

FIRST PRINT

**CONSTITUTION (ENTRENCHMENT) AMENDMENT
BILL 1992**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Constitution (Amendment) Bill 1992.

The object of this Bill is to amend section 7B of the Constitution Act 1902 so that any amendment or repeal of provisions relating to the independence of the judiciary (Part 9) proposed to be inserted in the Act by the Constitution (Amendment) Bill 1992 will be required to be submitted to a referendum and will not become law unless approved by a majority of electors.

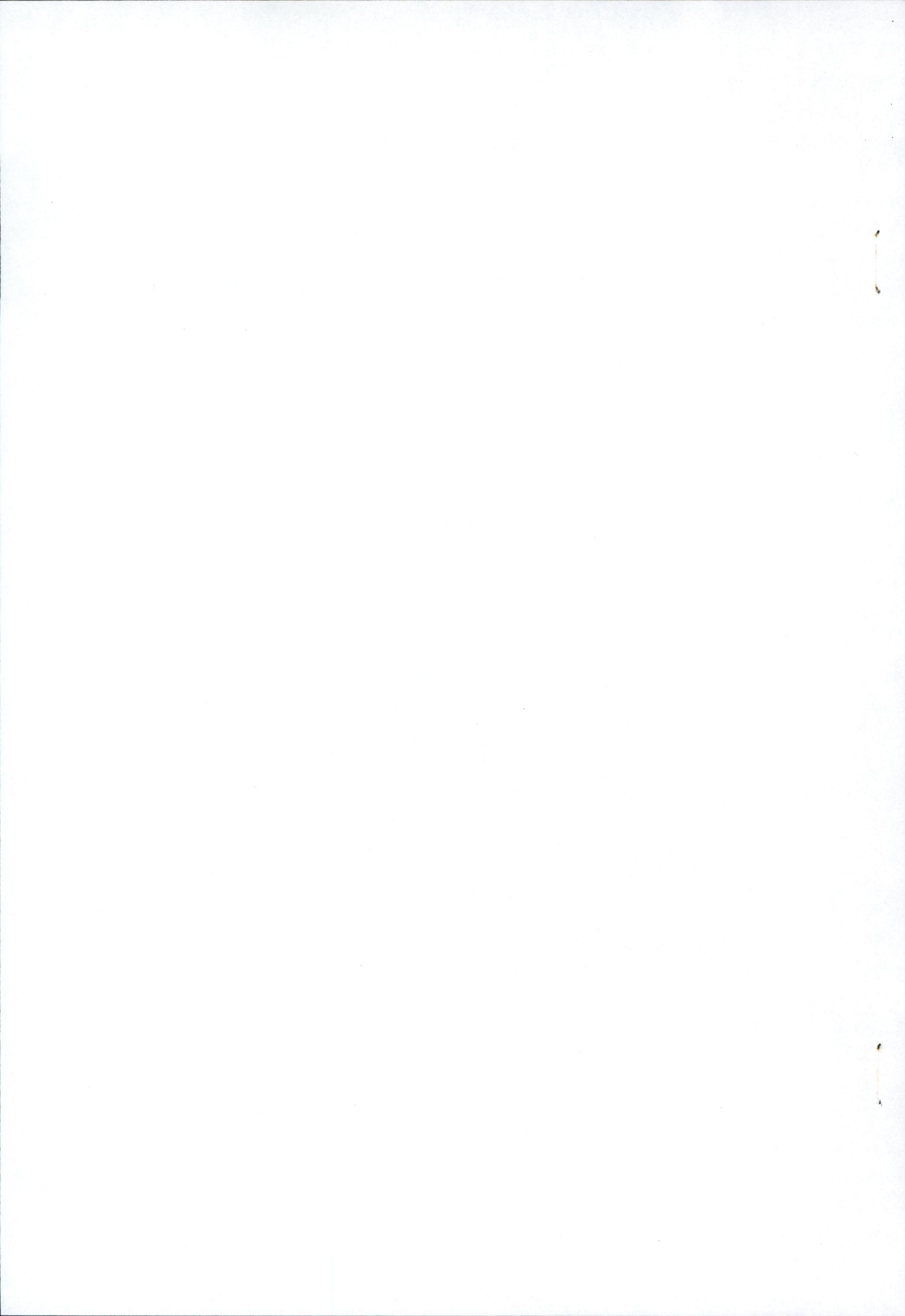
However, amendments by way of additions to the list of judicial offices will not require a referendum.

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 is a formal provision that gives effect to the Schedule of amendments to the Constitution Act 1902.

Schedule 1 contains the amendments proposed to be made to section 7B of the Constitution Act 1902.



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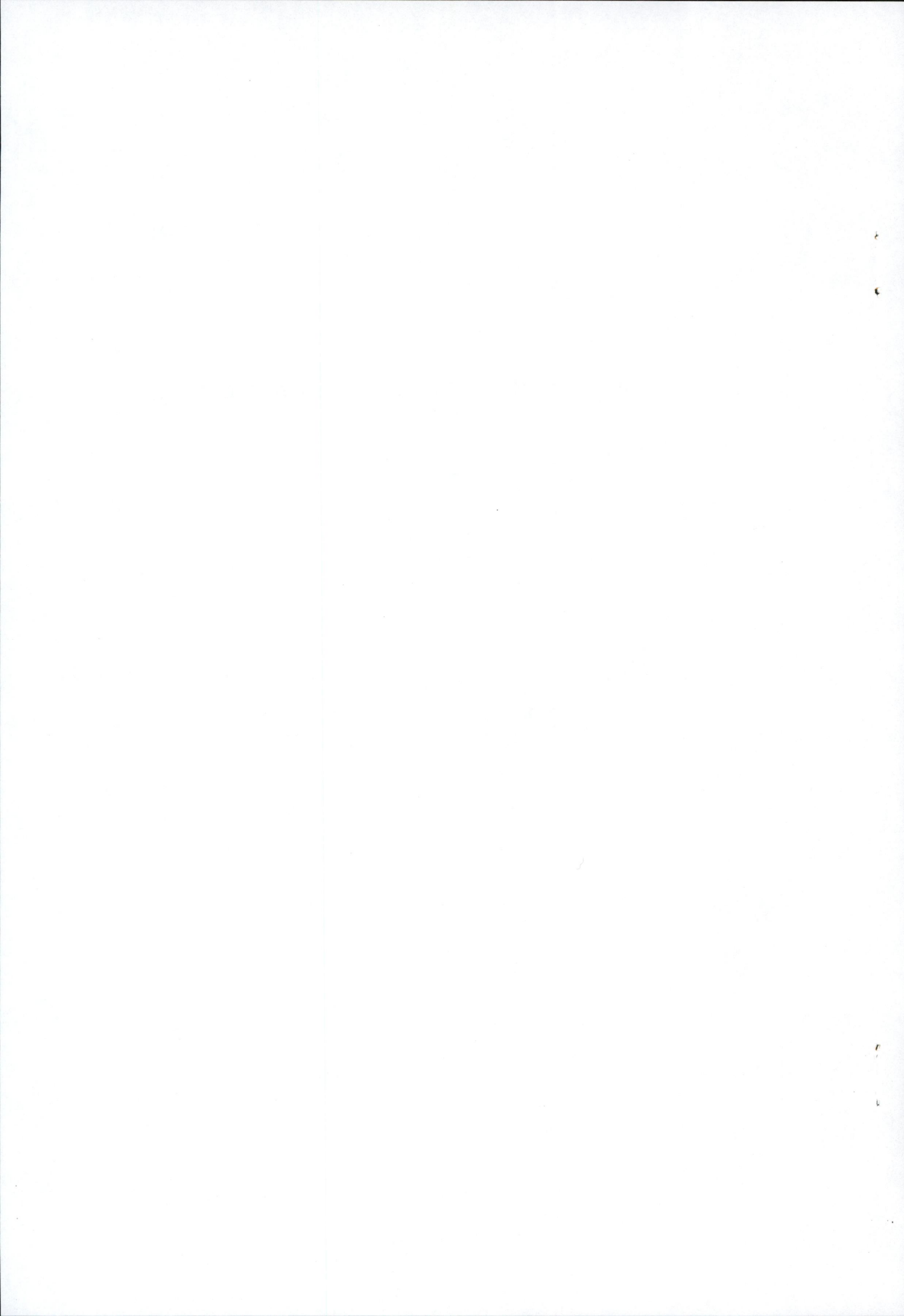
NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Constitution Act 1902 No. 32

SCHEDULE 1—AMENDMENTS



**CONSTITUTION (ENTRENCHMENT) AMENDMENT
BILL 1992**

NEW SOUTH WALES



No. , 1992

A BILL FOR

An Act to prevent Parliament from changing laws about the independence of judges and magistrates without a referendum.

Constitution (Entrenchment) Amendment 1992

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, with the approval of the electors as required by the Constitution Act 1902, and by the authority of
5 the same, as follows:

Short title

1. This Act may be cited as the Constitution (Entrenchment) Amendment Act 1992.

Commencement

10 2. This Act commences on the date of assent.

Amendment of Constitution Act 1902 No. 32

3. The Constitution Act 1902 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

15 **Section 7B (Referendum for Bills with respect to Legislative Assembly and certain other matters):**

(a) In section 7B (1) (a), after "29," insert "Part 9,".

(b) At the end of section 7B, insert:

20 (8) The provisions of this section do not apply to a provision of a Bill, being a provision that would, upon its coming into operation, be a law that amends section 52 for the purpose of extending the application of Part 9 to additional judicial offices or classes of judicial offices.
