



ANNO TERTIO

GEORGI VI REGIS.

A.D. 1939.

No. 48 of 1939.

An Act to amend the Constitution Act, 1934-1937.

*(Reserved, 7th December, 1939.
Royal Assent Proclaimed, 28th March, 1940.)*

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the " Constitution Act Amendment Act, 1939 ". Short titles.

(2) The Constitution Act, 1934-1937, as amended by this Act, may be cited as the " Constitution Act, 1934-1939 ".

(3) The Constitution Act, 1934-1937, is in this Act called " the principal Act ".

2. This Act is incorporated with the principal Act, and that Act and this Act shall be read as one Act. Incorporation.

3. The following section is enacted and inserted in the principal Act after section 46 thereof :— Enactment of s. 46a of principal Act—

46a. Notwithstanding any other provision of this Act a person who has been in the employment of the Crown and has retired from that employment, and has by virtue of that employment become entitled to a pension wholly or partly paid by the Crown, shall not, by reason only of the receipt of that pension— Crown pensioners qualified for election.

(a) be disabled from or incapable of being elected as a member of the Parliament or of sitting and voting therein ; or

Constitution Act Amendment Act, 1939.

(b) be liable to any forfeiture, fine, or other disability for so sitting and voting.

Amendment of s. 51 of principal Act—

4. Section 51 of the principal Act is amended by adding at the end thereof the following paragraphs :—

nor

Exemptions.

(g) to the supply or provision or any contract for the supply or provision by or to the Government or by or to any person on behalf of the Government, of any goods, chattels or services where such goods, chattels or services are supplied or provided on no better terms than those on which they are ordinarily supplied or provided to members of the public ; nor

(h) to any loan made under any Act by the Government or by any person on behalf of the Government to any person who was not a member of the Parliament at the time when the loan was made.

Enactment of s. 54a of the principal Act—

5. The following sections are enacted and inserted in the principal Act after section 54 thereof :—

Provisions as to members of Parliamentary committees and royal commissions.

54a. (1) Notwithstanding any other provision of this Act, the seat of a member of Parliament shall not be or become vacant and a member of Parliament shall not be liable to any forfeiture, fine, or other disability by reason only of the fact that—

(a) he accepts or holds office as the chairman or a member of any committee appointed by either House of Parliament or by both Houses of Parliament, or of any royal commission :

(b) as such chairman or member, he receives or is entitled to receive any salary, fees, allowances or other emoluments.

(2) The election of any person as a member of Parliament shall not be affected by reason only of the fact that he holds any such office or receives or is entitled to receive any such salary, fees or other emoluments.

Amendment of s. 55 of the principal Act—

6. Section 55 of the principal Act is amended by adding at the end thereof the following subsections :—

Remuneration of committee on Subordinate Legislation.

(3) The Chairman of the Committee constituted by Standing Orders under paragraph (g) of subsection (1) of this section shall receive for his services as chairman, a

salary at the rate of one hundred pounds a year, and each other member of the said committee shall receive for his services as member, a salary at the rate of fifty pounds a year.

The said salaries shall be in addition to any other sums payable to the chairman and members in respect of their parliamentary duties and shall be payable as from the first day of January, nineteen hundred and thirty-nine.

(4) The Treasurer shall by virtue of this section and without any further appropriation pay the said salaries to the persons entitled thereto in twelve equal monthly payments in each year.

Reserved for the signification of His Majesty the King's pleasure thereon.

C. M. BARCLAY-HARVEY, Governor.