



EXECUTIVE COUNCIL AMENDMENT ORDINANCE, 1863.

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XVII, No. 116.

ANALYSIS.

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AN ORDINANCE to repeal the "Board of Audit Ordinance, 1854," "The Board of Audit and Executive Council Ordinance, 1860," and certain Clauses of "The Executive Council Ordinance, 1861," and to make other provisions in lieu thereof.

WHEREAS it is expedient to repeal the Ordinances and part of the Ordinance hereinafter mentioned and to make other provisions in lieu thereof : Preamble.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago, with the advice and consent of the Provincial Council thereof as follows :—

1. The Short Title of this Ordinance shall be the "Executive Council Amendment Ordinance 1863." Short Title.

2. The Board of Audit Ordinance 1854 entitled "An Ordinance to provide for Auditing the Accounts of the Province of Otago" "The Board of Audit and Executive Council Ordinance 1860" and the third fourth fifth and tenth clauses of "The Executive Council Ordinance 1861" shall be and the same are hereby repealed. Ordinances and parts of Ordinance repealed.

Accounts of Provincial Government to be laid before Provincial Council.

3. A statement of all the Receipts and Expenditure of the Revenue of the Provincial Government shall within Ten days after the Thirtieth day of September in each year be laid before the Provincial Council if it be then sitting or if not within Ten days after the commencement of the Session held next after the Thirtieth day of September in each year.

The Executive Council to consist of not less than four nor more than six.

4. The Executive Council shall consist of not less than four nor more than six Members being Members also of the Provincial Council of whom one shall be Provincial Secretary another shall be the Provincial Treasurer and a third shall be Secretary of Public Works. The Provincial Solicitor if a member of the Provincial Council but in that case only shall be also an *ex officio* Member of the Executive Council: The remanent members thereof if any shall be non-official members who shall be paid for their attendance such sums as shall be voted by the Provincial Council: Provided always, that when deemed expedient the offices of Provincial Secretary Provincial Treasurer and Secretary of Public Works or any two of them may be held conjointly by one individual.

Non-official members to be paid. The offices of Provincial Secretary, Provincial Treasurer, and Secretary of Public Works, may be held conjointly.

The powers of the Superintendent and Executive Council may be defined in certain cases by Resolution of Council.

5. With a view of ensuring the efficient discharge of the duties of the several departments of the Government and the full development of the principle of Ministerial responsibility the respective powers and duties of the Superintendent and of his Executive Council in all matters in which such powers are derived from and are subject to the control of the Provincial Council and are not regulated by express enactment may from time to time be defined and regulated by Resolution of the Provincial Council assented to by the Superintendent.

The Treasurer and Sub-Treasurer to give Security.

6. The Treasurer before entering on the duties of his office shall give to the Superintendent sufficient and satisfactory security for the due and faithful discharge of the duties of his said office and he shall be assisted by a Sub-Treasurer who shall give similar security.

The Superintendent, with advice of Executive Council, to prescribe Rules for the transaction of Business.

7. The Superintendent may with the advice and consent of the Executive Council prescribe Rules for transacting the business of the several departments of the Provincial Government and may from time to time alter the same.

The Executive Council to continue in office after the dissolution of the Provincial Council.

8. It shall be lawful for the persons who shall be in office as members of the Executive Council at the time of the dissolution of the present or of any future Provincial Council of the Province of Otago to continue in office and to act as members of the Executive Council until the election of a new Provincial Council.

Vacancy in the Executive after a dissolution may be filled up from old Council.

9. Upon any vacancy occurring in the Executive Council it shall be lawful for the Superintendent notwithstanding the dissolution of any Provincial Council from time to time to appoint any person or persons who have been members of such Provincial

Council at the time of its dissolution to be members of the Executive Council and it shall be lawful for such persons to act as members of the Executive Council until the election of a new Provincial Council but no longer.

Passed the Provincial Council, September 4, 1863.

J. L. C. RICHARDSON,

Speaker.

CHARLES SMITH,

Clerk of Council.

Assented to on behalf of the Governor, at Dunedin, this seventeenth day of September, One thousand eight hundred and sixty-three.

JOHN HYDE HARRIS,

Superintendent of the Province of Otago.