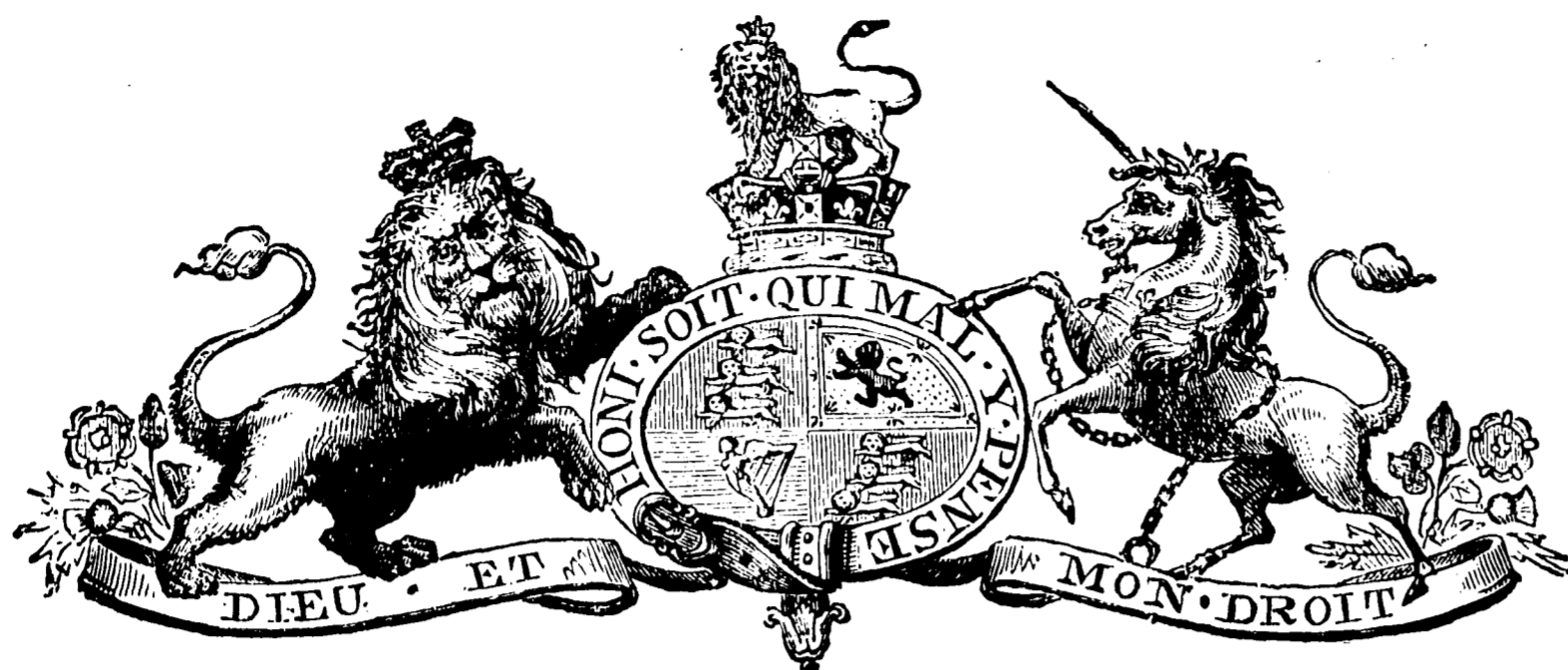


VICTORIA.

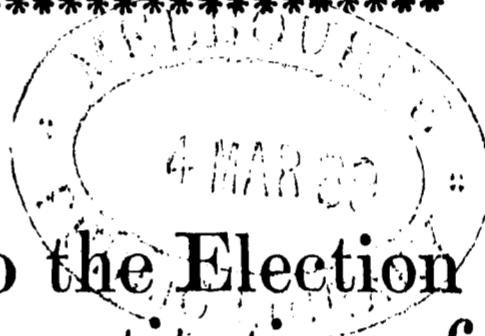


ANNO QUINQUAGESIMO SECUNDO

VICTORIÆ REGINÆ.

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No. DCCCCXCV.



An Act to amend the Acts relating to the Election of Members to serve in and the Constitution of the Legislative Council.

[22nd December 1888.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may for all purposes be cited as "*The Legislative Council Amending Act 1888*" and shall be read with and construed as a portion of "*The Legislative Council Act 1881*" hereinafter termed the "Principal Act." Short title and construction.  
No. 702.

2. The several portions of "*The Legislative Council Act 1881*" mentioned in the third column of the Schedule to this Act are hereby repealed. Repeal.  
Schedule. Provided that this repeal shall not affect

Any provision relating to the period for which seats are to be held by members of the Council where such members are members at the time of the passing of this Act or are elected subsequent to the passing of this Act to fill seats vacant at the time of such passing:

Any matter or thing duly done or suffered before the passing of this Act:

Any

*Published as a Supplement to the 'Victoria Government Gazette' of Friday, 21st December 1888.*

Any penalty forfeiture or punishment incurred in respect of any offence committed before the passing of this Act:

The institution or continuance of any investigation proceeding or other remedy in respect of any penalty forfeiture or punishment or for the recovery of any penalty incurred or for the punishment of any offence committed before the passing of this Act.

Number of members.  
See No. 702 s. 5.

3. The Council shall consist of forty-two members until that number be increased under the provisions hereinafter contained to forty-eight members.

Number of members  
for each province.  
See No. 702 s. 6.

4. The Melbourne Northern South Yarra Gippsland North-Western and Wellington Provinces shall each return four members to the Council.

The South-Western Nelson Western North Yarra Southern North Central North-Eastern and South-Eastern Provinces shall each return three members to the Council.

The members of the Council elected at the periodical elections to be held in the provinces in the next following section mentioned in the year One thousand eight hundred and eighty-nine and those elected at any periodical election to fill any vacancy caused by effluxion of time shall each hold their seats for a period of six years and shall then retire by effluxion of time. Every retiring member shall if otherwise qualified be capable of being re-elected.

Additional periodical  
elections for certain  
provinces.

5. In the Melbourne Northern South Yarra Gippsland North-Western and Wellington Provinces periodical elections shall be held in the year One thousand eight hundred and eighty-nine and in every sixth year thereafter in addition to the periodical elections prescribed by the Principal Act. The polling day for such additional periodical elections shall be the second Thursday in the month of September.

Six additional  
members to be  
elected in 1889.

6. At the periodical elections to be held under the provisions of this Act in the year One thousand eight hundred and eighty-nine a new or additional member shall be elected for the Melbourne Northern South Yarra Gippsland North-Western and Wellington Provinces respectively.

Election &c. of addi-  
tional members to  
be subject to law  
applying to other  
members.

7. The provisions of the Principal Act and of any other Act for the time being in force relating in anywise to members of the Council or the manner of their nomination and election, the tenure of seats of members elected to supply vacancies caused by death resignation or disqualification, the qualifications to be possessed, the declarations to be made, the penalties to be incurred or the mode in which the validity of disputed returns and elections is to be determined, shall apply to the persons elected or being candidates for election (as the case may be) under the provisions of this Act so far as the same are not inconsistent with the express provisions hereof.

SCHEDULE.

## SCHEDULE.

Section 2.

Date of Act.	Short Title.	Extent of Repeal.
45 Vict. No. 702 ...	<i>"The Legislative Council Act 1881" ...</i>	Sections 5 and 6. In section 25 the words "or denizen" and "or made denizen." In section 36 the words "or denizen" and "or denization."

MELBOURNE:

By Authority: ROBT. S. BRAIN, Government Printer.