

LEGISLATIVE COUNCIL ABOLITION BILL

EXPLANATORY NOTE

THIS Bill provides for the abolition of the Legislative Council as from the end of the present year.

At that time all members of the Legislative Council, and all officers of the Council, will go out of office. The Bill expressly declares the law to be that no such person will have any legal right to compensation for loss of office.

The Bill amends the Constitution Act to provide that the General Assembly will consist of the Governor-General and the House of Representatives; and also repeals the statutes relating to the Legislative Council.

It is also provided that all statutory references to the Council or to both Houses of Parliament are to be read as references to the House of Representatives, and the functions of the Clerk of the Legislative Council and of the Clerk of Parliaments are transferred to the Clerk of the House of Representatives.

Right Hon. Mr. Holland

LEGISLATIVE COUNCIL ABOLITION

ANALYSIS

Title.	2. Abolition of Legislative Council.
1. Short Title and commencement.	Schedule.

A BILL INTITULED

AN ACT to Abolish the Legislative Council.

Title.

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

1. (1) This Act may be cited as the Legislative Council Abolition Act, 1950.

Short Title and commencement.

(2) This Act shall come into force on the first day of January, nineteen hundred and fifty-one.

2. (1) The Legislative Council of New Zealand is hereby abolished, and section thirty-two of the New Zealand Constitution Act, 1852, is hereby accordingly amended by omitting the words "a Legislative Council".

Abolition of Legislative Council.
See Reprint of Statutes, Vol. I, p. 997

(2) The office of member of the Legislative Council and all offices constituted or created therein or in connection therewith are hereby abolished.

(3) All references in any enactment to the General Assembly or to the Parliament or to the Legislature shall, unless the context otherwise requires, be read as

references to the General Assembly consisting of the Governor-General and the House of Representatives.

(4) All references in any enactment to the Legislative Council and the House of Representatives, or to both Houses of Parliament or of the Legislature or of the General Assembly, or to each House of Parliament or of the Legislature or of the General Assembly, or to either House of Parliament or of the Legislature or of the General Assembly shall, unless the context otherwise requires, be read as references to the House of Representatives.

See Reprint
of Statutes,
Vol. VI, p. 461;
Vol. VIII,
p. 576

(5) The reference to the Clerk of the Legislative Council in paragraph (g) of section two hundred and seventy of the Legislature Act, 1908, and the reference to the Clerk of Parliaments in section ten of the Acts Interpretation Act, 1924, and all other references in any enactment to the Clerk of the Legislative Council or to the Clerk of Parliaments shall, unless the context otherwise requires, be read as references to the Clerk of the House of Representatives.

(6) The enactments specified in the Schedule to this Act are hereby repealed.

(7) It is hereby declared that no action, claim, or demand whatsoever shall lie in favour of any person or be made by any person against the Crown, or any Minister of the Crown, or any other person for or in respect of any damage, loss, or injury sustained or alleged to have been sustained by reason of the passing of this Act.

Schedule.

SCHEDULE

ENACTMENTS REPEALED

1908, No. 101—

The Legislature Act, 1908: Division I (sections 2 to 11).
(Reprint of Statutes, Vol. VI, p. 447.)

1913, No. 36—

The Legislature Amendment Act, 1913. (Reprint of
Statutes, Vol. VI, p. 467.)

1914, No. 59—

The Legislative Council Act, 1914. (Reprint of Statutes,
Vol. VI, p. 583.)

1914, No. 65—

The Legislature Amendment Act, 1914 (No. 2). (Reprint
of Statutes, Vol. VI, p. 468.)

1918, No. 15—

The Legislative Council Amendment Act, 1918. (Reprint
of Statutes, Vol. VI, p. 607.)

SCHEDULE—*continued*

ENACTMENTS REPEALED—*continued*

1920, No. 31—

The Civil List Act, 1920: Paragraphs (a) and (b) of section 17 (2); paragraph (d) of section 18; subsections (2), (3), and (4) of section 22; and so much of sections 16 (1), 17 (1), (18) (a) and (c), 21, and 22 (1) (as substituted by section 9 (1) of the Finance Act (No. 2), 1946), as relates to the Legislative Council. (Reprint of Statutes, Vol. I, pp. 1023, *et seq.*)

1920, No. 32—

The Legislative Council Amendment Act, 1920. (Reprint of Statutes, Vol. VI, p. 608.)

1920, No. 82—

The Legislature Amendment Act, 1920. (Reprint of Statutes, Vol. VI, p. 469.)

1941, No. 26—

The Statutes Amendment Act, 1941: Section 40.

1943, No. 15—

The Finance Act (No. 3), 1943: Subsection (1) of section 5.

1948, No. 15—

The British Nationality and New Zealand Citizenship Act, 1948: So much of the Third Schedule as relates to the Legislature Act, 1908.