

New Zealand.



ANALYSIS.

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1892, No. 53.

AN ACT to provide for the Payment of Members of the General Assembly. Title.
[11th October, 1892.]

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 Payment of Members Act, 1892." Short Title.
2. This Act shall come into force on the first day of January, in the year one thousand eight hundred and ninety-three. Commencement.
3. In this Act,—
 - "Member" means a member of the Legislative Council or the House of Representatives, as the case may be: Interpretation.
 - "Sitting day," where used in relation to the Legislative Council or the members thereof, or to the House of Representatives or the members thereof, means every day on which such Legislative Council or House of Representatives respectively shall, during any session, be, by their Standing Orders, appointed to sit for the transaction of business.
4. Subject to the provisions of this Act, every member of the General Assembly shall be entitled to receive payment in relation to his attendance in the discharge of his parliamentary duties at the rate of one hundred and fifty pounds per annum if a member of the Legislative Council, and two hundred and forty pounds per annum if a member of the House of Representatives. Annual sum payable to members of the General Assembly.

And such payment shall be payable out of the Consolidated Fund by equal monthly payments on the last day of each and every month in each year to every such member from the time of taking his seat until his resignation thereof, or otherwise vacating his seat, or, if a

member of the House of Representatives, until his retirement therefrom by effluxion of time or the dissolution of Parliament, as the case may be.

5. All payments to be made under the last-preceding section shall be subject to the provisions following, that is to say,—

Deduction in case of absence.

(1.) If during any session any member shall absent himself for any number of sitting days exceeding five, there shall be deducted from the payment to be made to such member for every sitting day (exclusive of such five sitting days) during which he may be absent the sum of two pounds.

The exemption from penalty in respect of absence for five sitting days during any session shall be reckoned from the commencement of such session, and allowed accordingly, after which all deductions in respect of the absence of a member shall be made from the monthly payment to be made to such member next ensuing after the occurrence of such absences respectively.

Deduction not to be made in case of illness.

(2.) The preceding provision as to the deduction to be made in the case of absence of any member in attendance on Parliament shall not apply where such absence is caused by reason of illness, or from any other cause which shall, by the Speaker of the Council or House giving the certificate hereinafter mentioned, be therein stated to be unavoidable.

Travelling-expenses.

(3.) In addition to the payment aforesaid, there shall be paid to every member, as travelling-expenses, the actual sums which such member shall have reasonably paid in proceeding to and returning from the place of meeting of the General Assembly: But such additional payment shall be made only in respect of one journey to and from such place.

Payments on account of such travelling-expenses may be made at any time after the same are payable, not being more than six months after the time at which such expenses were incurred.

Resignation and dissolution.

(4.) If a member of either House resigns or otherwise vacates his seat, he shall be entitled to payment up to and inclusive of the day of the seat becoming vacated; and, on the dissolution of Parliament, members of the House of Representatives shall be entitled to payment up to and inclusive of the day of such dissolution.

Absence of Legislative Councillor during whole session.

(5.) If a member of the Legislative Council has obtained, and avails himself of, leave of absence from the Governor for a whole session, he shall not be entitled to any payment under this Act from the date of the Proclamation of the Governor convening the General Assembly for the despatch of business at the session in respect whereof such leave applies, until the issue of a like Proclamation convening the said Assembly for despatch of business at the next ensuing session thereof.

Exemptions, as to Ministers, Speakers, &c.

6. No payment under this Act, other than travelling-expenses as aforesaid to the Speakers and Chairmen of Committees hereinafter

mentioned, shall be made to any member in respect of any session or in respect of any part of any session during which such member—

- (1.) Holds and receives an official salary in respect of any one or more of the Ministerial offices mentioned in the Third Schedule to "The Civil List Act 1863 Amendment Act, 1873," or any Ministerial office which may by law be substituted for or added to the offices mentioned in such Schedule; or
- (2.) Is Speaker of the Legislative Council or of the House of Representatives respectively; or
- (3.) Is Chairman of Committees of the said Council or of the House of Representatives respectively.

7. No payment shall be made to any member during session or in respect of the month during which any prorogation occurs except upon the certificate of the Speaker of the Council or House of which the person claiming such payment shall be a member, and thereafter during any period of recess, except upon the certificate of the Clerk of the Council or House aforesaid.

No payments to
made without
Speaker's certifi-
cate.

8. No payment under this Act shall be anticipated or be capable of being pledged or given in security in any way whatever, or be liable to be seized or taken in execution under any process, or attached or charged in any way, under the order of any Court whatever during any existing session of Parliament, save for liabilities incurred during such session and incident to such attendance on Parliament.

Payments not
attachable during
session.

9. "The Parliamentary Honorarium and Privileges Act, 1884," and "The Parliamentary Honorarium and Privileges Act 1884 Amendment Act, 1887," are hereby repealed.

Repeal.