

(Mr. J. E. Brown.)

Provincial Officers Disqualification.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Provincial officers disqualified from holding seats in Legislative Council or House of Representatives. Present Members of House of Representatives, and present Superintendents exempted.</p>	<p>3. Return of disqualified person as Member to be null and void.</p> <p>4. Member becoming disqualified shall resign his seat.</p> <p>5. Penalty for sitting as Member after being disqualified.</p> <p>6. Superintendents to be ex officio Members of Legislative Council.</p>
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A BILL INTITULED

AN ACT to make further provision for securing the Freedom and Independence of Parliament. Title.

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 shall be "The Provincial Officers Disqualification Act, 1873." Short Title.

2. No Superintendent of a Province, and no person accepting or holding any office commission or employment, permanent or temporary, under or from or by or at the appointment or nomination of the Superintendent of any Province, by virtue of his office as Superintendent, or at or by the nomination or appointment of any officer of the Government of any Province, or at or by the election of the Provincial Council of any Province, to which office, in any of the cases aforesaid, any salary fees wages allowances emolument or profit of any kind is attached or paid or payable, shall be capable of being summoned to or of holding a seat in the Legislative Council, or of being elected to serve as a Member of the House of Representatives, or of sitting or voting or continuing to sit or vote as a Member, either of the said Council or the said House, during the time he holds such office occupation or employment :

Provided however that no person being now a Member of the said House of Representatives, and now holding any such office as aforesaid, shall be deemed to be disqualified from continuing to sit or vote, or from sitting or voting, in such House, by reason only of his holding the said office ; but this exemption shall continue in force with regard to such person only until the dissolution of the General Assembly, or the expiration thereof by lapse of time, or until the seat of such Member becomes otherwise vacant, whichever shall

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Present Members of House of Representatives and present Superintendents exempted.

first happen; and also as to any such Superintendent of a Province, this exemption shall continue only until his office of Superintendent becomes vacant by the dissolution or expiration of the Provincial Council of such Province, or by resignation of office or otherwise, but shall not continue afterwards though the person now being Superintendent be re-elected to be Superintendent. 5

Return of disqualified person as Member to be null and void.

3. If any person hereby disqualified or declared incapable of being elected a Member of the House of Representatives is nevertheless elected and returned as a Member of the said House, his election and return shall be null and void. 10

Member becoming disqualified shall resign his seat.

4. If any Member of the Legislative Council or House of Representatives shall, by accepting any office, become disqualified under the foregoing provisions from continuing to sit or vote in the said Council or House, the seat of such Member shall thereby be vacated, and if a Member of the House of Representatives, his election shall thenceforth be void. 15

Penalty for sitting as Member after being disqualified.

5. If any person disqualified or declared incapable of sitting or voting, or continuing to sit or vote, in the Legislative Council or House of Representatives by any of the provisions hereinbefore contained, shall presume to sit or vote therein, he shall thereby forfeit the sum of one hundred pounds for each and every day on which he so sits or votes, and such sum may be recovered from him by any person who may sue for the same in any Court of competent jurisdiction in New Zealand. 20

Superintendents to be ex officio Members of Legislative Council.

6. Every Superintendent of a Province elected to be such after the passing of this Act shall, by virtue of his office and without being summoned, be a Member of the Legislative Council, and be entitled to sit and vote therein so long as he holds such office as if summoned to the said Council. 25