

ELECTORAL DISTRICTS.

13° GEO. V., No. XXXIII.

No. 10 of 1923.

AN ACT to make provision for the Better Representation of the People of Western Australia in Parliament.

[Assented to 22nd February, 1923.]

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 *Electoral Districts Act, 1922.*

Appointment of Commissioners.

2. (1.) The Governor may appoint three Electoral Commissioners, one of whom shall be a Judge of the Supreme Court, and shall be Chairman, and the other Commissioners shall be the Surveyor General and the Chief Electoral Officer.

(2.) The Governor may, in the absence of the Chairman, appoint some other judge to act as a Commissioner in his place, and may appoint any fit person to act temporarily as a Commissioner in place of the Surveyor General or the Chief Electoral Officer.

(3.) The Commissioners shall have the powers of a Royal Commission appointed under the Royal Commissioners' Powers Act, 1902.

Duty of Commissioners.

3. It shall be the duty of the Commissioners to divide the State of Western Australia into fifty districts for the election of members of the Legislative Assembly.

4. For the purpose of determining the number of Electoral Districts to be allotted to each of the four areas described in the Schedule hereto, and named respectively the Metropolitan Area, the Agricultural Area, the Goldfields Central Area, and the Mining Area, the following provisions shall apply:—

Number of districts in each of four areas—how ascertained.

- (a) The number of electors, reduced by one-half, in the Metropolitan Area, and the number of electors in the Agricultural Area, and the number of electors in the Goldfields Central Area, and the number of electors in the Mining Area increased by one-half shall, in the aggregate, be divided by forty-six, and a quota be thereby obtained:
- (b) The number of electors in each area, reduced by one-half in the Metropolitan Area, and increased by one-half in the Mining Area as aforesaid, shall be divided by such quota, and the quotient shall be the number of Electoral Districts into which each area respectively shall be divided:
- (c) When a quotient shows a fraction the Commissioners may, in their discretion, either disregard the fraction or may increase the quotient to the next higher whole number, provided that the total number of districts is maintained at forty-six:

Provided that the electors in each district of the Goldfields Central Area shall not exceed the average of the electors in the Agricultural Area.

The word "elector" means a person whose name appears on a roll as an elector for the election of a member of the Legislative Assembly.

5. When the number of Electoral Districts to be allotted to each area has been determined as aforesaid, the Commissioners shall, for the purpose of dividing each area into Electoral Districts, fix a quota of electors for the Electoral Districts within each area as follows, namely, the total number of enrolled electors within each area shall be divided by the number of Electoral Districts allocated to the area, and the quotient shall be the quota of electors for each Electoral District within the area.

The quota.

6. (1.) In making the division of the State into Electoral Districts, the quota of electors in each area as aforesaid shall be taken as the basis for such division, except in that portion of the State now comprised within the Kimberley, Roebourne, Pilbara, and Gascoyne Electoral Districts:

Matters to be considered in dividing State into districts.

Provided that the Commissioners may adopt a margin of allowance to be used whenever necessary, but not in any case to a greater extent than one-fifth more or less:

Provided also that the Commissioners shall give due consideration to—

- (a) Community of interest;
- (b) Means of communication and distance from the capital;
- (c) Physical features; and
- (d) The existing boundaries of districts.

(2.) That portion of the State now comprised within the Electoral Districts of Kimberley, Roebourne, Pilbara, and Gascoyne, with such modifications of boundaries as the Commissioners may think fit, shall be divided into four Electoral Districts.

Boundaries of areas described in schedule may be modified.

7. In the exercise of the powers conferred on the Commissioners, the boundaries of the several areas described in the Schedule hereto may be modified by the Commissioners by excising portions thereof, or adding other portions of the State thereto.

Commissioners to report.

8. The Commissioners shall, on or before a date to be fixed by the Governor, forward to the Minister to whom the administration of the Electoral Act, 1907, is for the time being committed, their report upon the division of the State into Electoral Districts, with the name and boundaries of each proposed district and the number of electors therein, as nearly as can be ascertained, together with a map signed by them showing the boundaries of each such proposed district.

Report to be laid before Parliament and Bill for redistribution of seats to be introduced.

9. (1.) The report shall be laid before both Houses of Parliament forthwith after the making thereof, if Parliament is then in session, and, if not, forthwith after the next meeting of Parliament, and a Bill shall be introduced for the redistribution of seats at Parliamentary elections in accordance therewith, and for the re-adjustment of the boundaries of the Electoral Provinces, and such Bill, if duly passed and assented to, shall come into operation as an Act on a day to be fixed by proclamation:

Provided that members of the Legislative Assembly shall continue to sit for the districts represented by them at the date of such proclamation until the expiry by effluxion of time or the sooner dissolution of the Legislative Assembly.

(2.) The Bill shall provide that notwithstanding the alteration of boundaries of any Electoral Province, every member of the Legislative Council shall continue to represent in Parliament the province for which he was elected, but with the boundaries so assigned to it by the Act.

10. (1.) The State may be wholly or partially re-divided into Electoral Districts by the Commissioners in manner hereinbefore provided whenever directed by the Governor by proclamation.

Redivision when so directed by Proclamation.

(2.) Such proclamation shall be issued—

(a) On a resolution being passed by the Legislative Assembly in that behalf; or

(b) If in the report by the Chief Electoral Officer to the Minister to whom the administration of the Electoral Act, 1907, is for the time being committed, as to the state of the rolls made up for any triennial election it appears that the enrolment in not less than five Electoral Districts falls short of or exceeds by twenty per centum the quota as ascertained for such districts under this Act.

(3.) A Bill for the redistribution of seats in accordance with the report of the Commissioners shall forthwith after the making of such report be introduced, and if duly passed and assented to shall come into effect as an Act on a date to be fixed by proclamation, and the proviso to subsection one and subsection two of section nine of this Act shall apply.

11. The Governor may make regulations for the purposes of this Act, and such regulations may provide that any two Commissioners shall be a quorum.

Regulations.

THE SCHEDULE.

(1.) *Metropolitan Area.*—The Electoral Districts of Canning, Claremont, East Perth, Fremantle, Guildford, Leederville, North-East Fremantle, North Perth, Perth, South Fremantle, Subiaco, West Perth.

(2.) *Goldfields Central Area.*—The Electoral Districts of Boulder, Brown Hill-Ivanhoe, Hannans, Kalgoorlie.

(3.) *Agricultural Area.*—The Electoral Districts of Albany, Avon, Beverley, Bunbury, Collie, Forrest, Geraldton, Greenough, Irwin, Katanning, Moore, Murray-Wellington, Nelson, Northam, Pingelly, Sussex, Swan, Toodyay, Wagin, Williams-Narrogin, York.

(4.) *Mining Area.*—The Electoral Districts of Coolgardie, Cue, Kanowna, Menzies, Mt. Leonora, Mt. Magnet, Mt. Margaret, Murchison, Yilgarn.