



Representation Act 1983

No. 109 of 1983

An Act to increase the number of senators, and for related purposes

[Assented to 8 December 1983]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title

1. This Act may be cited as the *Representation Act 1983*.

Commencement

2. This Act shall come into operation on the day on which the *Commonwealth Electoral Legislation Amendment Act 1983* comes into operation.

Representation of each State in the Senate

3. The number of senators for each State shall be 12.

Repeal of certain Acts

4. The following Acts are repealed:

Representation Act 1948

Representation Act 1949.

Transitional provision—increase in the size of the Senate

5. (1) Until the day of the first meeting of the Parliament after the first expiration or dissolution of the House of Representatives that occurs after the commencement of this Act, section 3 has effect as if the reference in that section to 12 were a reference to 10.

(2) At the first election of senators for each State held after the commencement of this Act, the number of senators chosen for the State shall be 7.

(3) Of the senators chosen for the State at the election, the 2 non-sitting senators first elected shall be chosen for a term of 6 years and shall hold their places from and including the day referred to in sub-section (1), but, for the purpose of maintaining regularity in the rotation of senators, the places of those 2 senators shall, subject to sub-section (4), not become vacant until 1 July 1991.

(4) Of the senators chosen at the election, the senator last elected shall be chosen for a term of 6 years, but, for the purpose of maintaining regularity in the rotation of senators, his place shall become vacant at the close of 30 June 1988.

(5) Each senator chosen at the election who is not one of the 2 non-sitting senators first elected shall fill a periodical vacancy arising on 1 July 1985.

(6) The allowances payable to a senator who is one of the 2 non-sitting senators first elected shall be reckoned from and including the day referred to in sub-section (1).

(7) A reference in this section to a non-sitting senator is a reference to a senator who does not, immediately before the day referred to in sub-section (1), hold a place in the Senate.

(8) If the election referred to in sub-section (2) is an election following a dissolution of the Senate, the provisions of sub-section (2) have effect as if the reference in that sub-section to 7 were a reference to 12 and sub-sections (3), (4), (5), (6) and (7) do not have effect.

Transitional provision—determination of State entitlement

6. For the purposes of the first determination made under sub-section 25 (1) of the *Commonwealth Electoral Act 1918*, the number of senators for the States shall be taken to be 72.