



ANNO UNDECIMO

**ELIZABETHAE II REGINAE**

A.D. 1962

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**No. 34 of 1962**

An Act to provide for the appointment of a Commission to report upon the redivision of the State into electoral districts, and for purposes consequent thereon or incidental thereto.

[Assented to 8th November, 1962.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

**Short title.** 1. This Act may be cited as the "Electoral Districts (Redivision) Act, 1962".

**Interpretation.** 2. In this Act, unless the context otherwise requires—

“the Commission” means the Electoral Commission appointed under this Act :

“Commissioner” means a member of the Electoral Commission :

“district” means an electoral district :

“primary production” means agriculture, forestry, pasturage, horticulture, viticulture, apiculture, poultry farming, dairy farming or any other activity consisting of the cultivation of soils, the gathering in of crops or the rearing of livestock :

“rural areas” means those parts of the State the income and livelihood of the majority of the inhabitants of which are derived predominantly from primary production or from the supply of or processing of goods or services for persons engaged in primary production.

*The Electoral Commission.*

3. (1) The Governor may appoint an Electoral Commission consisting of three Commissioners of whom one shall be a judge of the Supreme Court who shall be the chairman of the Commission, one shall be the Surveyor-General and one shall be the Assistant Returning Officer for the State. Appointment of Commission.

(2) The Commissioners shall hold office until the Commission has completed its duties under this Act.

4. (1) At every meeting of the Commission the chairman, if present, shall preside, and in his absence the Commissioners present shall appoint one of their number to preside. Procedure at meetings.

(2) Two Commissioners shall constitute a quorum of the Commission for the transaction of business.

(3) A decision of the Commission shall be valid if it is concurred in by at least two Commissioners, but not otherwise.

5. The Royal Commissions Act, 1917, shall apply to the Commission and its proceedings as if— Application of Royal Commissions Act.

- (a) the Commission were a commission to whom a commission of inquiry had been issued by the Governor ;
- (b) the chairman and each other member of the Commission were the chairman and a member respectively of such a commission ;
- (c) the secretary of the Commission were the secretary of such a commission.

*Redivision of State into Electoral Districts.*

6. (1) Subject as hereinafter mentioned, the Commission shall— Redistribution.

- (a) divide the rural areas into twenty approximately equal Assembly districts ;

(b) divide the remaining area of the State into twenty approximately equal Assembly districts :

Provided that if it appears to the Commission that such remaining area of the State comprises any part or parts of the State outside a radius of thirty miles from the General Post Office at Adelaide, the Commission may provide for one or two additional Assembly districts comprising any such area or areas if such district (or, if two, each of such additional Assembly districts) is of sufficient size to enable compliance with subsection (2) of this section ; and

(c) divide each proposed Assembly district into subdivisions.

(2) For the purposes of the proviso to paragraph (b) of subsection (1) of this section the Commission shall ensure that the number of electors in any additional Assembly districts (or, if two, each of such additional Assembly districts) shall contain a number of electors equal to at least two-thirds of the average number of electors per district in all the remaining twenty Assembly districts referred to in the said paragraph (b).

(3) For the purposes of subsection (1) of this section Assembly districts within the rural areas shall be regarded as being approximately equal to each other if no such district contains a number of electors more than ten per cent above or below the average of the respective number of electors per district in all such districts and the same principle, *mutatis mutandis*, shall apply to Assembly districts in the remaining part of the State excluding any additional district or districts provided by the Commission under the proviso to paragraph (b) of subsection (1) of this section.

Redivision of  
Council  
districts.

7. (1) The Commission shall also divide the State into six Legislative Council districts. Each such district shall consist of two or more whole Assembly districts.

(2) In making the division under this section, the Commission shall provide for three Legislative Council districts in the rural areas and three in the remaining part of the State : Provided that a Legislative Council district in the rural areas may include one whole Assembly district which is comprised in the remaining area of the State.

(3) In making the division under this section the Commission shall endeavour to create Legislative Council districts each of which is of convenient shape and has reasonable means of access between the main centres of population therein and retains as far as practicable the boundaries of existing Legislative Council districts.

8. (1) In dividing the State into Assembly electoral districts the Commission, so far as is compatible with the provisions of section 6, shall endeavour to create Assembly districts in each of which respectively the electors have common interests. Matters to be considered.

(2) The Commission shall also, so far as is compatible with the provisions of section 6, and subject to subsection (1) of this section, endeavour to create Assembly districts each of which—

(a) retains as far as possible, boundaries of existing districts and subdivisions ;

(b) subject to paragraph (a) of this subsection, is of convenient shape and has reasonable means of access between the main centres of population therein.

9. (1) Before making its report the Commission shall, by such advertisements as the Commission deems necessary inserted in newspapers circulating generally throughout the State, invite written representations from individuals and organizations as to the redivision of the State into electoral districts and shall by such advertisements fix a time within which such representations must be made. Representations to Commission.

(2) Representations to the Commission shall be in writing and shall include a short summary of the matters intended to be brought to the notice of the Commission.

(3) The Commission shall consider all relevant representations made to it in accordance with subsections (1) and (2) of this section ; and may, at its discretion, hear and consider any evidence, information and arguments submitted to it orally by or on behalf of any person or organization.

(4) Nothing in this section shall be deemed to restrict any power conferred on the Commission by the Royal Commissions Act, 1917.

10. (1) The Commission shall present copies of its report to the Governor and to the President of the Legislative Council and the Speaker of the House of Assembly. Report.

(2) The President and Speaker shall lay copies of the report on the table of the Legislative Council and House of Assembly respectively.

**Financial  
provision.**

**11.** The money required for the expenses of or incidental to the appointment and work of the Commission shall be paid out of the money provided by Parliament for those purposes.

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

EDRIC BASTYAN Governor.