

**ACTS AMENDMENT  
(ELECTORAL PROVINCES  
AND DISTRICTS).**

**No. 13 of 1981.**

**AN ACT to amend the Constitution Acts Amendment Act 1899-1980 and the Electoral Districts Act 1947-1975.**

*[Assented to 22 May 1981.]*

**B**E 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:—

1. This Act may be cited as the *Acts Amendment (Electoral Provinces and Districts) Act 1981.* Short title.

PART I—CONSTITUTION ACTS AMENDMENT ACT  
1899-1980.

2. (1) In this Part the Constitution Acts Amendment Act 1899-1980 is referred to as the principal Act. Citation.

Reprinted as approved 18 May 1971. Amended by Acts Nos. 9 of 1972, 52 of 1973, 30 of 1974, 15, 71, 86 and 111 of 1975, 28 of 1977, 59 of 1978 and 4 and 5 of 1980.

(2) The principal Act as amended by this Act may be cited as the Constitution Acts Amendment Act 1899-1981.

Section 5 substituted.

3. Section 5 of the principal Act is repealed and the following section is substituted—

Constitution of Legislative Council.

“ 5. The Legislative Council shall consist of—

(a) 32 elected members until 21 May 1983;

(b) 34 elected members after 21 May 1983,

who shall be returned and shall sit for Electoral Provinces as defined pursuant to section 6 of this Act. ” .

Section 6 amended.

4. Section 6 of the principal Act is amended by repealing subsections (1) and (1a) and substituting the following subsections—

“ (1) Until 21 May 1983 the State shall be divided into 16 Electoral Provinces under the Electoral Districts Act 1947 and shall return in all 32 members to serve in the Legislative Council.

(1a) On and after 21 May 1983 the State shall be divided into 17 Electoral Provinces under the Electoral Districts Act 1947 and shall return in all 34 members to serve in the Legislative Council. ” .

Section 8B amended.

5. Section 8B of the principal Act is amended—

(a) in subsection (1)—

(i) by deleting “Electoral Districts Act, 1947-1975” and substituting the following—

“ Electoral Districts Act 1947-1981 ” ;

1981.] *Acts Amendment (Electoral Provinces and Districts)* [No. 13.]

- (ii) by deleting “Electoral Districts Act, 1947-1965” and substituting the following—

“ Electoral Districts Act 1947-1975 ” ; and

- (iii) by deleting “Electoral Districts Act Amendment Act, 1975” and substituting the following—

“ Acts Amendment (Electoral Provinces and Districts) Act 1981 ” ;

(b) in subsection (2)—

- (i) by deleting “Electoral Districts Act, 1947-1975” and substituting the following—

“ Electoral Districts Act 1947-1981 ” ; and

- (ii) by deleting “the thirtieth day of September, nineteen hundred and seventy-five” and substituting the following—

“ 18 May 1981 ” ;

(c) in subsection (3)—

- (i) by deleting “five” and substituting the following—

“ six ” ; and

- (ii) in paragraph (a), by deleting “the twenty-first day of May, nineteen hundred and eighty” and substituting the following—

“ 21 May 1986 ” ;

(d) in subsection (4), by deleting “the twenty-first day of May, nineteen hundred and

seventy-seven until the twenty-first day of May, nineteen hundred and eighty” and substituting the following—

“ 21 May 1983 until 21 May 1986 ” ;

- (e) in subsection (5), by deleting “the thirtieth day of September, nineteen hundred and seventy-five” and substituting the following—

“ 18 May 1981 ” ;

- (f) in subsection (6), by deleting “the twenty-first day of May, nineteen hundred and seventy-seven until the twenty-first day of May, nineteen hundred and eighty” and substituting the following—

“ 21 May 1983 until 21 May 1986 ” ;

- (g) in subsection (8)—

- (i) by deleting “five” and substituting the following—

“ six ” ; and

- (ii) in paragraph (d), by deleting “the twenty-first day of May, nineteen hundred and seventy-seven until the twenty-first day of May, nineteen hundred and eighty” and substituting the following—

“ 21 May 1983 until 21 May 1986 ” ;

- (h) in subsection (10) by deleting “the twenty-first day of May, nineteen hundred and eighty” and substituting the following—

“ 21 May 1986 ” ; and

- (i) in subsection (11)—

- (i) by deleting “the twenty-first day of May, nineteen hundred and eighty” and substituting the following—

“ 21 May 1986 ” ;

1981.]            *Acts Amendment (Electoral Provinces and Districts).*            [No. 13.]

(ii) by deleting “Electoral Districts Act Amendment Act, 1975” and substituting the following—

“ Acts Amendment (Electoral Provinces and Districts) Act 1981 ” ; and

(iii) by deleting “the twenty-first day of May, nineteen hundred and seventy-four” and substituting the following—

“ 21 May 1980 ” .

6. Section 18 of the principal Act is repealed and the following section is substituted— Section 18 substituted.

“ 18. The Legislative Assembly shall consist of— Constitution of Legislative Assembly.

(a) 55 members until the dissolution of that House or the expiry thereof by effluxion of time first occurring after 31 December 1982; and

(b) 57 members thereafter. ” .

7. Section 19 of the principal Act is repealed and the following section is substituted— Section 19 substituted.

“ 19. The State shall be divided into— Electoral Districts.

(a) 55 Electoral Districts until the dissolution of the Legislative Assembly or the expiry thereof by effluxion of time first occurring after 31 December 1982; and

(b) 57 Electoral Districts thereafter, under the provisions of the Electoral Districts Act 1947, each returning one member to serve in the Legislative Assembly. ” .

Section 47 amended.

8. Section 47 of the principal Act is amended in subsection (1)—

(a) by deleting “provisions of the Constitution Acts Amendment Act (No. 2), 1975 or the Electoral Districts Act Amendment Act, 1975” and substituting the following—

“ Acts Amendment (Electoral Provinces and Districts) Act 1981 ” ; and

(b) in paragraph (a), by deleting “the Constitution Acts Amendment Act (No. 2), 1975” and substituting the following—

“ that Act ” .

Section 47A substituted.

9. Section 47A of the principal Act is repealed and the following section is substituted—

Special provision for election of one member to Legislative Council for term of 3 years.

“ 47A. On the occasion after the coming into operation of the Acts Amendment (Electoral Provinces and Districts) Act 1981 of an election being conducted to elect 7 members to sit and vote for the Legislative Council for Electoral Provinces within the Metropolitan Area for a term of 6 years commencing on 21 May 1983, there shall also be conducted in respect of the Electoral Province for which no member has been declared or allotted to sit and vote until 21 May 1986 under section 8B of this Act, an election to elect one member to sit and vote for that Electoral Province for a term of 3 years commencing on 21 May 1983. ” .

PART II—ELECTORAL DISTRICTS ACT 1947-1975.

Citation. Reprinted as approved 14 July 1977.

10. (1) In this Part the Electoral Districts Act 1947-1975 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Electoral Districts Act 1947-1981.

11. Section 3 of the the principal Act is amended in subsection (1)— Section 3 amended.

(a) by deleting “Electoral Districts Act Amendment Act, 1975” and substituting the following—

“ Acts Amendment (Electoral Provinces and Districts) Act 1981 ” ; and

(b) in paragraph (a), by deleting “fifty-five” and substituting the following—

“ 57 ” .

12. Section 4 of the principal Act is amended in paragraph (b)— Section 4 amended.

(a) by deleting subparagraph (i) and substituting the following subparagraph—

“ (i) the Metropolitan Area as the area consisting of the portions of land described in Schedule 1 to this Act; ” ; and

(b) by deleting subparagraph (ii) and substituting the following subparagraph—

“ (ii) the North-West-Murchison-Eyre Area as that area contained in the boundaries of the electoral districts of Gascoyne, Kimberley, Murchison-Eyre and Pilbara as described by the Commissioners in their final recommendations published in the *Government Gazette* dated 9 June 1976; ” .

13. Section 6 of the principal Act is amended— Section 6 amended.

(a) in paragraph (a), by deleting “twenty-seven” and substituting the following—

“ 30 ” ; and

(b) in paragraph (b), by deleting “twenty-four” and substituting the following—

“ 23 ” .

Section 7  
amended.

14. Section 7 of the principal Act is amended by repealing subsection (2) and substituting the following subsection—

“ (2) The North-West-Murchison-Eyre Area as described in section 4 of this Act shall be divided by the Commissioners into—

(a) 4 electoral districts comprising—

- (i) the electoral districts of Gascoyne and Murchison-Eyre having the boundaries described in respect of those electoral districts by the Commissioners in their final recommendations published in the *Government Gazette* dated 9 June 1976;
- (ii) the electoral district of Kimberley, being the portion of land contained in the boundaries of the electoral district of Kimberley as described by the Commissioners in their final recommendations published in the *Government Gazette* dated 9 June 1976 together with the portion of land described in Schedule 2 to this Act; and
- (iii) the electoral district of Pilbara, being the portion of land contained in the boundaries of the electoral district of Pilbara as described by the Commissioners in their final recommendations published in the *Government Gazette* dated 9 June 1976 with the exception of the portion of land described in Schedule 2 to this Act; and

(b) 2 electoral provinces, one consisting of the electoral districts of Gascoyne and Murchison-Eyre as referred to in paragraph (a) of this subsection and the other consisting of the electoral

districts of Kimberley and Pilbara as determined in accordance with that paragraph. ” .

15. Section 8 of the principal Act is amended— Section 8 amended.

(a) in subsection (1), by deleting “Subject to subsection (2) of this section, in” and substituting the following—

“ In ” ; and

(b) by repealing subsection (2).

16 Section 9 of the principal Act is repealed and the following section is substituted— Section 9 substituted.

“ 9. Subject to subsection (2) of section 7 of this Act, as from the date of the coming into operation of the Acts Amendment (Electoral Provinces and Districts) Act 1981, the Commissioners shall divide the State into 17 electoral provinces, and shall from time to time in accordance with this Act adjust the boundaries of the 17 electoral provinces so referred to, having regard to their proposed division of the State into 57 electoral districts, so that— Electoral Provinces.

(a) there shall be 7 electoral provinces in the Metropolitan Area as referred to in section 4 of this Act, each of which shall consist of 4 or 5 complete and contiguous electoral districts contained in that area;

(b) there shall be 8 electoral provinces in the Agricultural, Mining and Pastoral Area referred to in section 4 of this Act, each of which shall—

(i) consist, as far as possible, of 2 or 3 complete and contiguous electoral districts contained in that area; and

- (ii) contain, to the extent considered practicable by the Commissioners, approximately the same area as it contained immediately prior to that date; and
- (c) each of the 2 electoral provinces in the North-West-Murchison-Eyre Area as referred to in section 4 of this Act shall consist of 2 complete and contiguous electoral districts contained in the North-West-Murchison-Eyre Area in accordance with paragraph (b) of subsection (2) of section 7 of this Act. ” .

Section 10 amended.

17. Section 10 of the principal Act is amended—

- (a) in subsection (1), by deleting “the first day of June, nineteen hundred and seventy-six” and substituting the following—  
“ 31 December 1981 ” ; and
- (b) in subsection (2), by deleting “the thirtieth day of September, nineteen hundred and seventy-five” and substituting the following—  
“ 18 May 1981 ” .

Section 12 amended.

18. Section 12 of the principal Act is amended, in paragraph (c) of subsection (6), by inserting after “Order in Council” the following—

“ and any by-election for the Legislative Council held at the same time as that general election ” .

Schedule amended.

19. The Schedule to the principal Act is amended—

- (a) by inserting after the heading “SCHEDULE” the following—  
“ 1 ” ;





Part 5.

All that portion of land contained within the boundaries of the Electoral District of Rockingham as determined by the Commissioners in their final recommendations published in the *Government Gazette* dated 9 June 1976. " .

20. The principal Act is amended by adding, at the end, the following Schedule—

Schedule 2  
added.

" SCHEDULE 2

S.7.

Area to be transferred from Pilbara Electoral District to Kimberley Electoral District.

All that portion of land bounded by lines starting at the intersection of the surveyed line of the Number One Rabbit Proof Fence Reserve (Reserve 12297) with South Latitude 23 degrees 26 minutes 30 seconds, the southernmost south-western corner of the electoral district of Kimberley as described by the Commissioners in their final recommendations published in the *Government Gazette* dated 9 June 1976 and extending west along that latitude to a point situate north of Mount Blair; thence north-easterly to Larrey Point and onwards to the Low Water Mark of the Indian Ocean; thence generally north-easterly along that Low Water Mark to South Latitude 19 degrees 30 minutes, a south-western corner of the electoral district of Kimberley as so described and thence east, south and generally southerly along boundaries of that electoral district as so described to the starting point. " .

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