

House of Assembly—No 80

As laid on the table and read a first time, 26 March 2009

South Australia

**Constitution (Basic Democratic Principles)
Amendment Bill 2009**

A BILL FOR

An Act to amend the *Constitution Act 1934*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Constitution (Basic Democratic Principles) Amendment Act 2009*.

5 2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

10 Part 2—Amendment of *Constitution Act 1934*

4—Insertion of Part 1A

After section 1 insert:

Part 1A—Basic democratic principles

1A—Basic democratic principles

- 15 (1) The members of the Parliament are to be elected on a democratic basis.
- (2) They are representatives of all people resident in their respective electorates and, in exercising their parliamentary functions—
 - (a) are not bound by orders or instructions; and
 - 20 (b) are subject only to their conscience.

- (3) The electoral system must—
- (a) allow for participation by all adult residents of the State in the electoral process on a free and equal basis; and
 - (b) provide for the direct election of parliamentary representatives by the electors; and
 - (c) provide for a system of voting in which the elector votes secretly and cannot be required to disclose his or her vote.

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