

TASMANIA

**LEGISLATIVE COUNCIL ELECTORAL
BOUNDARIES AMENDMENT BILL 2017**

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LEGISLATIVE COUNCIL ELECTORAL BOUNDARIES AMENDMENT BILL 2017

(Brought in by the Honourable Gregory Raymond Hall)

A BILL FOR

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

Be it enacted by Her 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 2017*.

2. Commencement

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

3. Principal Act

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

*No. 2 of 1995

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4. Section 10 amended (Commencement of redistributions)

Section 10(2) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (a) “4½ years” and substituting “5 years”;
- (b) by omitting from paragraph (b) “9 years” and substituting “10 years”.

5. Section 13 amended (Redistribution Committee to make initial redistribution proposal)

Section 13 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2)(a) “4 years and 6 months” and substituting “5 years”;
- (b) by inserting the following subsection after subsection (2):

(2A) The Redistribution Committee must, in making an assessment under subsection (2)(a) in relation to a redistribution, take into account estimates that –

- (a) are prepared by the Statistician, within the meaning of the *Census and Statistics Act 1905* of the Commonwealth; and

- (b) estimate, or enable to be estimated, the future numbers of people of the State, and their location within the State, at a point in time that is 5 years after the redistribution; and
- (c) have regard to the results of the most recent census, conducted under that Act, in respect of the number of people of each State.

6. Section 37A inserted

After section 37 of the Principal Act, the following section is inserted in Part 3:

**37A. Transitional provisions in relation to the
*Legislative Council Electoral Boundaries
Amendment Act 2017***

- (1) In this section –

amending Act means the *Legislative Council Electoral Boundaries Amendment Act 2017*.

- (2) Without limiting the application of the amendments to this Act made by the amending Act, the provisions of section 13, as amended by the amending Act, apply, in accordance with section 21(2), in relation to the

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performance and exercise of the Redistribution Tribunal's powers and functions under section 21 in relation to a further redistribution proposal for the State to be made in the 12-month period after the amending Act commences.

- (3) For the purposes of the application of subsection (2), the Redistribution Tribunal must not make a further redistribution proposal for the State in the 12-month period after the amending Act commences until the estimates, referred to in section 13(2A), are able to be taken into account by the Redistribution Tribunal in accordance with section 13(2A).
- (4) If the Redistribution Tribunal has, before the amending Act commences, made in 2017 a further redistribution proposal under section 21(2) –
 - (a) the further redistribution proposal is to be taken to be of no effect; and
 - (b) section 21 applies to the Redistribution Tribunal as if it had not performed or exercised under that section its powers and functions in relation to the last distribution proposal to which the further redistribution proposal relates; and

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- (c) any determination of the Redistribution Tribunal made in 2017 under section 25 before the amending Act commences is void and of no effect.

7. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.