

CLAUSE NOTES

Legislative Council Electoral Boundaries Amendment Bill 2009

CLAUSE 1 SHORT TITLE

This provides the short title to be used when citing the Act for any legal purpose.

CLAUSE 2 COMMENCEMENT

This Act commences on a day to be proclaimed.

CLAUSE 3 PRINCIPAL ACT

This provides that the Principal Act in this Part is the *Legislative Council Electoral Boundaries Act 1995*.

CLAUSE 4 SECTION 19 AMENDED (NOTICE OF INQUIRIES)

Sub-clause (a) provides that the address of the website at which information is to be published be included in the Notice of Inquiry.

Sub-clause (b) provides that the details in subsection (2) are to be published on a website instead of in the notice.

Sub-clause (c) provides that a copy of the notice is to appear on the website.

CLAUSE 5 SECTION 21 AMENDED (FURTHER REDISTRIBUTION PROPOSALS)

Clause 5 amends section 21 to provide that the public announcement of a further redistribution must include the particulars listed in the new subsection (3), including a summary of the further redistribution proposal and the address of the website on which the information required to be published under subsection (4) is published.

New subsection 21(4) details the information in relation to the further redistribution that is to be published on the website.

CLAUSE 6 SECTION 22 AMENDED (FURTHER OBJECTIONS)

Clause 6 amends section 22 to correct a reference to section 21 as being a reference to section 20.

CLAUSE 7 SECTION 25 AMENDED (REDISTRIBUTION OF STATE)

Subclause (a) provides that the substance of the Tribunal's findings or conclusions concerning the initial objections and any further objections are now to be published on a website, along with a copy of the notice referred to in subsection (1) which determines the names and boundaries of the Council divisions into which the State is to be distributed.

Subclause (b) provides that a notice published pursuant to subsection (1) must point to the website address at which the information required to be published under sections 25(4) and 26(3) is published.

CLAUSE 8 SECTION 26 AMENDED (REASONS FOR DETERMINATION MADE BY REDISTRIBUTION TRIBUNAL)

New subsection 26(3) instructs the Redistribution Tribunal to now publish on a website the reasons for the determination made by the Tribunal, and the disagreements with that determination, as provided under subsections (1) and (2).

CLAUSE 9 SECTION 29 AMENDED (EFFECTIVE DATE OF REDISTRIBUTION)

Clause 9 amends section 29 by omitting a reference to “that section” and substituting “section 29A” in its place.

CLAUSE 10 SECTION 29A AMENDED (TRANSITION ARRANGEMENTS TO IMPLEMENT THE REDISTRIBUTION OF THE STATE IN RESPECT OF THE LEGISLATIVE COUNCIL)

New subsection 29A(11) provides that where each new division as 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 that allocates each member to the new division that contains at least 75 per cent of the electors from the member’s current division.

New subsection 29A(12) provides that a determination made by the Tribunal under the new subsection (11) will result in the non-applicability of sections 29B to 29I inclusive.

CLAUSE 11 SECTION 29J AMENDED (TRANSITION DETERMINATION)

New subsection 29J provides that a transition determination made under section 29A must point to the website address at which any reasons for the transition determination made by the Tribunal under section 29K(3) are published.

CLAUSE 12 SECTION 29K AMENDED (REASONS FOR TRANSITION DETERMINATION MADE BY REDISTRIBUTION TRIBUNAL)

New subsection 29K instructs the Redistribution Tribunal to now publish on a website any reasons for the determination made by the Tribunal, and the disagreements with that determination, as provided under subsections (1) and (2).

CLAUSE 13 SECTION 30A INSERTED (COPY OF INFORMATION TO BE PROVIDED)

New section 30A allows for a hard copy of any information published on a website under this Act to be provided to a person on request.