

WESTERN AUSTRALIA
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LEGISLATIVE COUNCIL

[HON JOHN COWDELL]

**ELECTORAL AMENDMENT
(CONSTITUTIONAL PROVISIONS)
BILL 1997**

A BILL FOR

AN ACT to amend the *Electoral Act 1907*

The Parliament of Western Australia enacts as follows:

cl. 2

PART 1 — PRELIMINARY

Short title

1. This Act may be cited as the *Electoral Amendment Act 1997*.

Commencement

- 5 2. This Act shall come into operation the first day of January 1998.

PART 2 — PRELIMINARY

Principal Act

3. In this Act, the *Electoral Act 1907* is referred to as the principal Act.

5 **Part V A inserted**

4. After section 173 of the principal Act the following Part is inserted —

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10 **PART V A — PARLIAMENTARY MEMBERSHIP
REQUIREMENTS**

Interpretation

174A. In the succeeding provisions of this Part —

15 (a) “**disqualified for membership of the
Legislature**” means disqualified for
membership of the Legislative Council and
for membership of Legislative Assembly;

“**member**” in relation to a commission, council,
board, committee, authority, trust or other
body means —

20 (i) any member of the body whether
known as a member, commissioner,
councillor, trustee, director or by any
other title;

25 (ii) any deputy, alternate or acting
member of the body,

cl. 4

and includes a person holding the office of chairman or president or any other office on the body;

5 “**member of the Legislature**” means a member of the Legislative Council or the Legislative Assembly;

10 (b) a reference to the holding of any office or place is a reference to the holding of that office or place in a permanent, temporary or acting capacity on a full-time, part-time or casual basis.

Disqualification by reason of bankruptcy or convictions

174B. A person is disqualified for membership of the Legislature if he —

- 15 (a) be an undischarged bankrupt, or a debtor against whose estate there is a subsisting receiving order in bankruptcy; or
- (b) has been in any part of Her Majesty's dominions attainted or convicted of treason or felony.

20 **Disqualification of certain office-holders and members of other Parliaments or Houses**

174C. (1) Subject to this Act a person is disqualified for membership of the Legislature if he —

- 25 (a) holds any office mentioned in Part 1 of Schedule 4; or
- (b) is a member of the Parliament of the Commonwealth or the legislature of a Territory or another State of the Commonwealth.

(2) A member of either House of the Legislature is disqualified for membership of the other House.

Election of unqualified or disqualified person void

5 **174D.** (1) If any person not qualified under section 36 of the Constitution of Western Australia to be elected as a member of a House of the Legislature is elected as a member of that House, his election shall be void.

10 (2) If any person disqualified for membership of the Legislature by section 174B or section 174C (1) is elected as a member of the Legislature, his election shall be void.

(3) If any person disqualified for membership of one House of the Legislature by section 174C (2) is elected as a member of that House, his election shall be void.

15 **Certain offices and places must be vacated before member can take seat**

174E. (1) Subject to subsections (2) and (8), this section applies to a person who —

20 (a) holds an office or place in the service of the Crown in right of the Commonwealth or another State of the Commonwealth or in the service of the government of, or any department or agency of the government of, the Commonwealth or a Territory or another State of the Commonwealth; or

25 (b) holds an office as a member of any commission, council, board, committee, authority, trust or other body, and was appointed as such a member by the Crown in right of the Commonwealth or another State of the Commonwealth, or by the government of, or any department or agency of the government of, the Commonwealth or a Territory
30 or another State of the Commonwealth.

cl. 4

5 (2) Subject to subsection (4), the Governor may, by Order in Council exempt any office or place from the operation of this section and whilst that office or place remains so exempted this section shall not apply to a person by reason of his holding that office or place.

10 (3) Subject to subsection (4), the Governor may, by subsequent Order in Council, amend an Order made under subsection (2) or revoke the Order either absolutely or for the purpose of substituting another Order.

(4) An Order in Council shall be made under this section if and only if the making of the Order has been recommended by resolution passed by both Houses of the Legislature.

15 (5) Subject to subsection (6), an Order in Council made under this section shall take and have effect on and from the day on which it is published in the *Gazette*.

20 (6) Where, by reason of an Order in Council made under subsection (3), an office or place previously exempted from the operation of this section will no longer be so exempted, that Order shall take and have effect at and from the expiration of 30 days from the day on which it is published in the *Gazette*.

25 (7) The Clerk of the Parliaments shall keep in his custody a copy of every Order in Council made under this section.

30 (8) This section does not apply to a person by reason of his being a member of the Citizen Forces or the Reserve Forces within the meaning of the *Defence Act 1903* of the Parliament of the Commonwealth.

(9) If any person to whom this section applies is elected as a member of the Legislative Council at a general election,

his seat shall become vacant on 22 May next following the election if he has not, before that date, resigned from or otherwise ceased to hold the office or place by reason of which this section applies to him.

5 (10) If any person to whom this section applies is elected as a member of the Legislature otherwise than as referred to in subsection (9) —

10 (a) he shall not take the oath, or make the affirmation, pursuant to section 37 of the *Constitution of Western Australia* until he has resigned from or otherwise ceased to hold the office or place by reason of which this section applies to him; and

15 (b) his seat shall become vacant at the expiration of 21 days after the date on which he is declared to be elected if he has not, before the expiration of that period, resigned from or otherwise ceased to hold the office or place by reason of which this section applies to him.

20 **Office or place vacated in certain cases**

174F. (1) Subject to subsection (2), this section applies to a person who —

25 (a) holds any office or place mentioned in Part 2 of Schedule 4 not being an office also mentioned in Part 1 of Schedule 4; or

(b) is a member of any commission, council, board, committee, authority, trust or other body mentioned in Part 3 of Schedule 4.

30 (2) This section does not apply to a person by reason of his being the holder of any office or place, or a member of any body, ex

cl. 4

officio as the holder of any of the principal executive offices of the Government liable to be vacated on political grounds.

- (3) If any person to whom this section applies is declared to be elected as a member of the Legislature, he shall, upon and by virtue of being so declared, vacate the office or place by reason of which this section applies to him.

Seats in Parliament vacated in certain cases

174G. Subject to any resolution passed by the Legislature under section 39, if any member of the Legislature, after his election —

- (a) ceases to be qualified under section 36 of the *Constitution of Western Australia* to be elected a member of the House of which he is a member; or
- (b) becomes disqualified for membership of the Legislature by section 174B or section 174C; or
- (c) becomes a person to whom section 174E or section 174F applies; or
- (d) takes the benefit, whether by assignment, composition, or otherwise, of any law relating to bankrupt or insolvent debtors; or
- (e) becomes of unsound mind; or
- (f) takes any oath or makes any declaration or acknowledgment of allegiance, obedience, or adherence, to any foreign Prince or Power, or does, concurs in, or adopts any act whereby he may become a subject or citizen of any foreign State or Power, or whereby he may become entitled to the rights, privileges, or immunities of a subject or citizen of any foreign State or Power; or

- (g) fails to give his attendance in the House of which he is a member for one entire session thereof without the permission of the House entered upon its journals,

his seat shall thereupon become vacant.

5 **Provision for relief**

174H. (1) This section applies to any case where a person has, or it is alleged that a person has, at any time (in this section called “**the material time**”) become the holder of an office or place —

- 10 (a) specified in Part 1 or 2 of Schedule 4; or
- (b) as a member of any commission, council, board, committee, authority, trust or other body specified in Part 3 of Schedule 4; or
- (c) referred to in section 174E (1),

15 and, at the material time, that person was a member of the Legislature.

 (2) If, in a case to which this section applies, it appears to the Legislature that the person concerned has, since the material time, resigned from or otherwise ceased to hold the office or place in question, and that it is otherwise proper so
20 to do, the Legislature may, by resolution passed by both Houses, direct that his becoming the holder of that office or place at the material time shall be disregarded for the purposes of section 174G and the resolution shall have effect
25 according to its tenor.

cl. 4

5 (3) A resolution may be made under subsection (2), and a resolution made under that subsection shall have effect, notwithstanding that proceedings may have been commenced in the Supreme Court under section 40 of the *Constitution of Western Australia* and notwithstanding any declaration made by the Supreme Court under that section.

10 (4) The provisions of sections 67 (2) and (3) and 156B (2) and (3) of the *Electoral Act 1907*¹ do not apply to or in relation to any vacancy occurring by operation of section 174G in a case to which this section applies.

[**39A, 39B, 39C.** Repealed by No. 78 of 1984 s.12.]

Power to amend Schedule 4

. (1) Subject to subsection (2), the Governor may, by Order in Council, amend Schedule 4.

15 (2) An Order in Council shall be made under this section if and only if the making of that Order has been recommended by resolution passed by both Houses of the Legislature.

20 (3) An Order in Council made under this section shall take and have effect —

25 (a) in the case of an Order adding an office to Part 1 of Schedule 4, or adding an office or place to Part 2 of Schedule 4 or adding a commission, council, board, committee, authority, trust or other body to Part 3 of Schedule 4 — at and from the expiration of 30 days from the day on which the Order is published in the *Gazette*; or

30 (b) in the case of any other Order — on and from the day on which the Order is published in the *Gazette*.

(4) The Clerk of the Parliaments shall keep in his custody a copy of every Order in Council made under this section.

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5 **Schedule 4 inserted**

5. After Schedule 3 of the principal Act the following Schedule is inserted —

“

SCHEDULE 4

10

PART 1

Division 1

Chief Justice of Western Australia or other Judge of the Supreme Court.

Master of the Supreme Court.

15

Chief Judge¹³ or other Judge of the District Court.

President or other Judge or magistrate of the Children's Court.

Chief Judge¹⁴ or other Judge of the Family Court of Western Australia.

20

Chairman, or Deputy Chairman, of the Workers' Compensation Board constituted under the *Workers' Compensation and Rehabilitation*¹⁵ Act 1981.

Liquor Licensing Court Judge appointed under the *Liquor Act* 1970¹⁶.

cl. 5

Chief Stipendiary Magistrate or other stipendiary magistrate appointed under the *Stipendiary Magistrates Act 1957*.

Industrial magistrate appointed under the *Industrial Relations Act 1979*¹⁷.

5 Referee of Small Claims Tribunals appointed under the *Small Claims Tribunals Act 1974*.

Coroner appointed under the *Coroners Act 1996*.

Assessor appointed under the *Criminal Injuries Compensation Act 1982*.

10 President of The Western Australian Industrial Relations Commission¹⁸.

Chief Commissioner¹⁸, Senior Commissioner or other Commissioner of The Western Australian Industrial Relations Commission¹⁸.

15 Chairman or other member of the Salaries and Allowances Tribunal established by the *Salaries and Allowances Act 1975*.

Chairman of the Coal Industry Superannuation Board.

20 Chairperson or deputy chairperson of the Coal Industry Tribunal of Western Australia constituted under the *Coal Industry Tribunal of Western Australia Act 1992*.

Public Service Arbitrator appointed under Division 2 of Part 11A of the *Industrial Relations Act 1979*¹⁸.

25 Chairman, or deputy of the Chairman, of the Railways Classification Board established under Division 3 of Part 11A of the *Industrial Relations Act 1979*¹⁸.

Retirement villages referee appointed under the *Retirement Villages Act 1992*.

Division 2

5 Auditor General appointed under the *Financial Administration and Audit Act 1985*.

Agent General appointed under the *Agent General Act 1895*.

Chief executive officer of an agency within the meaning of the *Public Sector Management Act 1994*.

Clerk of the Legislative Assembly.

10 Clerk of the Legislative Council.

Commissioner for Public Sector Standards appointed under the *Public Sector Management Act 1994*.

Commissioner of Police appointed under the *Police Act 1892*.

15 Commissioner of Workplace Agreements appointed under the *Workplace Agreements Act 1993*.

Director of Public Prosecutions and Deputy Director of Public Prosecutions appointed under the *Director of Public Prosecutions Act 1991*.

20 Electoral Commissioner or Deputy Electoral Commissioner appointed under the *Electoral Act 1907*.

Information Commissioner appointed under the *Freedom of Information Act 1992*.

25 Parliamentary Commissioner for Administrative Investigations appointed under the *Parliamentary Commissioner Act 1971*.

cl. 5

Senior executive officer within the meaning of the *Public Sector Management Act 1994*.

Solicitor-General appointed under the *Solicitor-General Act 1969*.

5 A prescribed office within the meaning of the *Salaries and Allowances Act 1975*.

PART 2

Division 1

10 Member, or deputy of a member, of the Workers' Compensation Board constituted under the *Workers' Compensation and Rehabilitation Act 1981*¹⁵.

Member, or deputy of a member, of the Coal Industry Tribunal of Western Australia constituted under the *Coal Industry Tribunal of Western Australia Act 1992*.

15 Member, or deputy of a member, of the Railways Classification Board, established under Division 3 of Part 11A of the *Industrial Relations Act 1979*¹⁸.

Member of the Children's Court.

Division 2

20 The office or place of —

Any person employed in a department or SES organization within the meaning of the *Public Sector Management Act 1994*, that is to say —

(a) any person employed in —

- (i) that department who is a public service officer; or
 - (ii) that SES organization who is a member of the Senior Executive Service,
within the meaning of that Act;
- 5 (b) any person appointed or employed by the Governor under any Act administered in that department or SES organization;
- (c) any person —
- 10 (i) who is appointed or employed under any enactment; or
- (ii) whose remuneration as such is defrayed in whole or in part out of moneys provided by Parliament,
being a person appointed or employed by —
- 15 (iii) the Minister of the Crown administering that department or SES organization;
- (iv) the chief executive officer or chief employee, within the meaning of the *Public Sector Management Act 1994*, of that department or SES organization; or
- 20 (v) a person in that department or SES organization in whom the power to make minor appointments is vested in accordance with the proviso to section 74 of the *Constitution Act 1889*.

25 Any person appointed or employed by the holder of an office mentioned in Division 2 of Part 1.

cl. 5

5 Any person appointed or employed by a body mentioned in Part 3 or by an instrumentality of which such a body is the governing authority or by the Western Australian Museum constituted under the *Museum Act 1969*, the Library Board of Western Australia constituted under the *Library Board of Western Australia Act 1951*, or the Western Australian Alcohol and Drug Authority established under the *Alcohol and Drug Authority Act 1974*.

10 Any person who is an employee within the meaning of the *Public Sector Management Act 1994* not referred to in a preceding item of this Division.

Any person who is a member of the Police Force appointed under the *Police Act 1892*.

15 Any person who is a member of the teaching staff appointed under the *Education Act 1928*.

20 Any person appointed pursuant to section 74 of the *Constitution Act 1889* other than a member of the Executive Council who holds any of the principal executive offices of the Government liable to be vacated on political grounds that are referred to in section 43.

25 Any person who is a member of a department of the staff of Parliament referred to in, or an electorate officer within the meaning of, the *Parliamentary and Electorate Staff (Employment) Act 1992*.

PART 3

The Aboriginal Advisory Council established under the *Aboriginal Affairs Planning Authority Act 1972*.

30 The Aboriginal Housing Board Responsible to the Minister for Housing.

- The Aboriginal Lands Trust established by the *Aboriginal Affairs Planning Authority Act 1972*.
- The Aboriginal Cultural Material Committee established by the *Aboriginal Heritage Act 1972*.
- 5 Any adoption applications committee appointed under the *Adoption Act 1994*.
- The Advisory Committee constituted under the *Charitable Collections Act 1946*.
- 10 The Advisory Committee constituted under the *Control of Vehicles (Off-road areas) Act 1978*.
- The Advisory Committee constituted under section 216 of the *Health Act 1911*¹⁹.
- The Advisory Committee appointed under section 435 of the *Local Government (Miscellaneous Provisions) Act 1960*.
- 15 Any advisory committee established or continued in existence under Part 4 of the *Fish Resources Management Act 1994*.
- The Advisory Council for Disability Services established under the *Disability Services Act 1992*.
- 20 Agricultural Practices Board of Western Australia.
- The Agriculture Protection Board of Western Australia constituted under the *Agriculture Protection Board Act 1950*.
- 25 The Air Pollution Control Council established by the *Clean Air Act 1964*²⁰.
- The Albany Port Authority constituted under the *Albany Port Authority Act 1926*.

cl. 5

- The Anaesthetic Mortality Committee constituted under the *Health Act 1911*.
- The Animal Resources Authority established by the *Animal Resources Authority Act 1981*.
- 5 The Appeal Costs Board constituted under the *Suitors' Fund Act 1964*.
- The Apple Sales Advisory Committee constituted under the *Agricultural Products Act 1929*²¹.
- 10 The Architects Board of Western Australia established under the *Architects Act 1921*.
- The Artificial Breeding Board constituted under the *Artificial Breeding Board Act 1965*²².
- The Betting Control Board established under the *Betting Control Act 1954*.
- 15 Any board, committee or council constituted under section 22 of the *Community Services Act 1972*²³.
- Any board constituted under section 135 of the *Land Act 1933*.
- 20 Any board constituted under section 3 of the *Parks and Reserves Act 1895* other than the Parliamentary Reserve Board.
- The Board of directors of Gold Corporation constituted under the *Gold Corporation Act 1987*.
- 25 The Board of Directors of the Grain Pool of W.A. constituted under the *Grain Marketing Act 1975*.
- The Board of Directors of the Honey Pool of Western Australia constituted under the *Honey Pool Act 1978*²⁴.

- The Board of Directors of the Minerals and Energy Research Institute of Western Australia constituted under the *Minerals and Energy Research Act 1987*.
- 5 The Board of directors of the Perth International Centre for Application of Solar Energy established under the *Perth International Centre for Application of Solar Energy Act 1994*.
- The Board of directors of the Water Corporation established by the *Water Corporation Act 1995*.
- 10 The Board of Directors of the Western Australian Development Corporation constituted under the *Western Australian Development Corporation Act 1983*.
- The Board of directors of the Western Australian Land Authority constituted under the *Western Australian Land Authority Act 1992*.
- 15
- The Board of Examiners established under the *Mines Safety and Inspection Act 1994*.
- The Board of management of the Gascoyne Development Commission established by the *Regional Development Commissions Act 1993*.
- 20
- The Board of management of the Goldfields-Esperance Development Commission established by the *Regional Development Commissions Act 1993*.
- The Board of management of the Great Southern Development Commission established by the *Regional Development Commissions Act 1993*.
- 25
- The Board of management of the Kimberley Development Commission established by the *Regional Development Commissions Act 1993*.

cl. 5

- The Board of management of the Metropolitan Water Authority constituted under the *Metropolitan Water Authority Act 1982*²⁵.
- 5 The Board of management of the Mid West Development Commission established by the *Regional Development Commissions Act 1993*.
- The Board of management of the Peel Development Commission established by the *Regional Development Commissions Act 1993*.
- 10 The Board of management of the Pilbara Development Commission established by the *Regional Development Commissions Act 1993*.
- The Board of management of the South West Development Commission established by the *Regional Development Commissions Act 1993*.
- 15 The Board of management of the Wheatbelt Development Commission established by the *Regional Development Commissions Act 1993*.
- The Board of management of the Water and Rivers Commission established by the *Water and Rivers Commission Act 1995*.
- 20 The Board of management of the Western Australian Sports Centre Trust constituted under the *Western Australian Sports Centre Trust Act 1986*.
- 25 Any board of reference constituted under the *Construction Safety Act 1972* or the *Machinery Safety Act 1974*²⁶.
- The Board of Secondary Education constituted under the *Education Act 1928*²⁷.

The Board of the Art Gallery of Western Australia constituted under the *Art Gallery Act 1959*.

The Board of valuers established by the *Metropolitan Region Town Planning Scheme Act 1959*.

5 Any board of visitors constituted under section 11 or section 26H of the *Mental Health Act 1962*.

The Builders' Registration Board of Western Australia constituted under the *Builders' Registration Act 1939*.

10 The Building Disputes Committee constituted under the *Builders' Registration Act 1939* including a member of a panel established under section 28 of that Act.

The Building Societies Advisory Committee constituted under the *Building Societies Act 1976*²⁸.

15 The Building and Construction Industry Training Board established under the *Building and Construction Industry Training Fund and Levy Collection Act 1990*.

The Bunbury Port Authority constituted under the *Bunbury Port Authority Act 1909*.

20 The Bush Fires Board constituted under the *Bush Fires Act 1954*.

The Caravan Parks and Camping Grounds Advisory Committee established under the *Caravan Parks and Camping Grounds Act 1995*.

25 The Carnarvon Banana Industry Compensation Committee constituted under the *Carnarvon Banana Industry (Compensation Trust Fund) Act 1961*.

The Casino Control Committee established under the *Casino Control Act 1984*.

cl. 5

- The Censorship Advisory Committee established under the *Censorship Act 1996*
- 5 The Charcoal Iron and Steel Industry Board of Management constituted under the *Wood Distillation and Charcoal Iron and Steel Industry Act 1943*.
- The Chicken Meat Industry Committee continued by the *Chicken Meat Industry Act 1977*.
- The Chiropodists Registration Board constituted under the *Chiropodists Act 1957*²⁹.
- 10 The Chiropractors Registration Board constituted under the *Chiropractors Act 1964*.
- The Citrus Sales Advisory Committee constituted under the *Agricultural Products Act 1929*³⁰.
- 15 The Coal Miners' Welfare Board of Western Australia constituted under the *Coal Miners' Welfare Act 1947*.
- Any committee established by the Minister under section 60 of the *Water Services Coordination Act 1995*.
- 20 The Committee of the Western Australian Greyhound Racing Association constituted under the *Western Australian Greyhound Racing Association Act 1981*.
- The Conservation and Environment Council established under the *Environmental Protection Act 1971*²⁰.
- The Construction Safety Advisory Board constituted under the *Construction Safety Act 1972*²⁸.
- 25 Any consultative committee appointed under the *Legal Aid Commission Act 1976*.

- The Consumer Affairs Council established under the *Consumer Affairs Act 1971*³¹.
- The Consumer Products Safety Committee established under the *Consumer Affairs Act 1971*.
- 5 The Country High Schools Hostels Authority established by the *Country High Schools Hostels Authority Act 1960*.
- The Curriculum Council established under the *Curriculum Council Act 1997*.
- 10 The Dairy Industry Authority of Western Australia established under the *Dairy Industry Act 1973*.
- The Dental Board of Western Australia established by the *Dental Act 1939*.
- The Dental Charges Committee established under the *Dental Act 1939*.
- 15 The Disability Services Commission being the body continued by section 6 of the *Disability Services Act 1993*.
- The Distressed Persons Relief Trust constituted by the *Distressed Persons Relief Trust Act 1973*³².
- 20 Any district advisory committee established under section 23 of the *Soil and Land Conservation Act 1945*.
- The Dried Fruits Board constituted by the *Dried Fruits Act 1947*.
- 25 The Eastern Goldfields Transport Board preserved and continued under the *Eastern Goldfields Transport Board Act 1984*.
- The East Perth Redevelopment Authority established by the *East Perth Redevelopment Act 1991*.

cl. 5

The Electricity Corporation established by the *Electricity Corporation Act 1994*.

Any environmental appeal board constituted under the *Environmental Protection Act 1971*³³.

5 The Environmental Protection Authority established under the *Environmental Protection Act 1971*³⁴.

The Esperance Port Authority established by the *Esperance Port Authority Act 1968*.

10 The Finance Brokers Supervisory Board constituted under the *Finance Brokers Control Act 1975*.

The Fishing and Allied Industries Committee responsible to the Minister for Fisheries and Wildlife³⁵.

15 The Fluoridation of Public Water Supplies Advisory Committee established under the *Fluoridation of Public Water Supplies Act 1966*.

The Fremantle Port Authority constituted under the *Fremantle Port Authority Act 1902*.

The Gas Corporation established by the *Gas Corporation Act 1994*.

20 The General Fisheries Advisory committee constituted under the *Fisheries Act 1905*³⁶.

The Geraldton Port Authority established by the *Geraldton Port Authority Act 1968*.

25 The Government Employees' Housing Authority established by the *Government Employees' Housing Act 1964*.

- The Hairdressers Registration Board of Western Australia constituted under the *Hairdressers Registration Act 1946*.
- 5 The Health Education Council of Western Australia constituted under the *Health Education Council Act 1958*³².
- The Heritage Council of Western Australia established under the *Heritage of Western Australia Act 1990*.
- 10 Any honorary advisory committee appointed under regulation 3 of the *Rights in Water and Irrigation Act Regulations 1941*³⁷.
- The Horticultural Produce Commission or any growers' committee established under the *Horticultural Produce Commission Act 1988*.
- 15 Agency established under section 7B of the *Hospitals and Health Services Act 1927*.
- Any hospital board constituted under the *Hospitals and Health Services Act 1927*.
- 20 The Industrial and Commercial Employees' Housing Authority established by the *Industrial and Commercial Employees Housing Authority Act 1973*.
- The Insurance Brokers Licensing Board constituted under the *General Insurance Brokers and Agents Act 1981*³⁸.
- 25 The Inventions Advisory committee established by the *Inventions Act 1975*.
- The Keep Australia Beautiful Council (W.A.) established by the *Litter Act 1979*.

cl. 5

- The Land Purchase Board appointed under the *Land Act 1933*.
- The Land Surveyors Licensing Board constituted under the *Licensed Surveyors Act 1909*.
- 5 Any land valuation tribunal established under the *Land Valuation Tribunals Act 1978*.
- The Land Valuers Licensing Board constituted under the *Land Valuers Licensing Act 1978*.
- 10 The Landcare Trust established under Part V A of the *Soil and Land Conservation Act 1945*.
- The Law Reform Commission of Western Australia established under the *Law Reform Commission Act 1972*.
- 15 The Law Reporting Advisory Board constituted by the *Law Reporting Act 1981*.
- The Legal Aid Commission of Western Australia established under the *Legal Aid Commission Act 1976*.
- The Legal Contribution Trust established by the *Legal Contribution Trust Act 1967*.
- 20 The Legislative Review and Advisory Committee established under the *Legislative Review and Advisory Committee Act 1976*³⁹.
- The Local Government Advisory Board established under the *Local Government Act 1995*.
- 25 The Lotteries Commission continued under the *Lotteries Commission Act 1990*.

The Machinery Safety Advisory board constituted under the *Machinery Safety Act 1974*²⁶.

Any management authority constituted under the *Waterways Conservation Act 1976*.

5 The Maternal Mortality Committee constituted under the *Health Act 1911*.

The Medical Board constituted under the *Medical Act 1894*.

10 The Metropolitan (Perth) Passenger Transport Trust constituted under the *Metropolitan (Perth) Passenger Transport Trust Act 1957*.

The Mines Occupational Health and Safety Advisory Board established under the *Mines Safety and Inspection Act 1994*.

15 The Mines Survey Board established under the *Mines Safety and Inspection Act 1994*.

The Mine Workers' Relief Board constituted by the *Mine Workers' Relief Act 1932*⁴⁰.

The Mining and Petroleum Advisory Committee established under the *Mining and Petroleum Research Act 1981*⁴¹.

20 The Motor Vehicle Dealers Licensing Board established under the *Motor Vehicle Dealers Act 1973*.

The Motor Vehicle Insurance Trust constituted by the *Motor Vehicle (Third Party Insurance) Act 1943*⁴².

25 The Municipal Building Surveyors Examination Committee constituted under the *Local Government (Qualification of Municipal Officers) Regulations 1961*.

cl. 5

- The Multicultural and Ethnic Affairs Commission established by the *Multicultural and Ethnic Affairs Commission Act 1983*.
- 5 The National Parks Authority of Western Australia established by the *National Parks Authority Act 1976*⁴³.
- The Noise Abatement Advisory Committee established by the *Noise Abatement Act 1972*²⁶.
- The Noise and Vibration Control Council established by the *Noise Abatement Act 1972*²⁶.
- 10 The Nomenclature Advisory Committee responsible to the Minister for Lands and Surveys⁴⁴.
- The Nurses Board of Western Australia established under the *Nurses Act 1992*.
- 15 The Occupational Therapists Registration Board of Western Australia established under the *Occupational Therapists Registration Act 1980*.
- The Optometrists Registration Board established by the *Optometrists Act 1940*.
- 20 The Painters' Registration Board constituted under the *Painters Registration Act 1961*.
- The Parole Board established under the *Sentence Administration Act 1995*⁴⁵.
- The Pastoral Appraisement Board constituted under the *Land Act 1933*⁴⁶.
- 25 The Perinatal and Infant Mortality Committee constituted under the *Health Act 1911*.

- The Perth Market Authority preserved and continued under the *Perth Market Act 1926*.
- The Perth Theatre Trust established by the *Perth Theatre Trust Act 1979*.
- 5 The Physiotherapists' Registration Board constituted under the *Physiotherapists Act 1950*.
- The Podiatrists Registration Board constituted under the *Podiatrists Registration Act 1984*.
- 10 The Poisons Advisory Committee constituted by the *Poisons Act 1964*.
- The Port Hedland Port Authority established by the *Port Hedland Port Authority Act 1970*.
- 15 The Potato Growing Industry Trust Fund Advisory Committee constituted by the *Potato Growing Industry Trust Fund Act 1947*.
- The Potato Marketing Corporation of Western Australia constituted by the *Marketing of Potatoes Act 1946*.
- The Poultry Industry Trust Fund Committee constituted under the *Poultry Industry (Trust Fund) Act 1948*.
- 20 The Premium Rates Committee constituted under the *Workers' Compensation and Rehabilitation Act 1981*¹⁵.
- Any prices advisory committee established under the *Petroleum Products Pricing Act 1983*.
- 25 The Primary Schools Appointments Board constituted under regulation 91 of the *Education Act Regulations 1960*⁴⁷.

cl. 5

- Any professional, trade or other advisory committee established pursuant to regulation 253 of the *Education Act Regulations 1960*.
- 5 The Psychologists Board of Western Australia constituted under the *Psychologists Registration Act 1976*.
- The Queen Elizabeth II Medical Centre Trust constituted under the *Queen Elizabeth II Medical Centre Act 1966*.
- The Racecourse Development Trust established under the *Racecourse Development Act 1976*.
- 10 The Radiological Council established under the *Radiation Safety Act 1975*.
- The Real Estate and Business Agents Supervisory Board constituted under the *Real Estate and Business Agents Act 1978*.
- 15 The Retail Shops Advisory Committee established under the *Retail Trading Hours Act 1987*.
- The Rivers and Estuaries Council established by the *Waterways Conservation Act 1976*.
- 20 The Rural Housing Authority established under the *Rural Housing (Assistance) Act 1976*.
- The Rural Adjustment and Finance Corporation of Western Australia preserved and continued by the *Rural Adjustment and Finance Corporation Act 1993*.
- 25 Any selection committee constituted under regulation 2.7 of the *Mines Regulation Act Regulations 1976*⁴⁸.
- The Settlement Agents Supervisory Board constituted under the *Settlement Agents Act 1981*.

- The Small Business Development Corporation established under the *Small Business Development Corporation Act 1983*.
- 5 The Soil and Land Conservation Council constituted under the *Soil and Land Conservation Act 1945*.
- The Solar Energy Advisory Committee established under the *Solar Energy Research Act 1977*⁴⁹.
- The State Advisory Committee on Publications constituted under the *Indecent Publications and Articles Act 1902*.
- 10 The State Housing Commission preserved and continued by the *Housing Act 1980*.
- The State Supply Commission established under the *State Supply Commission Act 1991*.
- 15 The State Training Board of Western Australia established under the *Vocational Education and Training Act 1996*.
- The Stone-Fruit Sales Advisory Committee constituted under the *Agricultural Products Act 1929*⁵⁰.
- The Subiaco Redevelopment Authority established by the *Subiaco Redevelopment Act 1994*.
- 20 The Superannuation Board constituted under the *Superannuation and Family Benefits Act 1938*⁵⁰.
- The Supervised Release Review Board established under the *Young Offenders Act 1994*.
- The Taxi Industry Board established by the *Taxi Act 1994*.
- 25 Any technical college, school or centre advisory committee established under regulation 256 of the *Education Act Regulations 1960*.

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- The Totalisator Agency Board constituted under the *Totalisator Agency Board Betting Act 1960*.
- The Town Planning Appeal Committee constituted under the *Town Planning and Development Act 1928*.
- 5 The Town Planning Appeal Tribunal constituted under the *Town Planning and Development Act 1928*.
- The Traffic Board established under the *Road Traffic Act 1974*.
- 10 The Training Accreditation Council established under the *Vocational Education and Training Act 1996*.
- Any Transport Strategy Committee established under the *State Transport Co-ordination Act 1981*⁵¹.
- The Trustees of the Karrakatta Cemetery appointed under the *Cemeteries Act 1897*⁵².
- 15 The Trustees of the Technical Education Division Self Supporting Activities appointed under regulation 240 of the *Education Act Regulations 1960*.
- The Urban Lands Council⁵³ responsible to the Minister for Housing.
- 20 The Veterinary Preparations and Animal Feeding Stuffs Advisory Committee established under the *Veterinary Preparations and Animal Feeding Stuffs Act 1976*.
- The Veterinary Surgeons' Board constituted under the *Veterinary Surgeons Act 1960*.
- 25 Any water board constituted under the *Water Boards Act 1904* other than a water board constituted by the appointment of a local government to be the water

board or a water board of which all of the members are elected.

- The Western Australia Marine Manning Committee established by the *Western Australian Marine Act 1982*.
- 5 The Western Australian Arts Council established by the *Western Australian Arts Council Act 1973*⁵⁴.
- The Western Australian Coastal Shipping Commission established by the *Western Australian Coastal Shipping Commission Act 1965*.
- 10 The Western Australian Egg Marketing Board constituted under the *Marketing of Eggs Act 1945*.
- The Western Australian Financial Institutions Authority established by the *Western Australian Financial Institutions Authority Act 1992*.
- 15 The Western Australian Fire Brigades Board constituted under the *Fire Brigades Act 1942*.
- The Western Australian Government Railways Commission constituted under the *Government Railways Act 1904*.
- 20 The Western Australian Health Promotion Foundation established by the *Tobacco Control Act 1990*.
- The Western Australian Herbarium Committee⁵⁵ responsible to the Minister for Agriculture.
- The Western Australian Heritage Committee⁵⁶ responsible to the Minister for the Environment.
- 25 The Western Australian Lamb Marketing Board established under the *Marketing of Lamb Act 1971*⁵⁷.

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- The Western Australian Local Government Grants Commission established under the *Local Government Grants Act 1978*.
- 5 The Western Australian Meat Industry Authority established under the *Western Australian Meat Industry Authority Act 1976*.
- The Western Australian Overseas Projects Authority established by the *Western Australian Overseas Projects Authority Act 1978*⁵⁸.
- 10 The Western Australian Planning Commission established under the *Western Australian Planning Commission Act 1985*.
- 15 The Western Australian Post Secondary-Education Commission established by the *Western Australian Post-Secondary Education Commission Act 1970*⁵⁹.
- The Western Australian Reproductive Technology Council established under the *Human Reproductive Technology Act 1990*⁶⁰.
- 20 The Western Australian Technology and Industry Advisory Council established under the *Technology and Industry Development Act 1983*.
- The Western Australian Tourism Commission established under the *Western Australian Tourism Commission Act 1983*.
- 25 The Western Australian Tripartite Labour Consultative Council established under the *Western Australian Tripartite Labour Consultative Council Act 1983*⁶¹.
- The Western Australian Wheat Board constituted under the *Wheat Marketing Act 1979*⁶².

The Western Australian Wheat Marketing Board constituted by the *Wheat Marketing Act 1947*⁶³.

The Western Australian Wildlife Authority constituted under the *Wildlife Conservation Act 1950*⁶⁴.

5 Any wheat products prices committee constituted under the *Wheat Products (Prices Fixation) Act 1938*.

The Youth, Sport and Recreation Advisory Committee established under the *Youth, Sport and Recreation Act 1978*⁶⁵.

10 The Zoological Gardens Board established under the *Zoological Gardens Act 1972*.

NOTES

- ¹³ Title as changed by section 7 (a) of the *District Court of Western Australia Amendment Act 1984* substituted under section 7 (3) (h) of the *Reprints Act 1984*.
- 5 ¹⁴ Title as changed by section 6 of the *Family Court Amendment Act 1987* substituted under section 7 (3) (h) of the *Reprints Act 1984*.
- ¹⁵ Short title as changed by section 5 of the *Workers' Compensation and Assistance Amendment Act 1990* substituted under section 7 (3) (h) of the *Reprints Act 1984*.
- 10 ¹⁶ Now see the *Liquor Licensing Act 1988*.
- ¹⁷ Short title as changed by section 4 of the *Acts Amendment and Repeal (Industrial Relations) Act (No. 2) 1984* substituted under section 7 (3) (h) of the *Reprints Act 1984*.
- 15 ¹⁸ Reference altered under section 85 (3) of the *Acts Amendment and Repeal (Industrial Relations) Act (No. 2) 1984*.
- ¹⁹ Relevant provisions repealed by the *Health Amendment Act 1985*.
- ²⁰ Repealed by the *Acts Amendment and Repeal (Environmental Protection) Act 1986*.
- 20 ²¹ Relevant provisions repealed by the *Agricultural Products Amendment Act 1985*.
- ²² Repealed by the *Herd Improvement Service Act 1984*.
- ²³ Short title as changed by section 5 of the *Acts Amendment (Department of Community Services) Act 1984* substituted under section 7 (3) (h) of the *Reprints Act 1984*.
- 25 ²⁴ Repealed by the *Honey Pool Repeal Act 1991*.
- ²⁵ Relevant provisions repealed by the *Acts Amendment and Repeal (Water Authorities) Act 1985*.

Electoral Amendment (Constitutional Provisions) Bill 1997

- ²⁶ Repealed by the *Acts Amendment (Occupational Health, Safety and Welfare) Act 1987*.
- ²⁷ Now refers to the Secondary Education Authority established under the *Secondary Education Authority Act 1984* — see section 37 (4) of that Act.
- 5 ²⁸ Relevant provisions repealed by the *Acts Amendment (Building Societies and Credit Unions) Act 1987*.
- ²⁹ Repealed by the *Podiatrists Registration Act 1984*.
- ³⁰ Relevant provisions repealed by the *Agricultural Products Amendment Act 1985*.
- 10 ³¹ Relevant provisions repealed by the *Consumer Affairs Amendment Act 1981*.
- ³² Repealed by the *Acts Amendment and Repeal (Statutory Bodies) Act 1985*.
- ³³ Now refers to an appeals committee appointed under section 45 (3) or 106 of the *Environmental Protection Act 1986* — see Schedule 3, clause 20 of that Act.
- 15
- ³⁴ Now see the *Environmental Protection Act 1986*.
- ³⁵ Committee not in existence at the date of this reprint.
- ³⁶ (Reference deleted by Act No. 53 of 1994 s.264)
- ³⁷ Regulation 3 repealed in *Gazette* 5 July 1985 p.2404.
- 20 ³⁸ Repealed by the *General Insurance Brokers and Agents Act Repeal Act 1986*.

Electoral Amendment (Constitutional Provisions) Bill 1997

- ³⁹ Repealed by the *Legislative Review and Advisory Committee Repeal Act 1987*.
- ⁴⁰ The Mine Workers' Relief Board was dissolved. See Schedule 2, paragraph 3 of the *Mine Workers' Relief Act 1932*.
- 5 ⁴¹ Repealed by the *Minerals and Energy Research Act 1987*.
- ⁴² Now refers to the State Government Insurance Commission established by the *State Government Insurance Commission Act 1986* — see clause 8 of Schedule 4 of that Act.
- ⁴³ Repealed by the *Conservation and Land Management Act 1984*.
- 10 ⁴⁴ Now titled the Geographic Names Committee and responsible to the Minister for Lands.
- ⁴⁵ Short title (as changed by section 16 of the *Community Corrections Legislation Amendment Act 1990*) substituted under 7 (3) (h) of the Reprints Act 1984.
- 15 ⁴⁶ The Pastoral Appraisal Board was superseded by the Pastoral Board — see section 98 of the *Land Act 1933*.
- ⁴⁷ Regulation 91 repealed in *Gazette* 24 April 1986 p.1491.
- ⁴⁸ Regulation 2.7 repealed in *Gazette* 15 March 1991 p.1167.
- 20 ⁴⁹ Relevant provisions repealed by the *Solar Energy Research Amendment Act 1987*.
- ⁵⁰ Now refers to the Government Employees Superannuation Board established by the *Government Employees Superannuation Act 1987* — see clause 7 (1) of the 7th Schedule to the *Superannuation and Family Benefits Act 1938*.

Electoral Amendment (Constitutional Provisions) Bill 1997

- 51 Repealed by the *Acts Amendment and Repeal (Transport Co-ordination) Act 1985*.
- 52 Repealed by the *Cemeteries Act 1986*. The former body corporate continued
5 under the name "**Karrakatta Cemetery Board**" — see Schedule 2,
clause 4 of that Act.
- 53 This Council not in existence at the date of this reprint.
- 54 Repealed by the *Western Australian Arts Council Repeal Act 1986*.
- 55 This Committee not in existence at the date of this reprint.
- 56 This Committee not in existence at the date of this reprint.
- 10 57 Now refers to the Western Australian Meat Marketing Corporation
established under the *Marketing of Meat Act 1971* — see sections 5 and 41
of the *Acts Amendment (Meat Industry) Act 1985*.
- 58 Now refers to the Western Australian Exim Corporation established by the
Western Australian Exim Corporation Act 1986 — see section 40 of that Act.
- 15 59 Repealed by the *Acts Amendment and Repeal (Post Secondary Education)
Act 1989*.
- 60 The correct short title of the Act referred to is the *Human Reproductive
Technology Act 1991*.
- 20 61 This Act is not in force at the date of this reprint, having expired by
operation of section 12.
- 62 This Act was repealed by the *Wheat Marketing Act 1984*.
- 63 This Act expired on 31 October 1984.

Electoral Amendment (Constitutional Provisions) Bill 1997

⁶⁴ Relevant provisions repealed by the *Acts Amendment (Conservation and Land Management) Act 1984*.

⁶⁵ Repealed by the *Youth, Sport and Recreation Repeal Act 1984*.