

## CONSTITUTION.

### No. 89 of 1953.

AN ACT to amend the *Constitution Act 1934*.  
 [Reserved, 9th December, 1953; Royal Assent, 17th  
 February, 1954; Royal Assent proclaimed, 14th  
 April, 1954.]

**BE** it enacted by His Excellency the Governor of Tasmania,  
 by and with the advice and consent of the Legislative  
 Council and House of Assembly, in Parliament assembled,  
 as follows:—

**1**—(1) This Act may be cited as the *Constitution Act* Short, title  
and citation.  
 1953.

(2) The *Constitution Act 1934*, as subsequently amended,  
 is in this Act referred to as the Principal Act.

**2** Section twenty-two of the Principal Act is amended by Constitution  
of the  
Assembly.  
 inserting after the word “shall” (first occurring) the words  
 “, subject to the provisions of section twenty-four A,”.

**3** After section twenty-four of the Principal Act the  
 following section is inserted:—

“24A—(1) If the Governor is satisfied that at a general Provision for  
overcoming  
deadlocks in  
the Assembly.  
 election of Members of the Assembly—

- I. All the members elected to the Assembly are members  
 of either of two opposing political parties:
- II. No persons who are not members of either of those  
 parties have been elected to the Assembly: and
- III. Of the Members elected to the Assembly, fifteen are  
 members of one of those parties and fifteen are  
 members of the other of those parties,

but not otherwise, the Governor shall, by proclamation, declare  
 that the provisions of this section shall apply to the Assembly  
 chosen at that election, and thereupon those provisions shall  
 apply accordingly, notwithstanding any other provision of this  
 Act, or any custom or rule of law, or anything in the Standing  
 Orders of the Assembly, to the contrary.

(2) Notwithstanding anything contained elsewhere in this  
 Act, on a proclamation being made under this section the  
 following provisions shall have effect, namely:—

- I. The Assembly shall, until the next general election,  
 consist of thirty-one Members:

- II. The unsuccessful candidate (being a candidate who is a member of the majority party) who, at the time of the completion of the scrutiny in all five divisions, had obtained the greatest number of votes shall be declared to be elected as a Member of the Assembly: and
- III. The division by which the Member declared to be elected pursuant to paragraph II. of this subsection was returned shall be deemed to have been entitled to return, and to have returned, seven Members, and that Member shall be deemed, for all purposes, to be a Member representing that division.

(3) In this section—

‘Majority party’ means the political party that, in the ballot held pursuant to section one hundred and eighty-three of the *Electoral Act* 1907, obtained the greatest number of votes, as appearing from the return of the Chief Electoral Officer under that section:

‘Unsuccessful candidate’ means a candidate for election for any division who has not been declared elected at the time of the election of the sixth Member for that division”.

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