

Electoral Commission (Amendment) Bill 1983

NOTES ON CLAUSES

Clause 1:

Sub-clauses (1) and (2) state the short title of the proposed Act and name the Principal Act.

Sub-clause (3) provides for the commencement of the Act on the day on which it receives the Royal Assent.

Clause 2:

Sub-clause (1) requires Electoral Commissioners when carrying out a redivision of the State to have regard to any specific requirements in sections 27 and 35 of the *Constitution Act 1975* with regard to Electoral Provinces and Electoral Districts.

Sub-clause (2) provides that when carrying out their first redivision of Victoria under the *Electoral Commission Act 1982*, the Electoral Commissioners must propose Electoral Provinces each containing 4 complete and contiguous Electoral Districts and must propose 88 Electoral Districts.

Clause 3: This clause corrects an error in the Principal Act.

Clause 4: This clause inserts two new sections which provide that before the Electoral Commissioners forward their statement and maps concerning the redivision to the Minister they must arrange for public exhibition of maps of the proposed electorates for members of the public to make suggestions, or lodge objections, which must be considered by the Commissioners.

Clause 5: This clause amends section 11 of the Principal Act to provide that the Electoral Commissioners must consider any suggestions or objections and then forward their statement and maps to the Minister.

Clause 6: This clause substitutes for sections 14 and 15 of the Principal Act, sections which provide that the names and boundaries of new Electoral Provinces and new Electoral Districts are to be declared by proclamation published in the *Government Gazette*. New Electoral Provinces are to come into effect at the issue of writs for the next general or periodical election for the Legislative Council. New Electoral Districts are to come into effect at the dissolution or other lawful determination of the Legislative Assembly.

Clause 7: This clause inserts in section 16 of the Principal Act a new subsection to provide for the holding of a by-election for a Legislative Council Electoral Province whilst "old" Electoral Provinces still exist. The by-election is to be held for the same Electoral Province as that held by the former Member.

Clause 8: This clause inserts a new section 16A in the Principal Act to provide that should a vacancy occur for a Legislative Assembly Electoral District necessitating a by-election after a redivision has been completed and before the new Electoral Districts come into effect, the by-election is to be held for the same Electoral District as that held by the former Member.

Clause 9: This clause amends section 17 (2) of the Principal Act to give power to divide Electoral Provinces into subdivisions, as well as power to divide Electoral Districts into subdivisions, for the purpose of preparing new electoral rolls for the new electorates.

