

**CONSTITUTION ACTS
AMENDMENT AND REVISION.**

12° Elizabeth II., No. XLVI.

No. 46 of 1963.

AN ACT to amend the Constitution Acts Amendment Act, 1899-1962 for the purpose of reprinting, and for that purpose, where necessary, to revise certain of the Acts amending the Constitution Acts Amendment Act, 1899.

[Assented to 3rd December, 1963.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title
and citation

1. This Act may be cited as the *Constitution Acts Amendment and Revision Act, 1963.*

1963.] *Constitution Acts Amendment* [No. 46.
and Revision.

2. In this Act,—

Interpre-
tation.

“amending Acts” means the Acts No. 25 of 1933, No. 29 of 1942, No. 4 of 1947, No. 12 of 1948 and No. 45 of 1950;

“principal Act” means the Constitution Acts Amendment Act, 1899-1962.

3. The principal Act as amended by this Act may be cited as the Constitution Acts Amendment Act, 1899-1963.

Citation of
principal Act
as amended
by this Act.

4. Section five of the principal Act is amended by substituting for the words, “hereinafter stated and defined”, in line three, the words, “defined pursuant to section six of this Act”.

S. 5
amended.

5. Section six of the principal Act is repealed and re-enacted with amendments, as follows:

S. 6
re-enacted.

6. (1) The State shall be divided into ten Electoral Provinces, under the provisions of the Electoral Districts Act, 1947, and shall return in all thirty members to serve in the Legislative Council.

Electoral
Provinces.

(2) Each Electoral Province shall return three members.

6. Section eighteen of the principal Act is amended by substituting for the words, “hereinafter stated and defined”, in lines two and three, the words, “as defined pursuant to section nineteen of this Act”.

S. 18
amended.

7. Section nineteen of the principal Act is repealed and re-enacted with amendments, as follows:

S. 19
re-enacted.

19. The State shall be divided into fifty Electoral Districts, under the provisions of the Electoral Districts Act, 1947, each returning one member to serve in the Legislative Assembly.

Electoral
Districts.

No. 46.] *Constitution Acts Amendment and Revision.* [1963.]

Ss. 3, 9, 25,
32, 34 and 41
amended.

8. The principal Act is amended by substituting for the word, "Colony", wherever appearing in sections three, nine, twenty-five, thirty-two, thirty-four and forty-one, the word, "State", in each case.

Second
Schedule
repealed.

9. The principal Act is amended by repealing the Second Schedule thereto.

Revision of
amending
Acts.
Schedule.

10. (1) The amending Acts are amended to the extent specified in column four of the Schedule to this Act.

(2) Subsection (1) of this section shall not be construed as affecting the provisions of the Amendments Incorporation Act, 1938.

SCHEDULE.

No. of Act.	Short Title.	Item.	Amendment.
25 of 1933	Constitution Acts Amendment Act, 1933	1	Add, immediately after the section number, "2.", the following: "The Constitution Acts Amendment Act, 1899, is amended by adding, as section thirty-nine A, the following:".
		2	Substitute for the passage, "the Constitution Acts Amendment Act, 1899," in lines three and four of section two, the words, "this Act".
29 of 1942	Constitution Acts Amendment Act, 1942.	3	Add, immediately after the section number, "2.", the following: "The Constitution Acts Amendment Act, 1899, is amended by adding, as section thirty-nine B, the following:".

SCHEDULE—*continued.*

No. of Act.	Short Title.	Item.	Amendment.
		4	Substitute for the passage, "the Constitution Acts Amendment Act, 1899—", in lines three and four of section two, the passage, "this Act—".
4 of 1947	Constitution Acts Amendment (Re-election of Ministers) Act, 1947.	5	<p>Section two is repealed and re-enacted with amendments as follows:</p> <p style="padding-left: 40px;">2. Section thirty-eight of the Constitution Acts Amendment Act, 1899, is amended by substituting for the first proviso thereto the following proviso:</p> <p style="padding-left: 80px;">Provided that, notwithstanding anything in this or any other Act, a Member of the Legislative Council or the Legislative Assembly shall not vacate his seat by reason only of his acceptance of an office of profit from or under the Crown if that office be one which the holder is liable to vacate on political grounds and which is referred to in sections six and seventy-four of the Constitution Act, 1889 (52 Vict., No. 23), and in sections thirty-seven, forty-two, forty-three and forty-four of this Act.</p>

SCHEDULE—*continued.*

No. of Act.	Short Title.	Item.	Amendment.
12 of 1948	Constitution Acts Amendment Act (No. 1), 1948.	6	Add, immediately after the word, "that", in line four of section three, the passage, " , on and after the twelfth day of June, one thousand nine hundred and forty-seven".
45 of 1950	Constitution Acts Amendment Act (No. 2), 1950.	7	Delete the passage, " with the Constitution Act, 1889 (Act No. 23 of 1889), and", in lines three and four of section one.
		8	Add, immediately after the word, "and", in line nine of section one, the numeral, "2".
		9	Substitute for the words, "section as the principal Acts", in lines nine and ten of section one, the words, "Act as the principal Act".
		10	Substitute for the word, "Acts", in line one of section two, the word, "Act".
		11	Substitute for the passage, "respectively as the Constitution Act, 1889-1950, and", in lines two and three of section two, the word "as".
		12	Substitute for the passage, "two of the Constitution Acts Amendment Act, 1942 (Act No. 29 of 1942)", in lines one and two of section three, the passage, "thirty-nine B of the principal Act".