal Act is amended— S. 9 amended.

- (a) by repealing subsection (1); and
- (b) by adding after the word, “Act” in line two of subsection (2) the passage, “, except pursuant to section eleven A of this Act”.

6. The principal Act is amended by adding after section eleven a section as follows— S. 11 added.

- 11A. (1) For the purposes of this section—
- (a) “the appointed day” means the day on which the Electoral Districts Act Amendment Act, 1963, comes into operation;

Redivision of
State into
Electoral
Provinces.

- (b) "the final recommendations" means the recommendations of the Electoral Commissioners published in the *Government Gazette* dated the fourteenth day of December nineteen hundred and sixty-one;
- (c) "the Agricultural, Mining and Pastoral Area" means the area described as such in the final recommendations excluding the electoral district called and described therein as "Murchison";
- (d) "the Metropolitan Area" means the area described as such in the final recommendations; and
- (e) "the North-West Area" means the area described as such in the final recommendations including the electoral district called and described therein as "Murchison".

(2) As soon as practicable after the appointed day, Electoral Commissioners shall be appointed in accordance with section two of this Act.

(3) Subject to this section, the Electoral Commissioners appointed pursuant to subsection (2) of this section shall, within three months after the appointed day, make a written report on the redivision of the State into fifteen electoral provinces, so that—

- (a) the Metropolitan Area shall consist of five electoral provinces, each of which shall consist of at least four or not more than five complete and contiguous electoral districts as they existed in that area immediately before the appointed day;

- (b) the Agricultural, Mining and Pastoral Area shall consist of eight electoral provinces each one of which shall consist of any three complete and contiguous electoral districts as they existed in that area immediately before the appointed day; and
- (c) the North-West Area shall consist of two electoral provinces each of which shall contain two complete and contiguous electoral districts, being two electoral districts as they existed in that area immediately before the appointed day and one such electoral district and the electoral district known as the Murchison as it existed immediately before the appointed day.

(4) The Electoral Commissioners shall send to the Governor within a period of seven days of its completion their report upon the redivision of the State into fifteen electoral provinces, together with a map signed by the Commissioners, showing the name allocated to each of those electoral provinces by the Commissioners and the boundaries thereof and the number of electors therein and shall within the period send a copy of the report and the map to the Minister.

(5) The Governor shall, as soon as practicable after the receipt by him from the Electoral Commissioners of their report and the map, cause a copy of the report and the map to be published in the *Government Gazette* and on a day to be fixed by proclamation, which day shall not be earlier than the tenth day of December, nineteen hundred and sixty-four nor later than the thirty-first day of December, nineteen hundred and sixty-four, the electoral provinces referred to in the report shall be, by virtue of the proclamation, and notwithstanding the

foregoing provisions of this Act or of any other Act, the electoral provinces in the State for the Legislative Council instead of the ten such electoral provinces existing before the appointed day and shall have the names and boundaries assigned to them in the report.

(6) A person who is a member of the Legislative Council on the appointed day is entitled while he remains a member to sit and vote as a member of the Legislative Council as though the Electoral Districts Act Amendment Act, 1963, had not come into operation, and such entitlement is not affected by reason only of the fact that the State is redivided into fifteen electoral provinces pursuant to this section or by the provisions of section five of the Constitution Acts Amendment Act, 1899.

S. 12
amended.

7. Section twelve of the principal Act is amended by adding a subsection as follows—

(7) Where at any time after the Electoral Commissioners have redivided the State into fifteen electoral provinces pursuant to section eleven A of this Act, when and as often as a proclamation is issued pursuant to this section, directing that the State be wholly or partially redivided into electoral districts and electoral provinces for the purpose of redividing the State into electoral provinces the following provisions apply—

- (a) the area referred to in section four of this Act as the North-West Area, shall for that purpose, be the area described as such in section eleven A of this Act;
- (b) the Metropolitan Area shall be redivided into electoral provinces consisting of five electoral provinces each of which shall consist of at least four or not more than five complete and contiguous electoral districts contained in that area;

- (c) the Agricultural, Mining and Pastoral Area shall be redivided into electoral provinces consisting of eight electoral provinces each of which shall, as far as possible, consist of an equal number of complete and contiguous electoral districts contained in that area;
 - (d) the North-West Area shall consist of two electoral provinces each of which shall contain two complete and contiguous electoral districts contained in that area;
 - (e) the foregoing provisions of this Act, apply with such modifications as circumstances require.
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