

13 GEO. V. No. 6, 1922. *Legislative Assembly Act Amendment Act.*

were enacted in this Act and shall be judicially noticed, and their validity shall not be questioned in any proceedings whatever.

All such regulations shall be laid before Parliament within forty days after the publication thereof if Parliament is then sitting, or, if not, then within forty days after the commencement of the next session thereof.

If the Legislative Assembly passes a resolution at any time within fifteen sitting days after such regulations have been laid before Parliament disallowing any regulation, such regulation shall thereupon cease to have effect, but without prejudice to the validity of anything done in the meantime.

COMMISSION AGENTS.

See AUCTIONEERS AND COMMISSION AGENTS.

CONSTITUTION.

<i>Legislative Assembly Act Amendment Act of 1922</i>	..	13 Geo V. No.	6
<i>Legislative Assembly Act Amendment Act of 1921</i>			
<i>Repeal Act of 1922</i>	13 Geo. V. No.	13
<i>Officials in Parliament Act Amendment Act of 1922</i>		13 Geo. V. No.	12

APPROPRIATION ACTS.

<i>Appropriation Act of 1922-1923, No. 1</i>	13 Geo. V. No.	5
<i>Appropriation Act of 1922-1923, No. 2</i>	13 Geo. V. No.	8

An Act to Amend the "Legislative Assembly Act of 1867" by making Provision in Certain Cases for the Voting by Proxy of Members of the Legislative Assembly absent through ill-health.

13 Geo. V.
No. 6.
THE
LEGISLATIVE
ASSEMBLY
ACT AMEND-
MENT ACT
OF 1922.

[ASSENTED TO 21ST AUGUST, 1922.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Legislative Assembly Act Amendment Act of 1922*," and shall be read as one with the *"*Legislative Assembly Act of 1867*," herein referred to as the Principal Act.

Short title
and
construction
of Act.

* 31 Vic. No. 21, *supra*, page 317.

Legislative Assembly Act Amendment Act. 13 GEO. V. No. 6,

2. After section fourteen of the Principal Act, the following sections are inserted :—

Voting as
and for a
member
absent
through
ill-health.

“ [15.] (1.)—

(a) If two or more legally qualified medical practitioners have certified by writing under their hands to the Speaker that any specified member of the Assembly is in such a state of ill-health through no fault on his part that such member is unable, and in their opinion will, during a period specified in such certificate, be unable to attend any sittings of the House without gravely endangering his health ; and

(b) If such specified member (hereinafter called “ the absent member ”) or, in case of his inability through ill-health, some other member of the Assembly on his behalf, has notified the Speaker in writing that the absent member has endeavoured to secure and through no fault on his part has failed to secure a “ Pair ” during the period specified in such certificate, and that he desires to vote as a member at every sittings of the House and of every Committee of the whole House by means of a named proxy who is also a member of the Assembly (hereinafter called “ the first proxy ”), or, if the first proxy is not present, by another named proxy, who is also a member of the Assembly (hereinafter called “ the second proxy ”) ;

the Speaker shall read such certificate and notification to the House on the day of the receipt by him of such certificate and notification, if the House is sitting on that day, or if the House is not sitting on that day then on the day of the first sittings of the House thereafter.

And if the Speaker declares that he is satisfied that the matters stated in such notification are true then, subject to the next succeeding section of this Act at any sittings of the House or any Committee of the whole House during the period specified in such certificate, at any voting of the House or any such Committee for which a division is called on any question before such House or Committee, the first proxy (or, if the first proxy is not present, or is present and votes bu

1922.

Legislative Assembly Act Amendment Act.

does not declare that he votes as and for the absent member, the second proxy) may, either without voting in his own right or in addition to voting in his own right, vote as and for the absent member by declaring to the Speaker or the Chairman of Committees, as the case may be, during the taking of the votes on such division, that he votes as and for the absent member for the "Ayes" or for the "Noes," as the case may be.

If such vote is for the "Ayes," the tellers for the "Ayes" shall count it accordingly, and if such vote is for the "Noes," the tellers for the "Noes" shall count it accordingly.

Every vote so declared shall be as valid and effectual as if the absent member had been personally present in the House on the taking of the votes on such division and had voted on the side of the question for which his vote has been so declared by proxy.

If during the period aforesaid the absent member notifies the Speaker in writing that he desires to substitute as his first proxy and second proxy or either of them two other named members or one other named member of the Assembly, as the case may be, the Speaker shall read such notification to the House on the day of the receipt by him of such notification, if the House is sitting on that day, or if the House is not sitting on that day, then on the day of the first sittings of the House thereafter. Thereupon such other members or member named in such notification shall be the first proxy and the second proxy or the first proxy or the second proxy, as the case may be, in substitution for the members or member who had theretofore been authorised to vote as and for the absent member, and as such proxies or proxy may vote as and for the absent member under and in accordance with the foregoing provisions of this section.

(2.) A member of the Assembly who, as a proxy, votes as and for the absent member under this section, and does not vote in his own right, shall declare the vote as and for the absent member from outside the Bar of the House.

If such member declares the vote as and for the absent member within the Bar, he shall be taken to vote also in his own right on the side of the question which his place in the division indicates.

Legislative Assembly Act Amendment Act. 13 GEO. V. No. 6, 1922.

(3.) No certificate or notification and no declaration by the Speaker mentioned in this section shall be effective beyond the last day of the session of Parliament in which the same were received and made :

But if the ill-health of the absent member and his inability to attend any sittings of the House continue or are likely to continue beyond the period specified in such certificate, then and in every such case such certificate, notification, and declaration may be renewed from time to time as may be and become necessary.

Cesser of
proxy.

[16.] If during the period specified in the certificate in the last preceding section hereof mentioned, and subsequent to any declaration made by the Speaker with respect to the absent member to which such certificate relates—

- (a) The absent member attends any sitting of the House or any Committee of the whole House ; or
- (b) The Speaker declares to the House that he is satisfied that the absent member is able to attend any such sittings ; or
- (c) The Speaker reads to the House a notification by the absent member that the absent member desires that his vote shall be no longer declared by proxy as aforesaid ;

then no further vote of the absent member shall be declared by proxy.

When the absent member notifies the Speaker in writing that he desires that his vote shall be no longer declared by proxy as aforesaid, the Speaker shall read such notification to the House on the day of the receipt by him of such notification if the House is sitting on that day, or, if the House is not sitting on that day, then on the day of the first sittings of the House thereafter.

Meaning of
"The
Speaker"
and
"Chairman
of
Committees"

[17.] For the purposes of the two last preceding sections of this Act, the term "the Speaker" includes in the absence of the Speaker the Deputy Speaker or member of the Assembly sitting in the chair of and acting as the Speaker ; and the term "Chairman of Committees" includes any Temporary Chairman of Committees or member of the Assembly sitting in the chair of and acting as the Chairman in any Committee of the whole House.

13 GEO. V. No. 13, 1922. *Legislative Assembly Act Repeal Act.*

[18.] Nothing contained in the three last preceding sections shall affect the operation of the provisions of section seven of this Act.”

Saving of s. 7.

3. This Act and the amendments of the Principal Act hereby made shall apply to the present Legislative Assembly, as well as to every Legislative Assembly hereafter to be summoned and chosen.

Operation of Act.

An Act to Repeal “The Legislative Assembly Act Amendment Act of 1921.”

13 Geo. V. No. 13.

[ASSENTED TO 9TH OCTOBER, 1922.]

THE LEGISLATIVE ASSEMBLY ACT AMENDMENT ACT OF 1921 REPEAL ACT OF 1922.

BE it enacted by the King’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as “*The Legislative Assembly Act Amendment Act of 1921 Repeal Act of 1922.*”

Short title

2. * “*The Legislative Assembly Act Amendment Act of 1921*” is repealed.

Repeal of 12 Geo. V. No. 31.

An Act to Amend the Constitution of Queensland by further amending “The Officials in Parliament Act of 1896” in certain particulars.

13 Geo. V. No. 12.

[ASSENTED TO 6TH OCTOBER, 1922.]

THE OFFICIALS IN PARLIAMENT ACT AMENDMENT ACT OF 1922.

BE it enacted by the King’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as “*The Officials in Parliament Act Amendment Act of 1922,*” and shall be read as one with † “*The Officials in Parliament Act of 1896*” as amended by ‡ “*The Officials in Parliament Act Amendment Act of 1920,*” herein collectively referred to as the Principal Act.

Short title and construction of Act.

* 12 Geo. V. No. 31, *supra*, page 9662.

† 60 Vic. No. 3, *supra*, page 328.

‡ 11 Geo. V. No. 6, *supra*, page 9549.