



No. of 2012.

Constitutional Amendment No. 35 - Provincial Electorates Law 2012.

Certified on : 16:05:2012



Constitutional Amendment No 35 - Provincial Electorates Law 2012.

ARRANGEMENT OF SECTIONS.

1. Compliance with Constitutional Requirements.
2. Membership (Amendment of Section 101).
3. Savings.



Constitutional Amendment No. 35 - Provincial Electorates Law 2012,

Being a Law to alter the *Constitution* by amending certain provisions relating to provincial electorates, and for related purposes,

MADE by the National Parliament to come into operation immediately after the coming into operation of the *Constitutional Amendment No. 31 (Provincial Electorates) Law 2010*.

1. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS.

This Law, to the extent that it regulates or restricts a right or freedom referred to in Subdivision III.3.C (*Qualified rights*) of the *Constitution*, namely -

- (a) the right to liberty of the person conferred by Section 42; and
- (b) the right to freedom of expression and publication conferred by Section 46; and
- (c) the right to peacefully assemble and associate and to form or belong to, or not to belong to, political parties, industrial organizations or other associations conferred by Section 47; and
- (d) the right to freedom of choice of employment in any calling for which a person has the qualifications (if any) lawfully required conferred by Section 48; and
- (e) the right to reasonable privacy in respect of his private and family life, his communications with other person and his personal papers and effects conferred by Section 49; and
- (f) the right to vote and stand for public office conferred by Section 50; and
- (g) the right to reasonable access of official documents conferred by Section 51; and
- (h) the right to freedom of movement conferred by Section 52,

of the *Constitution*, is a law that is made pursuant to Section 38 of the *Constitution* taking into account the National Goals and Directive Principles for the purpose of giving effect to the public interest in public order and public welfare.

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2. MEMBERSHIP (AMENDMENT OF SECTION 101).

Section 101 of the *Constitution* is amended -

(a) in Subsection (1) by inserting after Paragraph (a) the following new paragraph:-

“(b) a number of members elected from single-member provincial electorates; and”; and

(b) in Subsection (2) by inserting before the word “electorates” the word “provincial”.

3. SAVINGS.

(1) This section applies to a person if, immediately before the repeal of Section 101(1)(b) of the *Constitution* made by Section 2 of the *Constitutional Amendment No. 31 (Provincial Electorates) Law 2010* (“the repeal”), the person was a member elected from a provincial electorate.

(2) Despite the repeal, a person to whom this section applies continues, on and after the repeal as the member elected from the provincial electorate as if the repeal had not been made.

(3) The repeal does not affect -

(a) any right, privilege, obligation or liability acquired, accrued or incurred by a person to whom this section applies, being a right, privilege, obligation or liability that existed immediately before the repeal; and

(b) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation or liability, being an investigation, legal proceeding or remedy that was pending immediately before the repeal.

I hereby certify that the above is a fair print of the *Constitutional Amendment No. 35 - Provincial Electorates Law 2012* which has been made by the National Parliament.

Clerk of the National Parliament.

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Constitution.

CERTIFICATE UNDER SECTION 14.

I, JEFFERY NAPE, Speaker of the National Parliament, hereby certify that the requirements of Section 14(1), (2) and (3) of the *Constitution* were complied with in respect of the *Constitutional Amendment No. 35 - Provincial Electorates Law 2012* and that the law was made by the National Parliament as follows:

- (a) the first vote was taken on 6 September 2011 when the number of seats in the National Parliament were 109 and those voting for the proposal were 73 and none voted against the proposal; and
- (b) the second vote was taken on 15 February 2012 when the number of seats in the National Parliament were 109 and those voting for the proposal were 77 and none voted against the proposal.

Speaker of the National Parliament.

