

# TASMANIA

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## HOUSE OF ASSEMBLY RESTORATION BILL 2021

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### CONTENTS

#### **Part 1 - Preliminary**

1. Short title
2. Commencement
3. Repeal of Act

#### **Part 2 – Amendments to the Constitution Act 1934**

4. Principal Act
5. Section 8A amended (Limit on number of Ministers of the Crown)
6. Section 22 amended (Constitution of the Assembly)
7. Section 25 amended (Quorum of the Assembly)

#### **Part 3 – Amendments to the Electoral Act 2004**

8. Principal Act
9. Section 90 amended (Death of candidate at election)
10. Section 100 amended (Instructions on ballot papers)
11. Section 102 amended (Marking of ballot papers)
12. Section 103 amended (Informal ballot papers)



# HOUSE OF ASSEMBLY RESTORATION BILL 2021

*(Brought in by Cassandra Stanwell O'Connor MP)*

## A BILL FOR

**An Act to amend the *Constitution Act 1934* and the *Electoral Act 2004* to provide for the restoration of seats to the House of Assembly and for related matters**

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:

### PART 1 - PRELIMINARY

#### 1. Short title

This Act may be cited as the *House of Assembly Restoration Act 2021*.

#### 2. Commencement

This Act commences on the day on which there is an expiration or dissolution of the House of Assembly.

#### 3. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which all of the provisions of this Act commence.

**PART 2 – AMENDMENTS TO THE CONSTITUTION ACT 1934**

**4.    Principal Act**

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

**5.    Section 8A amended (Limit on number of Ministers of the Crown)**

Section 8A of the Principal Act is amended as follows:

- (a) by omitting “9” and substituting “10”;
- (b) by omitting “8” and substituting “9”.

**6.    Section 22 amended (Constitution of the Assembly)**

Section 22 of the Principal Act is amended as follows:

- (a) by omitting from subsection 1 “25” and substituting “35”;
- (b) by omitting from subsection 3 “5 members” and substituting “7 members”.

**7.    Section 25 amended (Quorum of the Assembly)**

Section 25 of the Principal Act is amended by omitting from subsection (1) “10” and substituting “14”.

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\*No. 94 of 1934

## **PART 3 – AMENDMENTS TO THE ELECTORAL ACT 2004**

### **8. Principal Act**

In this Part, the *Electoral Act 2004*\* is referred to as the Principal Act.

### **9. Section 90 amended (Death of candidate at election)**

Section 90 of the Principal Act is amended as follows:

(c) by omitting from subsection (2)(a) "5" and substituting "7";

(d) by omitting from subsection (2)(b) "5" and substituting "7".

### **10. Section 100 amended (Instructions on ballot papers)**

Section 100 of the Principal Act is amended by omitting from paragraph (b)(i) "five" and substituting "seven".

### **11. Section 102 amended (Marking of ballot papers)**

Section 102 of the Principal Act is amended by omitting from subsection (1)(a) "4 and 5" and substituting "4, 5, 6 and 7".

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\*No. 51 of 2004

*House of Assembly Restoration Act 2021*  
*Act No. of 2021*

s. 12 Part 3 – Amendments to the Electoral Act 2004

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**12. Section 103 amended (Informal ballot papers)**

Section 103 of the Principal Act is amended by omitting from subsection (2) “5” and substituting “7”.