



ANNO TRICESIMO PRIMO

ELIZABETHAE II REGINAE

A.D. 1982

No. 77 of 1982

An Act to amend the Constitution Act, 1934-1981.

{ Reserved 1 July 1982 }
{ Royal Assent proclaimed 2 September 1982 }

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Constitution Act Amendment Act (No. 2), 1982". Short titles.

(2) The Constitution Act, 1934-1981, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Constitution Act, 1934-1982".

2. (1) This Act shall come into operation on a day to be fixed by proclamation. Commencement.

(2) The Governor may, in a proclamation fixing a day for this Act to come into operation, suspend the operation of specified provisions of this Act until a subsequent day fixed in the proclamation, or a day to be fixed by subsequent proclamation.

3. Section 11 of the principal Act is repealed and the following section is substituted: Repeal of s. 11 and substitution of new section.

11. The Legislative Council shall consist of twenty-two members elected by the inhabitants of the State legally qualified to vote. Number of members of Legislative Council.

4. Section 12 of the principal Act is amended by striking out paragraphs (a) and (b) and substituting the following paragraph: (a) he is entitled to vote at an election for the Legislative Council; and Amendment of s. 12— Qualification of member of Legislative Council

5. Section 14 of the principal Act is amended by inserting after its present contents (now to be designated as subsection (1)) the following subsections: Amendment of s. 14— Periodical retirement of Legislative Councillors.

(2) Where an election held in pursuance of subsection (1) is avoided or fails, a fresh election to supply vacancies in the membership of the Legislative Council shall take place as soon as practicable after the date of that election.

(3) For the purpose of calculating the term of office of a member of the Legislative Council who was elected at an election held in pursuance of subsection (2), that election shall be deemed to have taken place at the time of the last preceding general election of the House of Assembly.

Repeal of
s. 19 and
substitution
of new section.

6. Section 19 of the principal Act is repealed and the following section is substituted:

Legislative
Council
district.

19. The whole of the State constitutes a single Legislative Council electoral district.

Amendment of
s. 32—
Assembly
districts.

7. Section 32 of the principal Act is amended—

(a) by striking out subsection (1) and substituting the following subsection:

(1) The State shall be divided into House of Assembly electoral districts in accordance with the last effective electoral redistribution.;

and

(b) by inserting after the definition of “the Commission” in subsection (5) the following definition:

“the last effective electoral redistribution” means the division of the State into House of Assembly electoral districts that last took effect under subsection (2):.

Amendment of
s. 33—
Qualification
of electors
for the House
of Assembly.

8. Section 33 of the principal Act is amended by striking out paragraph (b) of subsection (1) and substituting the following paragraph:

(b) is—

(i) an Australian citizen;

or

(ii) a British subject who was, at some time within the period of three months immediately preceding the commencement of the Constitution Act Amendment Act (No. 2), 1982, enrolled on an electoral roll for an Assembly District or on an electoral roll maintained in pursuance of the *Commonwealth Electoral Act 1918*.

Repeal of
s. 33a.

9. Section 33a of the principal Act is repealed.

Repeal of
second and
third schedules.

10. The second and third schedules to the principal Act are repealed.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor