

Passed by both Houses



New South Wales

Constitution Amendment (Prorogation of Parliament) Bill 2011

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2011*



New South Wales

Constitution Amendment (Prorogation of Parliament) Bill 2011

Act No , 2011

An Act to amend the *Constitution Act 1902* to restrict the prorogation of Parliament before a general election.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts:**1 Name of Act**

This Act is the *Constitution Amendment (Prorogation of Parliament) Act 2011*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Amendment of Constitution Act 1902 No 32**(1) Section 10 Time and place for holding sessions of Parliament**

Omit "He may also prorogue the Legislative Council and Assembly by proclamation or otherwise whenever he deems it expedient."

(2) Section 10A

Insert after section 10:

10A Prorogation of Parliament

- (1) The Governor may, by proclamation, prorogue the Legislative Council and Assembly whenever the Governor considers it expedient to do so (subject to this section and section 24B).
- (2) The Premier or Executive Council may not advise the Governor to prorogue the Legislative Council and Assembly on a date that is before 26 January in the calendar year in which the Legislative Assembly is due to expire and that is after the fourth Saturday in the preceding September.