Appendix F  Legislative Assembly Bills other than those Appropriating Revenue or Moneys for the Ordinary Annual Services of the Government
Section 5B Constitution Act 1902

Bill passed by LA‡

LC passes bill
LA agrees with LC amendments†

LC passes bill with amendments
LA does not agree⁶ with LC amendments§

LC rejects bill

LC fails to return bill to the LA within 2 months of transmission to LC¹

LC does not insist on amendments

3 months²

LA reintroduces and passes the same bill, with or without amendments previously passed by LC, in same or next session‡

LC passes bill
LA agrees with LC amendments†

LC passes bill with amendments
LA does not agree⁶ with LC amendments§

LC rejects bill

LC fails to return bill to the LA within 2 months of transmission to LC¹

LC does not insist on amendments

LA requests free conference between managers (S.O. 344)*

Governor convenes joint sitting. No vote taken

LA & LA agree to bill

LA resolves that bill as last proposed by LA with or without any amendment agreed by either House be submitted to referendum

Bill accepted or rejected at referendum⁴

‡ Message to LC (S.O. 221)
† Message to LC (S.O. 227(1))
§ Message to LC with reasons (S.O. 224)
* Message to LC requesting conference (S.O. 227(2), 345)

¹ Bills to which s.7A (alteration of LC) applies, 2 months³
NOTES ON SECTION 5B BILLS

1 Constitution Act 1902 s. 5B(4). This period commences when the Clerk of the Legislative Assembly delivers the bill and the message to a member or one of the Clerks-at-the-Table of the Legislative Council while the House is sitting, or to the Clerk or President of the Legislative Council when the House is not sitting. Prorogation during the two month-period prevents the Legislative Council being taken to have failed to pass a bill under s. 5B(4).

2 Constitution Act 1902 s. 5B(1). This period commences when the Legislative Assembly disagrees with the Legislative Council amendments, the Legislative Assembly rejects the bill, or when the Legislative Assembly has failed to pass the bill after the elapse of two months under s. 5B(4).

3 Constitution Act 1902 s. 5B(5)(c). For bills to which s. 7A (bills altering the powers of the Legislative Council) applies, two months must elapse from the time the Legislative Assembly passes a resolution calling for the referendum before the referendum is held. The referendum must be held during the life of the Parliament. Paragraph 5B(5)(c) does not provide for a referendum on the day of a general election.

4 A referendum, other than for bills to which s. 7A applies, shall be held at any time during the life of the Parliament or at the next general election (s. 5B(2)).

5 Passing amendments with further amendments would not constitute agreement under s. 5B.