

(Mr. Murray.)

Disqualification.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Commencement of Act.</p> <p>3. "The Disqualification Acts, 1858 and 1870" repealed.</p> <p>4. Members of Legislative Council not to be elected to House of Representatives.</p> <p>5. Disqualification of persons holding office under Government.</p>	<p>6. Further disqualifications.</p> <p>7. Extension of application.</p> <p>8. Exemptions, Ministers, &c.</p> <p>9. Exemptions, honorarium and allowances to Members.</p> <p>10. Exemptions, shareholders, public companies.</p> <p>11. Exemptions, waste lands, loans, &c.</p> <p>12. Militia, &c., not receiving permanent annual pay, exempted.</p>
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A BILL INTITULED

AN ACT for better 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:—

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| 5 | <p>1. The Short Title of this Act shall be "The Disqualification Act, 1873."</p> | Short Title. |
| | <p>2. This Act shall commence and come into operation from and after the termination of this present Parliament.</p> | Commencement Act. |
| 10 | <p>3. "The Disqualification Act, 1858," so far as the same relates to elections of Members to serve in the House of Representatives and "The Disqualification Act, 1870," shall, on the coming into operation of this Act, be repealed.</p> | Acts repealed. |
| 15 | <p>4. A Member of the Legislative Council shall not be capable of being elected or of sitting or voting as a Member of the House of Representatives.</p> | Members of Legislative Council not to be elected to House of Representatives. |
| 20 | <p>5. No person, except as is hereinafter specially provided, accepting or holding any office commission or employment, permanent or temporary, under or from or by or at the appointment or nomination of the Crown, or the Governor of New Zealand by virtue of his office as Governor, or at or by the nomination or appointment of any officer of the Government of the Colony of New Zealand by virtue of his office, to which any salary fees wages allowance emolument or profit of any kind is attached, 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 as a Member, or of being a Member of either the said Council or the said House during the time he holds such office or employment.</p> | Disqualification of persons holding office under Government. |
| 25 | <p>6. If any Member of the Legislative Council or of the House of Representatives, individually or as a member of any firm, not being a public company as hereinafter excepted, shall directly or indirectly receive or contract to receive for the performance or alleged performance of any contract service work or thing any remuneration whatever</p> | Further disqualifications. |
| 30 | <p>public company as hereinafter excepted, shall directly or indirectly receive or contract to receive for the performance or alleged performance of any contract service work or thing any remuneration whatever</p> | |

from the Government of New Zealand, or shall act contrary to the provisions of clause *five* of this Act, his seat shall forthwith become vacant, and he shall not be eligible for re-election to the House of Representatives during that Parliament, or for appointment to the Legislative Council for _____ years; and he shall forfeit and pay 5 to the consolidated revenue of New Zealand such sum, not exceeding _____, as and in such manner, in the case of Members of the Legislative Council, as such Council shall determine, and in the case of Members of the House of Representatives, as and in such manner as such House shall determine. 10

Extension of appli-
cation.

7. Excepting in the case of the dissolution of Parliament, no Member of the Legislative Council or Member of the House of Representatives who ceases to be a Member of such Council or House shall, within _____ months from the time he ceases to be a Member as aforesaid, take any contract or sub-contract from the Government 15 of New Zealand, or shall accept or hold any lucrative office or position of emolument under the said Government; and any person who shall act in contravention of the provisions contained in this clause shall forfeit a sum of _____, and such sum may be recovered from him by any person who may sue for the same in any Court of competent 20 jurisdiction in New Zealand.

Exemptions, Minis-
ters of the Crown,
&c.

8. It shall be no disqualification under this Act for the Ministers of the Crown, for the Speaker and Chairman of Committees of the Legislative Council, for the Speaker and Chairman of Committees of the House of Representatives, and for the Chairman of the Public 25 Petitions Committees of such Council and House, to receive the salaries and allowances which in virtue of their office they are authorized by law to receive, or which by virtue of their office may be voted to them by Parliament.

Allowances to
Members.

9. It shall be no disqualification under this Act for Members of 30 the Legislative Council and Members of the House of Representatives to receive such amount for honorarium and allowances as may be authorized by Parliament.

Exemptions, share-
holders, public
companies.

10. It shall be no disqualification under this Act for any Member 35 of the Legislative Council or any Member of the House of Representatives, being a shareholder in any public company of not fewer than _____ individual shareholders, to receive dividends from and upon the shares of such company, because such company is interested in any Government transaction contract or work, or is in any legitimate 40 way in the receipt of public money.

Waste lands, loans,
&c.

11. No disqualification under this Act shall be construed to 45 extend or apply to any lease license or occupation sale or purchase of any waste lands within the Colony, in accordance with the law in time being in force for the sale occupation or disposal of such waste lands, or to any agreement for any such lease license sale or purchase, or for 45 the occupation of such land, or for any easement therein, or for the purchase or sale lease or occupation of any lands required in the construction of the public works of the Colony, or to any Government contracts or agreements for the loan of money, or to any security for the payment of money or interest only. 50

Militia &c. officers
not receiving perma-
nent annual pay.

12. Nothing in this Act contained shall render incapable of being 50 summoned to the Legislative Council, or of being elected to serve as a Member of the House of Representatives, or shall disqualify to sit or vote in the said Council or House, any officer in Her Majesty's army or navy, or any officer or person temporarily placed on pay for emergent purposes of defence, or any officer in the militia, or any 55 militiaman in the New Zealand Militia (except officers of the said militia receiving annual or permanent salaries) or any officer or member of any volunteer corps, unless in any case such person be otherwise disqualified under the provisions of this Act. 60