

1998-1999-2000-2001

The Parliament of the
Commonwealth of Australia

THE SENATE

Presented and read a first time

**State Elections (One Vote, One Value)
Bill 2001**

No. , 2001

(Senator Murray)

**A Bill for an Act to implement Article 25 of the
International Covenant on Civil and Political
Rights so that elections for State legislatures shall
be by equal suffrage**

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1 **A Bill for an Act to implement Article 25 of the**
2 **International Covenant on Civil and Political**
3 **Rights so that elections for State legislatures shall**
4 **be by equal suffrage**

5 The Parliament of Australia enacts:

6 **1 Short title**

7 This Act may be cited as the *State Elections (One Vote, One Value)*
8 *Act 2001*.

9 **2 Commencement**

10 This Act commences on the day on which it receives the Royal
11 Assent.

1 **3 Interpretation**

2 In this Act:

3 *quota of voters for each electorate* means, in relation to a
4 particular election for a House of Parliament of a State, the number
5 of voters determined by dividing the total number of voters
6 predicted to be enrolled in the State 4 years after the election by the
7 number of electorates for that House in the State.

8 *State* includes the Northern Territory and the Australian Capital
9 Territory.

10 **4 Equal suffrage**

11 A House of Parliament of a State shall be directly chosen by the
12 people of the State voting in electorates as nearly equal in size as
13 possible but, in any case, not varying by more than 15% from the
14 quota of voters for each electorate for that House with any
15 variation between the size of electorates to have regard to the
16 community of interest of the electorate including:

- 17 (a) the means of communication with, and its distance from, the
18 capital city of the State; and
19 (b) the geographical features of the area; and
20 (c) any existing regional boundaries, including local government
21 boundaries.

22 **5 Standing for judicial review**

23 (1) The following are entitled to bring an action under this Act in a
24 court of competent jurisdiction:

- 25 (a) a registered political party;
26 (b) a member of the House of Parliament to which the action
27 relates.

28 (2) Subsection (1) does not limit the right of any other person under
29 the law of the Commonwealth (including the common law) to
30 bring an action under this Act.

1 **6 Application**

2 This Act applies to any State election held more than 6 months
3 after commencement.