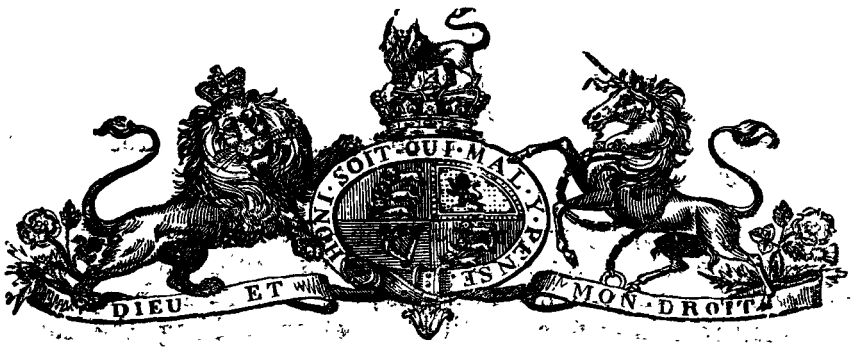
NEW ZEALAND.



ANNO VICESIMO QUARTO

VICTORIÆ REGINÆ.

No. 43.

ANALYSIS:

Title.
Preamble.
1. Short Title.
2. Council established.
3. Number of Members.
4. Appointments to be made by Her Majesty.
5. Tenure of office.
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An Act to establish a Council to assist in the Administration of Native Affairs. Title.

(*Reserved for the signification of Her Majesty's pleasure, 5th November*, 1860.)

WHEREAS it is expedient that a Council, to be composed of duly qualified persons, should be established on a Constitutional basis, to whom the Governor and his Responsible Advisers may have recourse for advice and assistance in the administration of Native Affairs; and that, subject to the provisions of this Act, the management of Native Affairs should be placed on the same basis as other Departments of Government. Preamble.

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

I. The Short Title of this Act shall be "The Native Council Act, 1860." Short Title.

ESTABLISHMENT OF COUNCIL.

Council established.

II. There shall be established a Council, to be styled "The Native Council of New Zealand," hereinafter called the Council.

Number of Members.

III. The Council shall be appointed by Her Majesty, and shall consist of not less than three, or more than five, Members: Provided always that no Minister of any Religious Denomination, Member of the General Assembly, nor any Superintendent, nor any Member of any Provincial Council, shall be a Member of the said Council.

Her Majesty to appoint Secretary and one paid Member.

IV. Her Majesty may appoint one of the Members of the Council to be the Secretary thereof, and two other Members of the Council to receive fixed salaries; and every such appointment shall remain in force until the person holding the same shall resign, or cease to be a Member of the Council.

Tenure of office.

V. Every Member of the Council shall hold his office during good behaviour: Provided, that if at any time hereafter the Council shall be abolished, no Member thereof shall have any claim to compensation on account of such abolition.

Removal from office.

VI. It shall be lawful for Her Majesty to remove any Member of the Council from his office upon an address of both Houses of the General Assembly of New Zealand.

Suspension from office

VII. It shall also be lawful for Her Majesty, at any time when the General Assembly shall not be in session, to suspend any Member of the Council from his office; and such suspension, unless previously revoked, shall continue in force until the end of the next session of the General Assembly, and no longer.

Expense of Council.

VIII. For the maintenance of the said Council there shall be payable to Her Majesty every year out of the Ordinary Revenue of the Colony the sums specified in the Schedule hereunto annexed, for the period of seven years: Provided that, at the expiration of seven years from the coming into operation of this Act, such sums shall cease to be payable, unless continued by Act of the General Assembly.

MEETINGS OF THE COUNCIL.

Three members to constitute meeting.

IX. All business shall be transacted at meetings of the Council, at which 3 Members at least shall be present.

Questions to be decided by majority.

X. All questions shall be decided by a majority of Members present at any such meeting, the Member presiding having a casting vote in addition to his vote as a Member, and the decision of the majority at any such meeting shall be the decision of the Council, and the opinions of the minority may be recorded in the Minutes of the Council.

Council may make rules.

XI. The Council may, from time to time, make, vary, and abolish Rules for all or any of the purposes following,—

(1.) For regulating the holding and adjournment of meetings.
(2.) For determining under whose presidency such meetings shall be held.
(3.) For the due and orderly conduct of the deliberations and proceedings at such meetings.
(4.) For recording the decisions of the Council.
(5.) And generally for promoting the effective despatch of the business of the Council.

Provided that full and exact minutes shall be kept of all proceedings, votes, and resolutions of the Council; and such minutes shall be open at all reasonable times to the inspection and examination of the Government.

DUTIES OF THE COUNCIL.

Duties of Council.

XII. It shall be the duty of the Council
(1.) To advise upon all matters relating to Native affairs upon which they shall be consulted by the Government.
(2.) To submit for the consideration of the Government such measures as may appear to the Council desirable for promoting the civilization of the Natives; for establishing law and order amongst them; for preparing them for the exercise of political power; and generally for promoting the good government, welfare, and advancement of the Native people.
(3.) To assist, when called upon, in the preparation of the drafts of any laws, regulations, or other legislative measures which it may be deemed desirable to submit for the consideration of the General Assembly, for the purpose of effecting any of the before mentioned objects: Provided that it shall be competent for the Council from time to time to act in special cases in an administrative capacity at the instance of the Governor in Council.

DUTY OF THE GOVERNMENT.

Government to consult Council.

XIII. It shall be the duty of the Government of New Zealand, to consult the Council on all important questions relating to the management of Native affairs.

DELEGATION.

Her Majesty may delegate powers to Governor.

XIV. It shall be lawful for Her Majesty, from time to time, to delegate to the Governor all or any of the powers conferred on Her Majesty by this Act, and any such delegation at any time to alter or revoke.

COMMENCEMENT OF ACT.

Duration of Act.

XV. This Act shall not come into operation until the same shall have been confirmed by Her Majesty, with the advice of Her Privy Council, and proclamation of such confirmation shall have been made by the Governor in the *New Zealand Gazette.*

SCHEDULE.

(1). Secretary of Council.....	£700
(2). Member of Council with Salary	500
(3). Member of Council with Salary	500
(4). Fees and Expenses for attendance of other Members of Council, and establishment	650
	£2,350