

1987

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

(Presented and read a first time, 23 September 1987)

(SENATOR MACKLIN)

A B I L L

FOR

An Act to alter the Constitution so that the number of Senators need not necessarily be increased when there is an increase in the number of members of the House of Representatives

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, with the approval of the electors as required by the Constitution, as follows:

5 Short title

1. This Act may be cited as the Constitution Alteration (Parliament) 1987.

The Senate

2. Section 7 of the Constitution is altered by omitting from the third paragraph "six senators" (twice occurring) and substituting "twelve senators".

Constitution of House of Representatives

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3. The Constitution is altered by omitting sections 24, 25, 26, and 27 and substituting the following section:

"24. (1) The House of Representatives shall be composed of members directly chosen by the people of the Commonwealth.

"(2) The numbers of members of the House of Representatives to be chosen in the several States shall be as determined by the Parliament from time to time in accordance with this section. The numbers of members for all the States shall be determined by the one law.

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"(3) The number of members so determined in respect of a State shall be the number ascertained by dividing the number of the people of the State by such number as is for the time being determined by the Parliament, being not less than one hundred thousand and being the one number for all the States. Subject to any provision made by the Parliament, if, on the division, there is a remainder, the number of members shall be increased by one. The Parliament may make provision that every such remainder shall be disregarded, or that every such remainder that is not greater than a specified number or a specified fraction of the divisor shall be disregarded. The Parliament may alter or repeal any such provision.

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"(4) For the purposes of a law made by virtue of subsection (2), the respective numbers of the people of the States shall be taken to be the numbers declared by that law to have been those numbers, according to statistics of the Commonwealth, at a date

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specified in that law, not being earlier than the date as at which the latest census of the people of the Commonwealth was taken under a law of the Commonwealth.

5 "(5) Notwithstanding anything contained in this section, the number of members of the House of Representatives determined in respect of an Original State shall not be less than five.

10 "(6) A law made by virtue of subsection (2) takes effect upon the first expiry or dissolution of the House of Representatives that occurs after the Governor-General in Council has, by Proclamation, declared that there is an appropriate number of electoral divisions for the purpose of the choosing of members in accordance with that law.

15 "(7) The provisions of sections 24, 25 and 27 of this Constitution as in force immediately before this section became law continue to have effect for the purposes of the composition of the House of Representatives before the first law takes effect in accordance with the last preceding subsection."

