

*Sir G. Grey.*

## Provincial Abolition Permissive.

### ANALYSIS.

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### A BILL INTITULED

AN ACT to make Provincial Abolition permissive in each Province. Title.

**W**HEREAS an Act of the Imperial Parliament passed in the Preamble.  
fifteenth and sixteenth year of Her Most Gracious Majesty,  
chapter seventy-two, did create and establish within the Colony of  
New Zealand a General Assembly and Provincial Legislatures, the  
5 latter consisting of a Superintendent and Provincial Council: And  
whereas the Queen, Lords, and Commons of Great Britain did by the  
said Act confer upon the Provincial Legislatures power to make and  
ordain all such laws and ordinances as might be required for the peace  
order and good government of each province, with the exception of  
10 laws on a few specified subjects of general and Imperial interest:  
And whereas Her Majesty did further waive her prerogative, and grant  
to her subjects in New Zealand the great and unusual privilege that  
all laws passed by the Provincial Legislatures should take effect and  
remain in operation without Her Majesty's assent to the same being  
15 sought for or obtained, so that their legislation on all subjects not of  
general or Imperial interest was freed from all exterior interference, and  
rested solely with the inhabitants of New Zealand: And whereas from  
time immemorial it has been the usage of the Empire that when  
Legislatures are created and established, and have rights and powers  
20 of legislation conferred upon them, such rights and powers, except in  
case of actual and open rebellion, are never taken away or destroyed,  
except under and with the authority of Acts passed by such Legis-  
latures: And whereas the several provinces of New Zealand are  
guiltless of offence, and it is necessary and desirable that this ancient  
25 and salutary bulwark of freedom and justice should be respected and  
reverently preserved:

BE IT THEREFORE 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 shall be "The Provincial Abolition Short Title.  
Permissive Act, 1876."

Sections 25, 26, 27,  
28 of Abolition Act  
repealed.

2. Sections twenty-five, twenty-six, twenty-seven, and twenty-eight of "The Abolition of Provinces Act, 1875," are hereby repealed.

Superintendent may  
dissolve Council.

3. It shall be lawful for the Superintendent, by Proclamation or otherwise, to dissolve the Provincial Council whenever he shall deem it expedient so to do. 5

Introduction of  
Abolition of  
Provinces Act  
permissive.

4. "The Abolition of Provinces Act, 1875," shall come into operation in each province from and after a day to be named in any Act or Ordinance for that purpose passed by the Provincial Council of such province. 10

Restriction of powers  
of legislation of  
General Assembly.

5. No law or ordinance of the General Assembly of New Zealand made after the passing of this Act shall have any force or effect in any province of New Zealand, except such laws or ordinances as relate to any of the purposes named in the nineteenth section of the New Zealand Constitution Act, fifteenth and sixteenth Victoria, chapter seventy-two. 15

Provincial annual  
payments of interest  
on colonial debt.

6. The amount to be annually contributed by each province as its share of the interest payable on the colonial debt shall be fixed by Act of the General Assembly: Provided always that until such Act is passed, the interest on the existing colonial debt, which amounts to eight hundred and fifteen thousand pounds, shall be charged as follows—that is to say, a sum not exceeding one hundred and ninety thousand pounds shall be charged against the North Island, and the balance against the South Island, each province or provincial district contributing in proportion to its revenue, ordinary and territorial. 25