Date Introduced: 11 September 1984
House: Senate
Presented by: Senator M. Macklin

Short Digest of Bill

Purpose

To provide a legislative formula for determination of the order of election of the seven successful candidates in any half-Senate election conducted pursuant to the transitional provisions contained in section 5 of the Representation Act 1983.

Background

By section 3 of the Representation Act 1983 the number of Senators to be elected for each of the States was increased from 10 to 12. Transitional provisions contained in section 5 of that Act provided that at the first election of Senators for each State held after its commencement the number of Senators chosen for each State should be 7. For the purpose of maintaining regularity in the rotation of Senators the Act provided that the place of Senator last elected will become vacant at the close of 30 June 1988. However, the Representation Act 1983 was silent on the question of how the order of election of Senators under this transitional provision was to be determined.

Provisions

Clause 3 of the Bill seeks to add a new sub-section (9) to section 5 of the Representation Act 1983. The effect of this provision would be to adopt the formula contained in section 135(18)(a) and (b) of the Commonwealth Electoral Act 1918 for the purposes of making the determination required under section 5(4) of the Representation Act 1983. The effect of this provision is that if the last and second-last Senators elected are elected as a result of the same transfer of votes the order in which they are taken to be elected will be in accordance with the relative number of the total votes received by them.

For further information, if required, contact:

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