FIRST PRINT

CONSTITUTION (REFERENDUM) BILL 1991

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

Under section 7A of the Constitution Act 1902, it is necessary for the Constitution (Legislative Council) Amendment Bill 1991 to be submitted to a referendum and be approved by a majority of the electors before that Bill is presented to the Governor for Her Majesty's assent. The objects of that Bill are:

- (a) to reduce the number of politicians in the Legislative Council and to reduce their maximum term of office; and
- (b) to apply to the Legislative Council the same method of filling casual vacancies as applies to the Senate.

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 (Legislative Council) Amendment Bill 1991.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act commences on the date of assent.

Clause 3 provides that the Constitution (Legislative Council) Amendment Bill 1991 is to be submitted by way of referendum to the electors.

Clause 4 appoints the day named for the taking of the poll at the next general election as the date for the referendum.

Clause 5 provides that the vote of the electors at the referendum is to be taken in accordance with the Constitution Further Amendment (Referendum) Act 1930. That Act makes general provision for the conduct of any referendum on a proposed constitutional law.



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TABLE OF PROVISIONS

1. Short title

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- Commencement
 Referendum to be held on Constitution (Legislative Council) Amendment Bill 1991
- Date of referendum
 Manner of taking votes at referendum



CONSTITUTION (REFERENDUM) BILL 1991

NEW SOUTH WALES



No. , 1991

A BILL FOR

An Act to provide for the holding of a referendum on the Bill entitled "A Bill for an Act:

- (a) to reduce the number of politicians in the Legislative Council and to reduce their maximum term of office; and
 - (b) to apply to the Legislative Council the same method of filling casual vacancies as applies to the Senate".

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Constitution (Referendum) Act 1991.

Commencement

2. This Act commences on the date of assent.

Referendum to be held on Constitution (Legislative Council) Amendment Bill 1991

3. The Bill entitled "A Bill for an Act:

- (a) to reduce the number of politicians in the Legislative Council and to reduce their maximum term of office; and
- (b) to apply to the Legislative Council the same method of filling casual vacancies as applies to the Senate",

is to be submitted by way of referendum to the electors qualified to vote for the election of Members of the Legislative Assembly.

Date of referendum

4. (1) The day appointed for the taking of the votes of the electors at the referendum is the day named for the taking of the poll in the writs issued for the general election of the Members of the Legislative Assembly held next after the commencement of this Act.

(2) Subsection (1) applies only if the day so named is a day which complies with the requirements of section 7A (3) of the Constitution Act 1902, that is, the day is to be not sooner than 2 months after the passage of the Bill through both Houses of the Legislature.

(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 its being declared void in accordance with law.

Manner of taking votes at referendum

5. The referendum is to be conducted in accordance with the provisions of the Constitution Further Amendment (Referendum) Act 1930.



NEW SOUTH WALES



Act No. 1, 1991

An Act to provide for the holding of a referendum on the Bill entitled "A Bill for an Act:

- (a) to reduce the number of politicians in the Legislative Council and to reduce their maximum term of office; and
- (b) to apply to the Legislative Council the same method of filling casual vacancies as applies to the Senate". [Assented to 25 March 1991]

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Constitution (Referendum) Act 1991.

Commencement

2. This Act commences on the date of assent.

Referendum to be held on Constitution (Legislative Council) Amendment Bill 1991

3. The Bill entitled "A Bill for an Act:

- (a) to reduce the number of politicians in the Legislative Council and to reduce their maximum term of office; and
- (b) to apply to the Legislative Council the same method of filling casual vacancies as applies to the Senate",

is to be submitted by way of referendum to the electors qualified to vote for the election of Members of the Legislative Assembly.

Date of referendum

4. (1) The day appointed for the taking of the votes of the electors at the referendum is the day named for the taking of the poll in the writs issued for the general election of the Members of the Legislative Assembly held next after the commencement of this Act.

(2) Subsection (1) applies only if the day so named is a day which complies with the requirements of section 7A (3) of the Constitution Act 1902, that is, the day is to be not sooner than 2 months after the passage of the Bill through both Houses of the Legislature.

(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 its being declared void in accordance with law.

Manner of taking votes at referendum

5. The referendum is to be conducted in accordance with the provisions of the Constitution Further Amendment (Referendum) Act 1930.

[Minister's second reading speech made in -Legislative Assembly on 21 February 1991 Legislative Council on 14 March 1991]

> BY AUTHORITY R. MILLIGAN, ACTING GOVERNMENT PRINTER - 1991

CONSTITUTION (REFERENDUM) ACT 1991 No. 1

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title

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- 2. Commencement
- 3. Referendum to be held on Constitution (Legislative Council) Amendment Bill 1991
- 4. Date of referendum
- 5. Manner of taking votes at referendum

