

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**PROPORTIONAL REPRESENTATION (HARE-CLARK)  
ENTRENCHMENT AMENDMENT BILL 2001**

**EXPLANATORY MEMORANDUM**

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Kerrie Tucker MLA**

# **PROPORTIONAL REPRESENTATION (HARE-CLARK) ENTRENCHMENT AMENDMENT BILL 2001**

## **EXPLANATORY MEMORANDUM**

### **Outline**

The Proportional Representation (Hare-Clark) Entrenchment Amendment Bill 2001 (the Bill) inserts a new provision in the *Proportional Representation (Hare-Clark) Entrenchment Act 1994* to entrench the day on which an ordinary election of Members of the Legislative Assembly is to be held. If passed, the Bill will have the effect that the ordinary election day that is specified in Section 100 of the *Electoral Act 1992* cannot be amended without the support of at least a 2/3 majority of the Assembly, or by a majority of the Assembly and a majority of electors at a referendum.

The Bill also contains some consequential editorial amendments to the Act.

### **Clauses**

**Clauses 1, 2 and 3** are formal requirements which set out the name of the Act, commencement provisions and the name of the Act amended.

**Clauses 4 and 5 – Title** – are consequential amendments to change the title of the amended Act so that it refers more broadly to entrenched electoral provisions rather than just to Hare-Clark.

**Clauses 6, 7 and 8** are editorial amendments which, in association with clause 9, break up the existing section 4 of the Act into 3 sections covering separate aspects of the electoral system, ie principles of the Hare-Clark electoral system, the number of members of the Assembly, and days of ordinary elections.

**Clause 9** contains the substantive amendment to the Act, in the new section 4B. The new section 4A is just the renumbered subsection 4(2) of the Act. Section 4B adds the provision that the Act applies to any law that relates to the day when an ordinary election of Members of the Legislative Assembly is to be held.

**Clause 10** is an editorial amendment to the existing subsection 5(2) that does not change its intent.