



EXECUTIVE COUNCIL ORDINANCE, 1854.

IN THE SEVENTEENTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

No. 1. A

ANALYSIS.

Title.

Preamble.

1. The Government to be administered by Superintendent with advice of an Executive Council.
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12. Rules for transacting the business of the several offices may be made.
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AN ORDINANCE to constitute an Executive Government for the Province of Otago. Title.

WHEREAS it is expedient that an Executive Government be constituted in and for the Province of Otago. Preamble.

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

1. The administration of the Provincial Executive Government is hereby vested in the Superintendent, who shall act by and with the advice and consent of an Executive Council, to be appointed as is hereinafter provided. The Government to be administered by Superintendent, with advice of an Executive Council.
2. The Superintendent shall establish a Provincial Government Gazette, (of which Gazette number one already published, containing the Proclama- Provincial Government Gazette. Public Seal.

tion appointing the first Session of this Council, shall be and is hereby declared to be the first number of the said Gazette), and shall provide and use the Public Seal of the Province, which Seal shall not be altered or changed, except by an Ordinance of the Provincial Council. Until such Seal shall be provided, he may use his own Seal.

Treasurer for the Province to receive and pay monies.

3. There shall be a Treasurer for the Province, who shall receive and pay all Monies receivable and payable, for, and on behalf of the Province.

Under warrant of Superintendent.

4. No Public Money shall be paid by the Treasurer, except under a written Warrant, signed by the Superintendent.

To give security.

5. The Treasurer shall, before entering on the duties of his office, give sufficient security for the faithful discharge of his trust to, and to the satisfaction of, the Superintendent.

Executive Council.

6. There shall be an Executive Council of the Province.

To consist of not more than three members of the Provincial Council.

7. Such Executive Council shall consist of not more than three members, who shall be also members of the Provincial Council.

To be appointed by the Superintendent during pleasure.

8. The Treasurer and the members of the Executive Council shall be appointed by, and hold office during the pleasure of, the Superintendent.

Not to hold an office of emolument under Superintendent unless elected subsequent to appointment.

9. No member of the Provincial Council shall be qualified to hold any office of emolument under the Superintendent, unless he be elected a member of the Council subsequent to his appointment to such office.

May resign.

10. It shall be lawful for any member of the Executive Council, or for any other officer to be appointed by the Superintendent in pursuance of this Ordinance, by written notice addressed to the Superintendent, to resign his office, and upon the receipt by the Superintendent of such resignation, the office of such member or officer shall become vacant: but nevertheless the person so resigning shall be bound to execute the duties of his office, after his resignation, for any period required by the Superintendent, not exceeding one month, and shall also be bound to hand over by a signed Inventory all documents, writings, books, money, and other property, connected with his office, to any person authorised by the Superintendent to receive the same.

How officers for discharging the business of the Province, to be appointed.

11. The Superintendent shall from time to time, by and with the advice and consent of the Executive Council, appoint all such officers as he shall deem necessary for the effective discharge of the business and affairs of the Province, and fill up all existing offices with fit and proper persons whenever a vacancy therein respectively shall occur. He shall also have power to suspend and remove any officer from his employment, for neglect of duty or for any other just or sufficient cause.

Rules for transacting the business of the several offices may be made.

12. The Superintendent shall prescribe rules for transacting the business of the several offices of the Province, and from time to time alter the same, as to him may appear necessary.

Any officer suspended or removed may complain to Provincial Council.

13. If any officer, to be appointed by the Superintendent as aforesaid shall deem himself aggrieved by his suspension or removal from office, he may present a petition to the Provincial Council, shewing that he has been suspended or removed from office without just or sufficient cause, and praying for an investigation into the ground or charge on which he may have been suspended or removed, and the Council shall investigate the same accordingly.

14. This Ordinance shall come into operation from and after the day of the passing thereof, and may be amended during the present Session. Ordinance when to come into operation.

Passed the Provincial Council this 10th day of January, 1854.

JAMES MACANDREW,  
*Speaker.*

JOHN GILLIES,  
Clerk of Council, *pro. tem.*

Assented to on behalf of the Governor, at Dunedin, the Tenth day of January, One Thousand Eight Hundred and Fifty-four.

W. CARGILL,  
*Superintendent of the Province of Otago.*

NOTE.—This Ordinance has been amended by the “Executive Council and Official Appointment Ordinance, 1856.”