

LEGISLATURE AMENDMENT BILL.

EXPLANATORY MEMORANDUM.

CLAUSE 2: This clause postpones the commencement of section twenty-five of the Legislature Amendment Act, 1914, which provides that Maori elections of members of Parliament shall be conducted in the same manner as European elections. Owing to the dislocation of public business by the war it has not been possible to prepare rolls of Native electors.

Clause 3: A person who has entered into, or enters into, any contract with the Government is by section 2 of the Legislature Act, 1908, disqualified from sitting in the Legislative Council, and by section 24 is disqualified from sitting in the House of Representatives. There is a penalty of £50 per diem for sitting if disqualified, which may be sued for and recovered by any person. Both sections provide that a "contract" does not include—

"(b.) Any sale, purchase, or agreement for taking of land, or of or for any estate, interest, or easement therein, under any law or statute empowering the King or the Governor, or any person on his behalf, to take, purchase, or acquire any lands, or any estate, interest, or easement therein, for any public works or for any other public purpose whatsoever;"

Certain legal opinions have been given to the effect that the exception only applies where lands are compulsorily taken. At the present time contracts for the purchase of land for soldiers and contracts for leases of buildings required for public offices are of necessity occasionally made with members of Parliament or with firms or associations which include a member of Parliament. The law has not hitherto been understood in the manner indicated, and this clause proposes to amend the law in such manner as to accord with the original intention of the Act, and thereby enable the Government to acquire lands or offices without the restriction created by the new interpretation.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

Legislative Council,
6th November, 1920.

[AS AMENDED BY THE HOUSE OF REPRESENTATIVES.]
8th November, 1920.

Hon. Sir Francis Bell.

LEGISLATURE AMENDMENT.

ANALYSIS.

1. Title. Short Title.	2. Section 25 of Legislature Amendment Act, 1914, amended. Repeal. 3. Definition of "contractor" amended.
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A BILL INTITULED

AN ACT to amend the Legislature Act, 1908.

Title.

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

1. This Act may be cited as the Legislature Amendment Act, 1920, and shall be read together with and deemed part of the Legislature Act, 1908.

Short Title

2. (1.) Section twenty-five of the Legislature Amendment Act, 1914, is hereby amended, as from the commencement of that Act, by repealing subsection two thereof, and substituting the following subsection:—

Section 25 of Legislature Amendment Act, 1914, amended.

"(2.) This section shall come into operation on a date to be appointed by the Governor-General by Proclamation."

(2.) The Maori Representation Act, 1919, is hereby repealed.

Repeal.

Struck out.

3. The definition of "contractor" in sections two and twenty-four of the Legislature Act, 1908, is hereby amended by omitting from paragraph (b) of the said definition, in each of the said sections, all words after the words "or easement therein" where those words first occur in the said definitions.

Definition of "contractor" amended.

New.

4. Notwithstanding anything to the contrary in section twenty-four of the Legislature Act, 1908, no person employed in any Department of State shall be disqualified from being a candidate for election as a member of Parliament by reason of the fact that he is a Civil servant as defined in the said section, if he has been granted leave of absence, pursuant to regulations in that behalf made by the Governor-General in Council, for the purpose of enabling him to accept nomination as such candidate and to contest the election.

Public Servants may be granted leave of absence for purpose of becoming candidates at parliamentary elections.

Sections 18 and 19
of principal Act
amended.

5. Sections eighteen and nineteen of the principal Act are hereby amended by omitting the words "five hundred and fifty" wherever they occur, and substituting the words "one thousand two hundred and fifty."

By Authority: MARCUS F. MARKS, Government Printer, Wellington.—1920