



New South Wales

Constitution (Parliamentary Cooling-Off Period—Referendum) Bill 2026

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

This Bill is cognate with the *Constitution Amendment (Parliamentary Cooling-Off Period) Bill 2026*.

Overview of Bill

Under the *Constitution Act 1902*, section 7A, it is necessary for the *Constitution Amendment (Parliamentary Cooling-Off Period) Bill 2026* to be submitted to a referendum and be approved by a majority of electors before that Bill is presented to the Governor for assent.

The object of that Bill is to amend the *Constitution Act 1902* to provide for a 90-day period after certain significant events during which Bills may not be introduced, debated or enacted or regulations made.

The object of this Bill is to appoint the date of the next general election as the date for taking the votes of electors at the referendum on the *Constitution Amendment (Parliamentary Cooling-Off Period) Bill 2026*.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 provides that the *Constitution Amendment (Parliamentary Cooling-Off Period) Bill 2026* must be submitted to the electors for approval at a referendum.

Clause 4 appoints the day of the next general election as the date for the referendum.

Clause 5 provides that the referendum must be conducted in accordance with the *Constitution Further Amendment (Referendum) Act 1930*. That Act makes general provision for the conduct of referendums on proposed constitutional laws.



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This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council

Clerk of the Parliaments



New South Wales

Constitution (Parliamentary Cooling-Off Period—Referendum) Bill 2026

No. _____, 2026

A Bill for

An Act to provide for the holding of a referendum on the Bill entitled “A Bill for an Act to amend the *Constitution Act 1902* to provide for a 90-day period after certain significant events during which Bills may not be introduced, debated or enacted or regulations made; and for related purposes.”.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.

Legislative Assembly

Clerk of the Legislative Assembly

Tabling copy

The Legislature of New South Wales enacts—	1
1 Name of Act	2
This Act is the <i>Constitution (Parliamentary Cooling-Off Period—Referendum) Act 2026</i> .	3 4
2 Commencement	5
This Act commences on the date of assent to this Act.	6
3 Referendum to be held on Constitution Amendment (Parliamentary Cooling-Off Period) Bill 2026	7 8
The Bill entitled “A Bill for an Act to amend the <i>Constitution Act 1902</i> to provide for a 90-day period after certain significant events during which Bills may not be introduced, debated or enacted or regulations made; and for related purposes.” must be submitted to a referendum of the electors qualified to vote for the election of Members of the Legislative Assembly.	9 10 11 12 13
4 Date of referendum	14
(1) The day appointed for the taking of the votes of the electors at the referendum is the day specified in the writ for the general election of the Members of the Legislative Assembly held next after the commencement of this Act as the day for the taking of the poll for the election.	15 16 17 18
(2) Subsection (1) applies only if the day is not sooner than 2 months after the passage of the Bill through both Houses of Parliament	19 20
(3) A reference in subsection (1) to a writ does not include a reference to a writ issued because of the failure of an election, including a failure of an election because of the election being declared void in accordance with law.	21 22 23
5 Manner of taking votes at referendum	24
The referendum must be conducted in accordance with the provisions of the <i>Constitution Further Amendment (Referendum) Act 1930</i> .	25 26