

TASMANIA

LEGISLATIVE COUNCIL ELECTORAL BOUNDARIES AMENDMENT BILL 2009

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LEGISLATIVE COUNCIL ELECTORAL BOUNDARIES AMENDMENT BILL 2009

This Public Bill originated in the Legislative Council, and, having this day passed, is now ready for presentation to the House of Assembly for its concurrence.

D. T. PEARCE, *Clerk of the Council*
15 October 2009

*(Brought in by the Leader of the Government, the Honourable
Douglas John Parkinson)*

A BILL FOR

**An Act to amend the *Legislative Council Electoral
Boundaries Act 1995***

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Legislative Council Electoral Boundaries Amendment Act 2009*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

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3. Principal Act

In this Act, the *Legislative Council Electoral Boundaries Act 1995** is referred to as the Principal Act.

4. Section 19 amended (Notice of inquiries)

Section 19 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “inquiry and the time and place at which the inquiry is to commence” and substituting “inquiry, the time and place at which the inquiry is to commence and the address of the website on which the information required to be published under subsection (2) is published”;
- (b) by omitting from subsection (2) “A notice under subsection (1) is to specify” and substituting “The redistribution Tribunal is to publish on a website”;
- (c) by inserting the following paragraph before paragraph (a) in subsection (2):
 - (aa) a copy of the notice referred to in subsection (1); and

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5. Section 21 amended (Further redistribution proposals)

Section 21 of the Principal Act is amended by omitting subsection (3) and substituting the following subsections:

- (3) The public announcement referred to in subsection (1) is to include –
 - (a) a summary of the further redistribution proposal made by the Redistribution Tribunal; and
 - (b) a statement whether, in the opinion of the Tribunal, its further redistribution proposal is significantly different from the Redistribution Committee's initial redistribution proposal; and
 - (c) if, in the opinion of the Tribunal, its further redistribution proposal is significantly different from the initial redistribution proposal, a statement to the effect that –
 - (i) a person or organisation that was entitled to make an initial objection under section 17 may within 7 days lodge with the Tribunal a written further objection; and
 - (ii) subject to section 18(3), the Tribunal will hold an

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inquiry into a further
objection; and

- (d) the address of the website on which the information required to be published under subsection (4) is published.
- (4) The Redistribution Tribunal is to publish on a website –
- (a) a copy of the public announcement referred to in subsection (1); and
 - (b) the substance of the Redistribution Tribunal’s findings or conclusions concerning any initial objections and the Redistribution Committee’s initial redistribution proposal; and
 - (c) the further redistribution proposal made by the Tribunal.

6. Section 22 amended (Further objections)

Section 22(4) of the Principal Act is amended by omitting “Sections 18(3) and 21 apply” and substituting “Sections 18(3) and 20 apply”.

7. Section 25 amended (Redistribution of State)

Section 25 of the Principal Act is amended as follows:

- (a) by omitting from subsection (4) “The notice published pursuant to subsection (1) is to include” and substituting “The Redistribution Tribunal is to publish on a website a copy of the notice referred to in subsection (1) and”;
- (b) by inserting the following subsection after subsection (4):
 - (5) The notice referred to in subsection (1) is to include the address of the website on which the information required to be published under subsection (4) and section 26(3) is published.

8. Section 26 amended (Reasons for determination made by Redistribution Tribunal)

Section 26 of the Principal Act is amended by inserting after subsection (2) the following subsection:

- (3) The Redistribution Tribunal is to publish the reasons stated under subsections (1) and (2) on a website.

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9. Section 29 amended (Effective date of redistribution)

Section 29(1) of the Principal Act is amended by omitting “that section” and substituting “section 29A”.

10. Section 29A amended (Transition arrangements to implement redistribution of State in respect of Legislative Council)

Section 29A of the Principal Act is amended by inserting after subsection (10) the following subsections:

- (11) If each new division determined under section 25 contains at least 75 per cent of the electors from a member’s current division, the Tribunal may make a determination under this section that allocates each member to the new division that contains at least 75 per cent of the electors from the member’s current division.
- (12) If the Tribunal makes a determination referred to in subsection (11), section 29B to section 29I inclusive do not apply.

11. Section 29J amended (Transition determination)

Section 29J of the Principal Act is amended by inserting after subsection (3) the following subsection:

- (4) The notice published under subsection (2) is to include the address of the website on which the reasons, if any, published under section 29K(3) are published.

12. Section 29K amended (Reasons for transition determination made by Redistribution Tribunal)

Section 29K of the Principal Act is amended by inserting after subsection (2) the following subsection:

- (3) The Redistribution Tribunal is to publish any reasons stated under subsections (1) and (2) on a website.

13. Section 30A inserted

After section 30 of the Principal Act, the following section is inserted in Division 6:

30A. Copy of information to be provided

Where, pursuant to this Act, information is published on a website, a person is to be provided, on request, with a printed copy of that information.