

Mr. T. Kelly.

## Disqualification.

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### A BILL INTITULED

AN ACT to limit the Number of Persons holding Offices under the Crown who may sit and vote in the Legislative Council and House of Representatives of New Zealand. 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 Disqualification Act, 1877." Short Title.
2. "The Disqualification Act, 1876," is hereby repealed. Repeal.
3. 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, nor shall any member of the House of Representatives, so long as he shall be such member, be capable of being summonedned to or of sitting or voting as a member of the Legislative Council. No member of Legislative Council to be capable of election to House of Representatives, or member of House capable of being summoned to Legislative Council.
4. No person, except as hereinafter specially provided, accepting or holding any office under or from or at the appointment or nomination of the Crown or Governor of New Zealand by virtue of his office, to which any annual salary is attached and paid out of money appropriated by Parliament for such salary, 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 either of the said Council or the said House during the time he holds such office. Disqualification of Officers of the Crown.
5. Nothing contained in the *fourth* section of this Act shall render incapable of being summoned to the Legislative Council, or of being elected to serve as a member of the said House of Representatives, or shall disqualify to sit or vote in the said Council or House, any person who is a responsible Minister of the Crown and a member of the Executive Council of New Zealand, or the Speaker or Chairman of Committees of the Legislative Council, or the Speaker or Chairman of Committees of the House of Representatives. Who are to be exempt from preceding section.

Disqualification of  
contractors.

6. Any person who shall directly or indirectly, for his own use and benefit, undertake, execute, hold, or enjoy, in the whole or in part, any contract which is usually made or entered into by deed or other instrument in writing with Her Majesty, or with any officer or department of the General Government, or with any person or persons whatsoever, for or on account of the public service of New Zealand, under which contract any public money is to be paid, shall be incapable of being summoned to or of holding a seat in the Legislative Council, or of being elected to serve as a member or of holding a seat in the House of Representatives, during the time that he shall execute, hold, or enjoy any such contract: Provided that nothing in this section shall apply to any person on account of his being a member of an incorporated company consisting of more than seven persons, when such company for the general benefit of its shareholders has entered into or accepted any such contract, or to any person on account of receiving or of being entitled to receive money from the Crown for land taken for a road, railway, or other public work. 5 10 15

Election of disqualified persons void.

7. 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. 20

Member disqualified,  
seat to become  
vacant.

8. If any member of the Legislative Council or House of Representatives shall, by accepting any office as aforesaid, or by reason of his being interested directly or indirectly in any contract, as mentioned in section *six* of this Act, 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. 25

Council or House to  
declare seat vacated.

9. If any member of the Legislative Council or of the House of Representatives shall declare, in his place in the said Council or House, that he has reason to believe that a member of such Council or House has become disqualified, under the foregoing provisions of this Act, from continuing to sit or vote in the said Council or House, the said Council or House, as the case may be, shall cause such inquiry to be made as it shall think fit, and shall declare whether the seat of such member is or is not vacated; and such declaration shall be final and conclusive. 30 35

Act not to apply to  
Native race.

10. Nothing in this Act contained, except section *six*, shall apply to any person of the Native race.