

CLAUSE NOTES

House of Assembly Restoration Bill 2021

PART 1 – PRELIMINARY

Clause 1: Short Title

The Short title will be the *House of Assembly Restoration Act 2021*.

Clause 2: Commencement

The Amendment Act will commence on the day on which there is an expiration or dissolution of the House of Assembly.

Clause 3: Repeal of Act

The Amendment Act will be repealed 365 days from the day on which it commences.

PART 2 – AMENDMENTS TO THE CONSTITUTION ACT 1934

Clause 4: Principal Act

The Principal Act to which the amendments in this part apply is the *Constitution Act 1934*.

Clause 5: Section 8A amended (Limit on number of Ministers of the Crown)

As it currently stands there may only be 9 Ministers, or 8 Ministers and a Secretary to Cabinet. This amendment increases these limits to 10 and 9 respectively. This is consistent with the arrangements prior to the 1998 reforms.

Clause 6: Section 22 amended (Constitution of the Assembly)

This amendment increases the number of seats in the House of Assembly from 25 to 35, and the number of elected representatives from each electorate from 5 to 7.

Clause 7: Section 25 amended (Quorum of the Assembly)

This amendment increases the required number of Members present to constitute a quorum from 10 to 14. This is consistent with the arrangements prior to the 1998 reforms.

PART 3 – AMENDMENTS TO THE ELECTORAL ACT 2004

Clause 8: Principal Act

The Principal Act to which the amendments in this part apply is the *Electoral Act 2004*.

Clause 9: Section 90 amended (Death of candidate at election)

This clause modifies the arrangements for circumstances where a candidate dies before polling day to reflect the increase in elected representatives from each electorate from 5 to 7.

Clause 10: Section 100 amended (Instructions on ballot papers)

This clause modifies the instructions on ballot papers to reflect the increase in elected representatives from each electorate from 5 to 7.

Clause 11: Section 102 amended (Marking of ballot papers)

This clause increases the minimum number of candidates an elector must mark from 5 to 7.

Clause 12: Section 103 amended (Informal ballot papers)

This clause modifies the rules for counting a ballot paper as formal that would otherwise be informal to reflect the updated requirement for an elector to mark at least 7 candidates.