

Hon. Sir W. J. Steward.

LEGISLATIVE COUNCIL REFORM.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Number of members.</p> <p>4. Vacancies to be notified.</p> <p>5. Notification to be laid on table of House.</p> <p>6. Nominations.</p>	<p>7. Election, how conducted.</p> <p>8. Term of office.</p> <p>9. Age of retirement.</p> <p>10. Privileges.</p> <p>11. Section 4 of principal Act amended.</p> <p>12. Section 3 of "Legislative Council Act Amendment Act, 1902," amended.</p> <p>13. Repeal.</p>
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A BILL INTITULED

AN ACT to reform the Constitution of the Legislative Council. 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 is "The Legislative Council Reform Act, 1904." Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.  
 "Council" means the Legislative Council:

10 "House" means the House of Representatives:

"Principal Act" means "The Legislative Council Act, 1891."

3. From and after the passing of this Act no further appointments to the Council shall be made by the Governor, and the normal number of members of the Council shall be forty, of Number of members.  
 15 whom two shall be of the Maori race: Provided always that all persons who at the date of the passing of this Act are members of the Council shall continue to be members thereof until their seats are vacated by death, resignation, disqualification, or effluxion of time.

4. When by reason of the causes aforesaid, or any of them, the Vacancies to be notified.  
 20 number of members of the Council falls below the said normal number, the Speaker of the Council shall forthwith forward to the Speaker of the House (or if there be no Speaker then to the Clerk of the House) a notification of the number of new members required to bring up the total membership of the Council to forty, and shall  
 25 also notify whether the seats to be filled are those of European or Maori members, or both.

Notification to be laid on table of House.

5. If such notification shall be received while Parliament is in session, the Speaker of the House shall forthwith lay the same upon the table, and if it be received while Parliament is not in session, then the Speaker (or the Clerk of the House if there be no Speaker) shall lay the same upon the table on the first day of the next succeeding session, and the House shall proceed as hereinafter provided to elect as many persons as are required to fill the vacant seats in the Council. 5

Nominations.

6. Any member of the House may nominate as many candidates as there are vacancies to be filled, and all nominations shall be signed by the member nominating, and by the candidate nominated, and shall be forwarded to the Speaker of the House before such day and hour as shall be fixed by the House for the close of the nominations. 10

*New proviso.*

Provided always that no person shall be nominated or capable of being elected who is not of the full age of twenty-one years, and a natural-born subject of His Majesty, or a subject of His Majesty duly naturalised according to the law for the time being in force in Great Britain or New Zealand for the naturalisation of aliens. 15

Election, how conducted.

7. On the next sitting-day thereafter a list of the names of the candidates nominated, alphabetically arranged, shall be laid upon the table by the Speaker; and on the next succeeding sitting-day, at such hour as shall be appointed, a vote shall be taken in manner following, that is to say:— 20

(a.) A copy of the list of nominations signed by the Speaker shall be supplied to every member present, and such member shall strike out the names of all the candidates for whom he does not vote, leaving unerased the name or names of the candidate or candidates for whom his vote is recorded, and shall sign his name at foot of the voting-paper. 25 30

(b.) If any voting-paper be informal, the Speaker may require the member whose signature it bears to correct the informality.

(c.) Any member of the House who is absent on leave may record his vote by telegraphing or sending in writing to the Speaker, so as to reach him before the hour fixed for the election, the name or names of the candidate or candidates for whom he desires to vote; and the Speaker shall cause a voting-paper to be marked accordingly, and the name of the member so voting to be affixed thereto. 35 40

(d.) The candidate or candidates, up to the number required, having the highest number of votes shall be declared elected.

(e.) If there be a tie between two or more candidates, a fresh vote or votes shall be taken, in manner aforesaid, as regards such candidates until the question is decided by a majority: 45

Provided always that if the number of candidates nominated shall not exceed the number of vacancies to be filled, such candidates shall be declared duly elected without any vote being taken. 50

8. Every person elected as aforesaid shall be forthwith entitled to be sworn as a member of the Council, and shall hold his seat for a term of seven years, and no longer, but shall be eligible for re-election. Term of office.
- 5 9. Every member of the Council elected under the provisions of this Act shall retire therefrom on attaining the age of seventy-seven years. Age of retirement.
- 10 10. Every member of the Council who shall hereafter vacate his seat therein under the provisions of the last preceding section, or who, being of or over the age of seventy years, shall voluntarily resign and cease to be a member of the Council after having been a member thereof for not less than ten years, or after a period of service of twenty years in the House and Council, shall be allowed to retain the title of "Honourable" and to the privileges mentioned in section twelve of the principal Act. Privileges.
- 15 11. Section four of the principal Act is hereby amended by inserting in the second line thereof, next before the words "subsequently thereto," the words "appointed or elected." Section 4 of principal Act amended.
- 20 12. Section three of "The Legislative Council Act Amendment Act, 1902," is hereby amended by omitting the word "reappointed," and substituting in lieu thereof the words "elected or re-elected." Section 3 of "Legislative Council Act Amendment Act, 1902," amended
13. Section two of the principal Act is hereby repealed. Repeal.