



New South Wales

Constitution Amendment (Prorogation of Parliament) Act 2011 No 3

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Constitution Amendment (Prorogation of Parliament) Act 2011 No 3

Act No 3, 2011

An Act to amend the *Constitution Act 1902* to restrict the prorogation of Parliament before a general election. [Assented to 16 May 2011]

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.

[Agreement in principle speech made in Legislative Assembly on 4 May 2011
Second reading speech made in Legislative Council on 9 May 2011]

BY AUTHORITY