

## ELECTORAL DISTRICTS.

### No. 10 of 1923

(as amended by Act No. 25 of 1928).

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

[Assented to 22nd February, 1923.]

**B**E 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:—

1. This Act may be cited as the *Electoral Districts Act*, 1922. Short title.

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, or the Commonwealth Electoral Officer for Western Australia. Appointment of Commissioners.

No. 25 of 1928, s. 2.

(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, or the Commonwealth Electoral Officer for Western Australia.

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

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. Duty of Commissioners.

Number of districts in each of three areas—how ascertained.  
No. 25 of 1928, s. 3.

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

(a) The number of electors in the Metropolitan Area, every three electors in such area being reckoned as two electors, and the number of electors in the Agricultural Area, and the number of electors in the Mining and Pastoral Area, every one elector in such area being reckoned as two electors, shall, in the aggregate, be divided by forty-six, and a quota be thereby obtained:

(b) The number of electors in each area, every three electors being reckoned as two electors in the Metropolitan Area, and every one elector being reckoned as two electors in the Mining and Pastoral 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.

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.

The quota.

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.

Matters to be considered in dividing State into districts.

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:

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.

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.

Boundaries of areas described in schedule may be modified.

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.

Commissioners to report.

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:

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

*Electoral Districts.*

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.

Redivision when  
so directed by  
Proclamation.

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.

(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.

Regulations.

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.

**THE SCHEDULE.**

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(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.) *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.

(3.) *Mining and Pastoral Area.*—The Electoral Districts of Boulder, Brown Hill-Ivanhoe, Coolgardie, Cue, Hannans, Kalgoorlie, Kanowna, Menzies, Mt. Leonora, Mt. Magnet, Mt. Margaret, Murchison, Yilgarn.