



## PENSIONS' ACT, 1856.

In the Nineteenth Year of the Reign of Her Majesty Queen  
Victoria.

### ANALYSIS.

Title.	4. Provision that pension or annuity shall cease or be lessened in certain cases of holding other offices under Government.
Preamble.	5. Governor may commute pensions within twelve months.
1. Governor may remove from office A. Sinclair, W. Swainson, and A. Shepherd.	6. Short title.
2. Annuities to be paid out of the General Revenue on their ceasing to hold office.	Schedule A.
3. To be paid quarterly.	Schedule B.

A BILL to provide for the retirement of certain Officers of the  
*Executive Government.* Title.

(Assented to May, 1856.)

WHEREAS an alteration is about to be made in the mode of Executive Government in the Colony of New Zealand whereby the holders of the offices of Colonial Secretary, Attorney-General, and Colonial Treasurer of New Zealand will become removable from office on grounds merely political: And whereas it is expedient with a view to the immediate retirement or removal from office of the present holders of the said offices, namely, Andrew Sinclair, Esquire, the Colonial Secretary, William Swainson, Esquire, the Attorney-General, and Alexander Shepherd, Esquire, the Colonial Treasurer, and with a view to the immediate introduction of the said altered mode of Executive Government, that a retiring provision be made for the said present holders of the said offices: Be it therefore enacted by the General Assembly of New Zealand as follows:

1. Whenever it shall appear to the Governor that it would be expedient that the said Andrew Sinclair, William Swainson, and Alexander Shepherd, or any of them, should cease to hold office as aforesaid, it shall be lawful for the Governor to remove them or him therefrom.

Preamble,

Governor may remove from office A. Sinclair, W. Swainson, and A. Shepherd.

out of the General Revenue

Annuities to be paid on their ceasing to hold office.

2. To every of them, the said Andrew Sinclair, William Swainson, and Alexander Shepherd, on ceasing to hold office, either by such removal, or by resignation of office at the request of the Governor there shall be paid out of the General Revenue of New Zealand an Annuity or Pension for the term of his natural life after the rate set opposite to his name in Schedule A. to this Act.

To be paid quarterly.

3. The said Annuities or Pensions shall commence on the several days on which the said Andrew Sinclair, William Swainson, and Alexander Shepherd shall respectively cease to hold office as aforesaid; and shall be paid quarterly (that is to say), on the first day of January, the first day of April, the first day of July, and the first day of October in every year.

Provision that pension or annuity shall cease or be lessened in certain cases of holding other offices under Government.

4. In case of any of them, the said Andrew Sinclair, William Swainson, and Alexander Shepherd, shall accept or shall have accepted any office of emolument under the British or any Colonial Government or under any of the Provincial Governments of New Zealand if the emoluments of such office shall be equal to or exceed in amount the annuity or pension hereby made payable to him, then and in every such case such annuity or pension shall wholly cease, and if such emolument shall be less than the annuity or pension hereby made payable to him then and in every such case such annuity or pension shall thenceforth be reduced by the amount of such emolument. But in either case during such period or periods only as such office of emolument shall be held by him. Provided that for the purposes of the foregoing provision any half pay or pension in respect of any office now or ~~henceforth~~ held by the said annuitants shall not be deemed to be an emolument of office.

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Governor may commute pensions within twelve months.

5. Provided always that if it shall at any time within twelve months from the passing of this Act appear expedient to the Governor of the said Colony to commute the said pensions respectively or any or either of them for a sum of money in gross, it shall be lawful for the said Governor to commute such pensions respectively for the sum of money in gross respectively mentioned in Schedule B to this Act, and to pay the same sums respectively out of the General Revenue of the said Colony.

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Short title.

6. This Act shall be entitled and may be cited as "The Pensions Act, 1856."

SCHEDULE A.

PENSIONS.

To the said Andrew Sinclair such sum as shall be fixed by her Majesty by instructions under her signet or sign manual, or signified through one of her Majesty's principal Secretaries of State, to the Governor of the said colony, not exceeding the sum of .....

£ s. d.

466 13 4

	£	s.	d.
To the said William Swainson, such sum as shall be fixed as aforesaid, not exceeding the sum of .....	400	0	0
To the said Alexander Shepherd, such sum as shall be fixed as aforesaid, not exceeding the sum of .....	48	0	0
	488 0 0		

SCHEDULE B.

COMMUTATION OF PENSIONS.

- To the said Andrew Sinclair, a sum equal to four years and a half purchase of such sum as shall be fixed as aforesaid as the pension payable to him .....
- To the said William Swainson a sum calculated at the like rate .....
- To the said Alexander Shepherd a sum calculated at the like rate.....

Passed the House of Representatives  
 this second day of May in  
 the year one thousand eight hundred  
 and fifty six -

*Ch. Clifford*  
 Speaker.

*H. Humphreys*  
 Clerk of the House of Representatives

I hereby certify that this Bill is in accordance with  
 the Bill as passed by the House of Representatives

*Wm. Carleton*  
 Chairman of Committee

In the name of Her Majesty I assent to this Act.

Auckland, May, 1856.

Governor.