



ANNO QUADRAGESIMO

ELIZABETHAE II REGINAE

A.D. 1991

No. 1 of 1991

An Act to amend the Constitution Act, 1934.

[Assented to 7 March 1991]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Constitution (Electoral Redistribution) Amendment Act, 1991*.

(2) *The Constitution Act, 1934*, is referred to in this Act as “the principal Act”.

Electoral redistributions

2. Section 82 of the principal Act is amended—

(a) by striking out paragraph (a) of subsection (2) and substituting the following paragraph:

(a) within three months after the commencement of the *Constitution (Electoral Redistribution) Amendment Act, 1991*;

and

(b) by striking out paragraph (c) of subsection (2) and substituting the following paragraph:

(c) within three months after each polling day.

Repeal and substitution of s. 83

3. Section 83 of the principal Act is repealed and the following section is substituted:

Electoral fairness and other criteria

83. (1) In making an electoral redistribution the Commission must ensure, as far as practicable, that the electoral redistribution is fair to prospective candidates and groups of candidates so that, if candidates of a particular group attract more than 50 per cent of the popular vote (determined by aggregating votes cast throughout the State and allocating preferences to the necessary extent), they will be elected in sufficient numbers to enable a government to be formed.

(2) In making an electoral redistribution, the Commission must have regard, as far as practicable, to—

- (a) the desirability of making the electoral redistribution so as to reflect communities of interest of an economic, social, regional or other kind;
- (b) the population of each proposed electoral district;
- (c) the topography of areas within which new electoral boundaries will be drawn;
- (d) the feasibility of communication between electors affected by the redistribution and their parliamentary representative in the House of Assembly;
- (e) the nature of substantial demographic changes that the Commission considers likely to take place in proposed electoral districts between the conclusion of its present proceedings and the date of the expiry of the present term of the House of Assembly,

and may have regard to any other matters it thinks relevant.

(3) For the purposes of this section a reference to a group of candidates includes not only candidates endorsed by the same political party but also candidates whose political stance is such that there is reason to believe that they would, if elected in sufficient numbers, be prepared to act in concert to form or support a government.

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

ROMA MITCHELL Governor