

T A S M A N I A

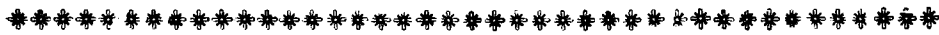


1900.

ANNO SEXAGESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 5.



AN ACT to further amend *The Constitution Act* A.D. 1900.

[Reserved, 14 September, 1900; Royal Assent proclaimed, 28 January, 1901.]

WHEREAS it is expedient to further amend *The Constitution Act* in the manner hereinafter mentioned: PREAMBLE.
18 Vict. No. 17.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as “The Constitution Amendment Act, 1900.” Short title.

2 “The Constitution Amendment Act, 1896, No. 2,” and the last Four lines of Section Three of “The Constitution Amendment Act, 1898,” are hereby repealed: Provided this repeal shall not affect anything lawfully done under the authority thereof, nor any rights acquired or liabilities incurred thereunder. Repeal.
60 Vict. No. 54.
62 Vict. No. 67.

3 Every man of the age of Twenty-one years, not subject to any legal incapacity who is a natural-born or naturalised subject of Her Majesty, or who has received Letters of Denisation or a Certificate of Naturalisation, and has been resident in *Tasmania* for a period of Twelve months, shall be qualified to vote at the election of a Member to serve in the Legislative Council— Qualification of
electors for the
Legislative
Council.

1. If he is the owner of a freehold estate in possession, legal or equitable, within the District for which his vote is to

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be given, of the annual value of Ten Pounds sterling, or is the occupier of any property within the District for which his vote is to be given of the annual value of Thirty Pounds ; or

ii. If he possesses any of the following qualifications, and is resident in the District for which his vote is to be given ; that is to say—

- (a) Is a Graduate of any University in the British Dominions, or an Associate of Arts of *Tasmania* :
- (b) Or, is a Legal Practitioner on the Roll of the Supreme Court of *Tasmania* :
- (c) Or, is a legally qualified Medical Practitioner :
- (d) Or, is an officiating Minister of Religion :
- (e) Or, is an Officer or retired Officer of Her Majesty's Land or Sea Forces not being on actual service, or a Retired Officer of the Volunteer Force of *Tasmania*.

Joint owners or occupiers.

4 Where any property is jointly owned or occupied by more persons than one, each of such joint owners or occupiers whose share in such property would, if separate, entitle him to vote under the provisions of this Act shall be entitled to be registered as an elector, and to vote at the election of Members to serve in the Legislative Council in respect of such joint ownership or occupancy.

Qualification of elector for House of Assembly.

5 Every man of the age of Twenty-one years not subject to any legal incapacity who is a natural born or naturalised subject of Her Majesty, or who has received Letters of Denisation or a Certificate of Naturalisation, and has been resident in *Tasmania* for a period of Twelve months, shall be entitled to be registered as an elector, and, as such, qualified to vote at the election of a Member to serve in the House of Assembly for the District in which he resides.

Disabilities.

6 Any person, although qualified, shall not be entitled to vote at the election of a Member of the Legislative Council or House of Assembly as hereinbefore provided, if he—

- i. Is, at the time of the sitting of the Revision Court, of unsound mind, or in the receipt of aid from any Public Charitable Institution, except as a patient under treatment for accident or disease at a hospital :
- ii. Is in prison under any conviction, or has been convicted of any crime or offence in any part of Her Majesty's Dominions and has not received a free pardon or served the sentence passed therefor.

Qualification of Members.

7 No person shall be hereafter capable of being elected a Member of the Legislative Council or House of Assembly respectively unless—

- i. He be entitled to vote at the election of a Member of the Legislative Council or House of Assembly, as the case may be, or qualified to become such elector ; and is, if nominated for election as a Member of the Legislative Council, of the age of Thirty years ; and

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- ii. Has been resident in *Tasmania* continuously for a period of **A.D. 1900.**
 Five years at any one time, or for a period of at least —
 Two years immediately preceding the election; and
- iii. Is a subject of the Queen, either natural-born, or for at least Five years naturalised.

8 The Twenty-seventh Section of *The Constitution Act* shall be, and the same is hereby repealed, and in lieu thereof the following shall, from the commencement of this Act, be deemed to be, and may be cited as, the Twenty-seventh Section of the said Act: that is to say:—

Substitution for
Section 27 of
18 Vict. No. 17.

“**27** If any Member, either of the Legislative Council or of the House of Assembly, shall accept any pension payable during the pleasure of the Crown, or any office of profit or emolument by the appointment of the Governor or the Governor in Council, except the office of Minister of the Crown, his seat shall thereupon become vacant.”

Seats in both
Houses, how
vacated.

9—(1.) No Member of either House of the Parliament of the Commonwealth of *Australia* shall be capable of sitting as a Member of either House of the Parliament of *Tasmania*. **Disqualification.**

(2.) If a Member of either House of the Parliament of *Tasmania* becomes a Member of either House of the Parliament of the Commonwealth of *Australia*, his place in the firstmentioned House of Parliament shall become vacant upon the day the Returning Officer declares him elected a Member of either House of the Parliament of the Commonwealth.

(3.) If any Minister of the Crown of *Tasmania* accept office as a Minister of the Crown under the Commonwealth of *Australia*, his office as a Minister of the Crown of *Tasmania* shall, upon such acceptance, become vacant.

10 This Act and *The Constitution Act*, and every Act altering or amending the same, shall be read and construed together as one and the same Act. **Acts to be read together.**

THE HISTORY OF THE

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IN

THE SEVENTEENTH CENTURY

BY JOHN VAUGHAN, ESQ. F.R.S.

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