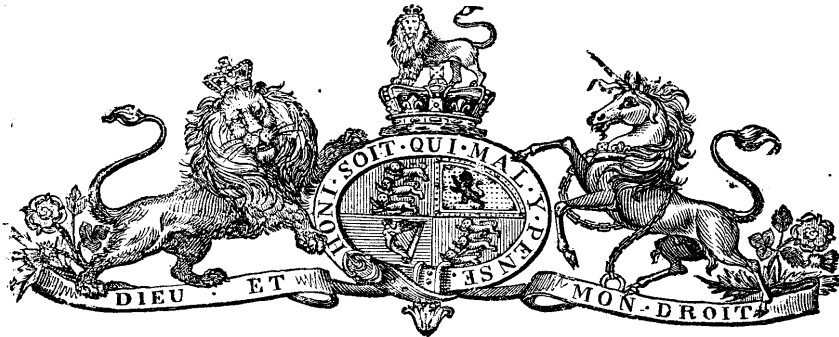


NEW ZEALAND



ANNO VICESIMO PRIMO ET VICESIMO SECUNDO

VICTORIÆ REGINÆ.

No. 32.

ANALYSIS:

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| <p>Title.
Preamble.</p> <p>1. Certain Officers to be incapable of being elected members of the House of Representatives &c.</p> | <p>2. Every such Officer sitting or voting, liable to penalties.</p> <p>3. Members of the House of Representatives accepting office to vacate seat.</p> <p>4. Commencement of Act.</p> <p>5. Short Title.</p> |
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AN ACT to disqualify persons holding certain Offices from being Members of the House of Representatives, Superintendents of Provinces, or Members of Provincial Councils. [21st July, 1858.]

Title.

WHEREAS it is expedient that persons holding certain offices and places of profit in departments of the Government of the Colony should be disqualified from holding seats in the House of Representatives, or in Provincial Councils, or from being elected Superintendents of Provinces.

Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand, in Parliament assembled, and by the authority of the same, as follows :—

I. No person holding any office of emolument or place of profit in any department of the General Government specified in the Schedule to this Act, shall be capable of being elected a Member of the House of Representatives or a Superintendent of any Province, or a Member of any Provincial Council within the Colony ; and every election of any such person shall be null and

Certain Officers to be incapable of being elected members of the House of Representatives &c.

Disqualification.

void: Provided always that nothing in this Act shall apply to the Colonial Secretary, the Attorney-General, the Colonial Treasurer, the Minister for Native affairs, the Commissioner of Customs, or the Postmaster-General.

Every such Officer sitting or voting, liable to penalties.

II. Any person holding any such office of emolument or place of profit as aforesaid, who shall presume to sit or vote as a Member of the House of Representatives, or of any Provincial Council, or shall act as Superintendent of any Province shall forfeit and pay the sum of £20 for every day he shall so sit, or vote, or act respectively, to be recovered by action in the Supreme Court with full costs of suit by any person who shall sue for the same: Provided always that the foregoing provision of this Section shall not apply to any person who shall have been elected before this Act shall come into operation.

Members of the House of Representatives, &c., accepting office to vacate seat.

III. If any Member of the House of Representatives, or the Superintendent of any Province, or any Member of a Provincial Council shall hereafter accept any such office of emolument or place of profit, during such time as he shall be a Member of the said House, or the Superintendent of a Province, or a Member of a Provincial Council, his seat as a Member, or his office as Superintendent respectively, shall thereby become vacant, and a Writ shall issue for a new election in the same manner as though such Member or Superintendent had resigned his said seat or office.

Commencement of Act.

IV. This Act shall come into operation on the 1st day of January in the year 1859.

Short Title.

V. The Short Title of this Act shall be "The Disqualification Act, 1858."

SCHEDULE.

1. Colonial Secretary's.
2. Attorney-General's.
3. Colonial Treasurer's.
4. Minister for Native Affairs.
5. Customs.
6. Post Office.
7. Supreme Court.
8. District Courts.
9. Resident Magistrates' Courts.
10. Sheriffs.