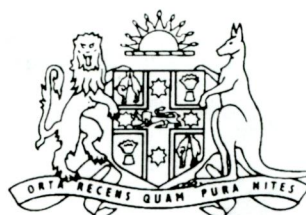


Introduced by Mr Barry O'Farrell, MP

First print



New South Wales

Parliamentary Electorates and Elections Amendment (Redistribution) Bill 1995

Explanatory note

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

Overview of Bill

The object of this Bill is to require the Electoral Districts Commissioners, when carrying out a distribution of electoral districts, to take into account electoral fairness, so as to improve the likelihood that the party, or group of candidates, that receives the majority of votes at the next election wins sufficient seats to form a government.

Outline of provisions

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

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

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the *Parliamentary Electorates and Elections Act 1912*.

Schedule 1 contains the amendments to give effect to the object stated above.

As a result of the amendments, the commissioners will have to take into account the following matters, in the following order, when carrying out a redistribution:

- (a) demographic trends in the State, so that if a general election were held at the expiry of the life of the current parliament, the number of voters in each electoral district would as far as practicable be equal, subject to a margin of 3 per cent more or less,
- (b) electoral fairness, so that if a general election were held at the expiry of the life of the current parliament, the party or group of candidates that obtained the highest number of votes would win sufficient seats to form a government,
- (c) certain physical and other characteristics of each electoral district.

The amendment does not detract from the commissioners' obligation to ensure equality of enrolment in electoral districts at the time of the distribution. (See section 28 of the *Constitution Act 1902*.)

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New South Wales

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New South Wales

Parliamentary Electorates and Elections Amendment (Redistribution) Bill 1995

No , 1995

A Bill for

An Act to amend the *Parliamentary Electorates and Elections Act 1912* in relation to the distribution of electoral districts.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Parliamentary Electorates and Elections Amendment (Redistribution) Act 1995*.

2 Commencement

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This Act commences on the date of assent.

3 Amendment of Parliamentary Electorates and Elections Act 1912 No 41

The *Parliamentary Electorates and Elections Act 1912* is amended in the manner set out in Schedule 1.

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Schedule 1 Amendments

(Section 3)

[1] Section 17A Criteria for distributions

Insert after section 17A (1) (a):

- (a1) subject to paragraph (a), have regard to such matters (such as recent voting patterns) as are relevant to determining a fair distribution to prospective groups of candidates and, as far as practicable, endeavour to ensure that the distribution is such that, at an election held at the relevant future time, candidates of a particular group attracting more than 50 per cent of the popular vote (determined by aggregating votes cast throughout the State and allocating preferences to the necessary extent) will be elected in sufficient numbers to enable them to form a government, and

[2] Section 17A (1) (b)

Omit "paragraph (a)". Insert instead "paragraphs (a) and (a1)".

[3] Section 17A (2)

Omit "subsection (1) (a)". Insert instead "subsection (1)".

[4] Section 17A (3)

Insert after section 17A (2):

- (3) In this section, a reference to a group of candidates includes not only candidates endorsed by the same party but also candidates whose political stance is such that there is reason to believe that they would, if elected in sufficient numbers, be prepared to act in concert to form or support a government. 5