

*Hon. Mr. Buckley.*

## LEGISLATIVE COUNCIL.

### ANALYSIS.

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1. Short Title.	6. Vacancies.
2. Repeals. Saving of appointments, &c.	7. Creation of vacancies.
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### A BILL INTITULED

AN ACT to alter the Mode of making future Appointments of Mem- Title.  
bers of the Legislative Council of New Zealand; and to regulate  
Vacancies therein.

5 BE IT ENACTED by the General Assembly of New Zealand in  
Parliament assembled, and by the authority of the same, as  
follows:—

1. The Short Title of this Act is "The Legislative Council Act, Short Title.  
1885."

10 2. Sections thirty-three, thirty-four, thirty-five, thirty-six, thirty- Repeals.  
seven, thirty-eight, and thirty-nine of the Constitution Act, and "The  
Legislative Council Quorum Act, 1865," are hereby respectively  
repealed.

15 Notwithstanding such repeal, all existing appointments of officers Saving of appoint-  
in the said Council, and all existing Standing Orders of the said ments, &c.  
Council, shall continue in force as if this Act had not been passed.

3. From and after the passing of this Act, every person who shall Future members to  
be appointed member of the Legislative Council shall hold his seat hold office for ten  
therein for ten years, to be reckoned from the date of the instrument years only.  
20 of his appointment, and no longer.

Nothing in this section contained shall apply to any member of Saving as to existing  
the said Council holding office therein on the day of the passing of members.  
this Act.

Appointment of  
members.

4. The Governor may from time to time summon to the Legislative Council such persons as he shall think fit, subject to the condition that no person shall be so summoned who shall not be of the full age of twenty-one years, and a natural-born subject of Her Majesty, or a subject of Her Majesty naturalized by Act of the Imperial Parliament or by an Act of the Legislature of New Zealand. 5

Appointment of  
Speaker.

5. The Governor from time to time, as occasion may require, shall appoint one member of the Council to be the Speaker thereof, who shall hold such office until his office as a member of the Council is vacated: Provided that the Governor may at any time remove such member from the office of Speaker, and appoint another in his stead. 10

Vacancies.

6. Every member of the Legislative Council shall hold his seat therein subject to the provisions hereinafter contained for vacating the same.

Creation of  
vacancies.

7. The seat of any member of the Council shall become vacant— 15

- (1.) If for one whole session of the General Assembly he fails, without permission of the Governor notified to the Council, to give his attendance in the Council:
- (2.) If he takes any oath or makes any declaration or acknowledgment of allegiance, obedience, or adherence to any foreign Prince or Power: 20
- (3.) If he does, or concurs in, or adopts any act whereby he may become a subject or citizen of any foreign State or Power, or is entitled to the rights, privileges, or immunities of a subject of any foreign State or Power: 25
- (4.) If he is a bankrupt, or an insolvent debtor within the meaning of the laws relating to insolvent debtors:
- (5.) If he is a public defaulter, or is attainted of treason, or is convicted of felony or any infamous crime:
- (6.) If he resigns his seat by writing under his hand addressed to the Governor. 30

Every member whose seat has become vacant shall be eligible for re-appointment to the Council.

Questions as to  
vacancies to be  
decided by the  
Council.

8. Any question which shall arise as to any vacancy in the Council, or as to the right of any person to sit or vote therein, shall be referred by the Governor to the Legislative Council, which shall hear and determine the same. 35

Provided always that either the person respecting whose seat such question shall have arisen, or Her Majesty's Attorney-General for New Zealand on Her Majesty's behalf, may appeal from the determination of the said Council to Her Majesty; and the judgment of Her Majesty, given with the advice of her Privy Council therein, shall be final and conclusive to all intents and purposes. 40

Quorum.

9. The number of members of the Legislative Council necessary to constitute a meeting for the exercise of its powers shall be regulated from time to time by rules or orders of the Legislative Council. 45