Western Australia

# Referendums (Implementation of Result) Amendment Bill 2009

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Western Australia

LEGISLATIVE COUNCIL

*(Introduced by Hon. Anthony Fels MLC)*

# Referendums (Implementation of Result) Amendment Bill 2009

**A Bill for**

**An Act to amend the *Referendums Act 1983* to provide for the compulsory introduction of legislation and policies designed to implement the result of a referendum.**

The Parliament of Western Australia enacts as follows:

# Part 1 — Preliminary

## 1. Short title

This Act may be cited as the *Referendums (Implementation of Result) Amendment Act 2009*.

## 2. Commencement

This Act shall come into force on a day fixed by proclamation.

# Part 2 — Amendments to the *Referendums Act 1983*

## 3. The Act amended

The amendments in this part are to the *Referendums Act 1983*.

## 4. Part VA inserted

After Part V the following is inserted —

# Part VA — Implementation of result

### 32A. Referendum result binding

If, in each Legislative Council region, a majority of votes are marked in a particular authorized manner then that result is binding on the Government.

### 32B. Duty of Premier following a referendum

(1) Subject to subsection (2), where the result of a referendum is binding on the Government, the Premier shall take such steps as in the opinion of the Premier are necessary and appropriate to implement the result of the referendum, including:

(a) to change programs or policies or introduce new programs or policies which are administered by or through the executive; and

(b) to introduce legislation in the Legislative Assembly during the first parliamentary session following the return of the writ.

(2) The Premier is not required to introduce legislation under subsection (1)(b) above if the Premier is of the opinion that the result of the referendum is substantially reflected in existing legislation.

### 32C. Overturning result of referendum

Where the result of a referendum is binding upon the Government it remains binding unless an inconsistent binding result is obtained in a subsequent referendum.