

## LEGISLATIVE ASSEMBLY DURATION AND GENERAL ELECTION POSTPONEMENT.

6° GEO. VI., No. XVIII.

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No. 18 of 1942.

**AN ACT** to provide for the prolongation of the existence of the present Legislative Assembly and for the postponement of the general election for the Legislative Assembly to succeed the present Legislative Assembly and for other purposes incidental thereto.

[Assented to 9th December, 1942.]

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

Short title.

1. This Act may be cited as the *Legislative Assembly Duration and General Election Postponement Act, 1942.*

This Act to be read in conjunction with other Acts.

2. This Act shall be read in conjunction with the Constitution Acts Amendment Act, 1899 (No. 19 of 1899), as amended by the Legislative Assembly Duration Act, 1919 (No. 48 of 1919), and with the Electoral Act, 1907-1940, and with the Legislative Assembly Duration and General Election Postponement Act, 1941 (No. 51 of 1941), hereinafter referred to as "the Constitution Act," "the Electoral Act," and "the Postponement Act," respectively.

Present Legislative Assembly prolonged.

3. Notwithstanding anything to the contrary contained in the Constitution Act or in the Postponement Act or in any other Act, the Legislative Assembly as constituted and by virtue of the provisions of the Postponement Act existing at the time of the passing of this Act, which but for the provisions of the Postponement Act would according to law have ceased to exist on the thirty-first day of January, one thousand nine hundred and forty-two, but now exists for a period provided in

section five of the Postponement Act, shall exist and continue to exist after the period provided for in section five of the Postponement Act as aforesaid, and until the completion of a general election for the Legislative Assembly to be held under the provisions of the Electoral Act within the time specified by section five of this Act, and no longer.

4. Consequentially upon the operation of section three of this Act the terms of office of the members of the Legislative Assembly as already extended by the provisions of the Postponement Act at the time of the passing of this Act shall be and are hereby further extended for a period running concurrently with and ending simultaneously with the period for which the existence of the said Legislative Assembly is prolonged by section three of this Act.

Terms of office of members of the Legislative Assembly extended.

5. Notwithstanding anything to the contrary contained in the Electoral Act or in the Postponement Act or in any other Act, it shall not be necessary for the Governor by warrant under his hand to direct the Clerk of the Writs to issue a writ for the general election for the Legislative Assembly to succeed the Legislative Assembly as existing at the time of the passing of this Act within the period of twelve months ending on the twenty-first day of February, one thousand nine hundred and forty-three, as provided for by section five of the Postponement Act, but the Governor shall, subject as hereinafter provided, issue his said warrant to the Clerk of the Writs directing him to issue a writ for the said general election at a time which may be determined by the Governor but which shall be within twelve months computed from the twenty-first day of February, one thousand nine hundred and forty-three: Provided that the said Legislative Assembly may at any time after the twenty-first day of February, one thousand nine hundred and forty-three, and within the period of twelve months next ensuing after that date by resolution carried by an absolute majority recommend that the Governor issue his said warrant under section sixty-three of the Electoral Act for a general election for the Legislative Assembly, and the Governor shall give effect to such recommendation.

Authority to postpone general election.

No. 18.] *Legislative Assembly Duration and* [1942.  
*General Election Postponement.*

Section five of  
Postponement  
Act to be  
read subject  
to this Act.

6. Section five of the Postponement Act shall be read and operate subject to the provisions of this Act, and where that section imposes on the Governor a duty and confers upon the Legislative Assembly a right which must be performed or may be exercised within the period specified in the said section of the Postponement Act such duty and such right shall as from the date of the passing of this Act be deemed no longer to exist.

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