

TASMANIA

CONSTITUTION AMENDMENT (MEMBERSHIP OF STATE PARLIAMENT) BILL 2004

CONTENTS

1. Short Title
2. Commencement
3. Principal Act
4. Section 31A inserted
5. Proclamation following State referendum

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**CONSTITUTION AMENDMENT (MEMBERSHIP OF STATE
PARLIAMENT) BILL 2004**

(Brought in by Kim Dion Booth)

A Bill for

An Act to amend the *Constitution Act 1934* to make it unlawful to sit in either House of the Parliament of Tasmania while elected as a representative on any local council within the State as defined by the *Local Government Act 1993*, and to make provision for this Bill to be ratified at a state referendum prior to proclamation.

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

Short Title

1. This Act may be cited as the *Constitution Amendment (Membership Of State Parliament) Act 2004*

Commencement

2. This Act commences on the day on which it is proclaimed.

Principal Act

3. In this Act, the *Constitution Act 1934* is referred to as the Principal Act.

Section 31A Inserted

4. After section 31 of the Principal Act, the following section is inserted:

State Membership

Section 31A. (1) No Member of either House of the Parliament of this State shall be capable of sitting as a Member of any municipal council and electoral district as defined in the *Local Government Act 1993*.

(2) If a Member of any municipal council and electoral district as defined in Subsection 31A (1) becomes a Member of either House of the Parliament of this State, his or her place in that Municipal council shall become vacant upon the day the Returning Officer declares him or her elected a Member of either House of the Parliament of Tasmania.

Proclamation following State referendum

5. This Act will be proclaimed only if a referendum affirms this legislation.