

Western Australia

## **Electoral Amendment Act 2014**

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As at 02 Jul 2014

No. 14 of 2014

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# Electoral Amendment Act 2014

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## **Electoral Amendment Act 2014**

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**No. 14 of 2014**

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***An Act to amend the *Electoral Act 1907* and the *Freedom of Information Act 1992*.***

*[Assented to 2 July 2014]*

The Parliament of Western Australia enacts as follows:

## **Part 1 — Preliminary**

**1. Short title**

This is the *Electoral Amendment Act 2014*.

**2. Commencement**

This Act comes into operation as follows —

- (a) Part 1 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on the day after that day.

**Part 2 — *Electoral Act 1907* amended**

**3. Act amended**

This Part amends the *Electoral Act 1907*.

**4. Section 16A amended**

In section 16A insert in alphabetical order:

*Land Information Authority* means the Western Australian Land Information Authority established by the *Land Information Authority Act 2006* section 5;

**5. Section 16B amended**

Delete section 16B(7) and insert:

- (7) For the purposes of this Part —
- (a) the Commissioners have the powers, protections and immunities of a Royal Commission and the Chairman of a Royal Commission under the *Royal Commissions Act 1968*; and
  - (b) the provisions of the *Royal Commissions Act 1968* have effect in relation to the Commissioners as if they were enacted in this Act and in terms made applicable to the Commissioners and the performance of the functions of the Commissioners under this Part.

**6. Section 16F amended**

(1) In section 16F(2):

(a) in paragraph (d) delete “within 42 days from” and insert:

as soon as practicable after

(b) in paragraph (f) delete “practicable, but not more than 90 days” and insert:

practicable

(2) Delete section 16F(4)(b)(ii) and insert:

(ii) a description of the boundaries fixed for the district; and

(3) After section 16F(4) insert:

(5A) For the purposes of subsection (4)(b)(ii), the boundaries may be described —

(a) by setting out in the notice a description of the boundaries by reference to any of the following —

(i) local government or other administrative boundaries;

(ii) cadastral, topographical or other spatial information;

(iii) such other matters as the Commissioners think appropriate;

or

(b) by referring in the notice to a version of a map or maps showing those boundaries that has



been lodged with the Land Information  
Authority under section 16MA(1).

- (4) After section 16F(5) insert:
- (6) In performing functions under this section, the Commissioners must ensure that the period beginning on the day on which the notice under subsection (2)(a) is published and ending on the day on which the notice under subsection (2)(f) is published does not exceed 8 months.
- (7) The Commissioners may at any time publish in any manner the Commissioners think appropriate a consultation paper formulated by the Commissioners about any division of the State required under this Part.

**7. Section 16I amended**

In section 16I(c) delete “communication” and insert:

communication, means of travel

**8. Section 16K amended**

In section 16K delete “as set out in” and insert:

in accordance with

**9. Section 16MA inserted**

After section 16L insert:

**16MA. Map or maps of districts generated from digital or electronic record**

- (1) For the purposes of preparing a notice for publication under section 16F(2)(f) that will describe the boundaries of the districts into which the State is divided in accordance with section 16F(5A)(b), the Commissioners must —
  - (a) identify the boundaries of the districts by reference to any of the matters referred to in section 16F(5A)(a); and
  - (b) cause those boundaries to be recorded in digital or electronic form in such a way as to be capable of generating a digital, electronic or printed version of a map or maps showing the boundaries of each district; and
  - (c) lodge with the Land Information Authority a version of a map or maps showing the boundaries of each district that is generated from a record made under paragraph (b).
- (2) In any proceedings, the version of a map or maps lodged under subsection (1)(c) is, without proof of any appointment or signature, evidence of the boundaries of the districts fixed under a notice mentioned in section 16F(2)(f) if that notice describes those boundaries by reference to that version.

**Part 3 — *Freedom of Information Act 1992* amended**

**10. Act amended**

This Part amends the *Freedom of Information Act 1992*.

**11. Schedule 2 amended**

In Schedule 2 after the item relating to the Director of Public Prosecutions insert:

The Electoral Distribution Commissioners.

  

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