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**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**4.** The following Acts are repealed: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.