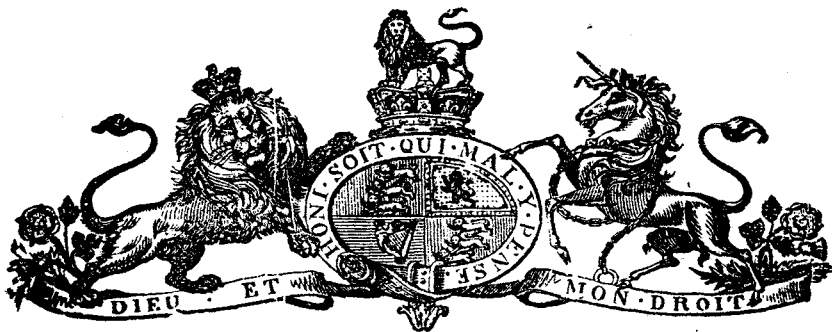


TASMANIA.



1870.

ANNO TRICESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 42.

AN ACT to amend "The Constitutional Act."

[Reserved, 18 October, 1870. Royal Assent proclaimed, 22 March, 1871.]

WHEREAS it is expedient and necessary to amend "The Constitutional Act" in certain particulars: 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:—

PREAMBLE.
18 Vict. No. 17.

1 Sections Six, Seven, Fifteen, and Seventeen of "The Constitutional Act," and Section Five of the Act of Parliament of the 23rd *Victoria*, No. 43, are hereby repealed.

Repeal.

2 The Legislative Council shall consist of Sixteen elected Members; but no person shall be capable of being elected a Member of the Legislative Council who shall not be of the full age of Thirty years, and a natural-born or naturalized subject of Her Majesty, or if he has not obtained Letters of Denization or a Certificate of Naturalization.

Legislative Council to consist of 16 Members: their qualification.

3 The following persons shall be entitled to vote at the election of a Member to serve in the Legislative Council; that is to say,—

Qualification of Electors for the Legislative Council.

(1.) Every man of the age of Twenty-one years being a natural-born or naturalised subject of Her Majesty, and every man of the like age who has received Letters of Denization or a Certificate of Naturalization, if he has,—

(a.) A Freehold Estate in possession, legal or equitable, within the District for which his vote is to be given of the clear annual value of Thirty Pounds sterling money above all charges and incumbrances affecting the same:

The Constitutional Amendment Act.

(b.) Or, a Leasehold Estate in possession situate in the District for which his vote is to be given of the annual value of Two hundred Pounds, held under a Lease for a term of not less than Five years certain.

(2.) Every man of the age of Twenty-one years, being a natural-born or naturalized subject of Her Majesty, and every man of the like age who has received Letters of Denization or a Certificate of Naturalization, 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.) If he is a Graduate of any University in the British Dominions :

(b.) Or, if he is a Barrister or Solicitor on the Roll of the Supreme Court of *Tasmania* :

(c.) Or, if he is a legally qualified Medical Practitioner :

(d.) Or, if he is an officiating Minister of Religion :

(e.) Or, if he is an Officer or retired Officer of Her Majesty's Land or Sea Forces not being on actual service.

House of Assembly to consist of 32 Members : their qualification.

4 The House of Assembly shall consist of Thirty-two elected Members ; but no person shall be capable of being elected a Member of the House of Assembly who shall not be of the full age of Twenty-one years and a natural-born or naturalized subject of Her Majesty, or who has not received Letters of Denization or a Certificate of Naturalization.

Certain persons may not be elected Members of Legislative Council or House of Assembly.

5 No Judge of the Supreme Court, and no person holding any office of profit or emolument by the appointment of the Governor or the Governor in Council, excepting the offices of Colonial Secretary, Colonial Treasurer, Attorney-General, and Minister of Lands and Works, shall be hereafter capable of being elected a Member either of the Legislative Council or the House of Assembly.

No Contractor to sit in Legislative Council.

6 Any person who shall directly or indirectly himself or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, undertake, execute, hold, or enjoy in the whole or in part any Contract or Agreement for or on account of the Public Service, shall be incapable of being elected or of sitting or voting as a Member of the Legislative Council of *Tasmania* during the time he shall execute, hold, or enjoy any such Contract or any part or share thereof, or any benefit or emolument arising from the same : Provided always, that nothing herein contained shall extend to any Contract or Agreement made, entered into, or accepted by any incorporated Company or any trading Company consisting of more than Six persons, where such Contract or Agreement shall be made, entered into, or accepted for the general benefit of such incorporated or trading Company : Provided also, that if any person, being a Member of such Legislative Council, shall enter into any such Contract or Agreement, or having entered into it, shall continue to hold it, his seat shall be void.

Qualification of Electors for the House of Assembly.

7 The following persons shall be entitled to vote at the election of a Member to serve in the House of Assembly ; that is to say,—

(1.) Every man of the age of Twenty-one years being a natural-born or naturalized subject of Her Majesty, and every man of the like age who has received Letters of Denization or a Certificate of Naturalization, if he has—

The Constitutional Amendment Act.

- (a.) A Freehold Estate in possession, legal or equitable, situate within the District for which his vote is to be given, of the clear value of Fifty Pounds sterling money above all charges and encumbrances in any way affecting the same :
- (b.) Or, if he occupies any house, warehouse, counting-house, office, shop, or other building, situate within the District for which his vote is to be given, of the clear annual net value of Seven Pounds sterling money :
- (c.) Or, if he has a Leasehold Estate in possession, situate in the District for which his vote is to be given, of the clear annual net value of Seven Pounds a year :
- (d.) Or, if he is the occupier of land situate within the District for which his vote is to be given, purchased by him upon credit from the Crown, and has paid instalments to the amount of Fifty Pounds in the whole of the purchase money of such land.

(2.) Every man of the age of Twenty-one years being a natural-born or naturalized subject of Her Majesty, and every man of the like age who has received Letters of Denization or a Certificate of Naturalization, 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.) If he has a salary of Eighty Pounds sterling a year ; but this provision shall not extend to any person employed at and paid weekly wages :
- (b.) Or, if he is a Graduate of any University in the British Dominions, or an Associate of Arts of *Tasmania*.
- (c.) Or, if he is a Barrister or Solicitor on the Roll of the Supreme Court of *Tasmania* :
- (d.) Or, if he is a legally qualified Medical Practitioner :
- (e.) Or, if he is an officiating Minister of Religion :
- (f.) Or, if he is an Officer or retired Officer of Her Majesty's Land or Sea Forces, not being on actual service.

8 Where in "The Constitutional Act" reference is made to any Law relating to Insolvent Debtors, the same shall be construed and held to mean any Law hereafter to be passed relating to Bankrupts or Bankruptcy.

Reference to
insolvency to
mean bankruptcy.

9 Notwithstanding anything to the contrary contained in this Act or any other Act, and notwithstanding that the Governor signifies Her Majesty's Assent hereto, it shall be lawful and competent for the existing Parliament of *Tasmania* to meet and transact any business until the Governor issues Writs for the Election of Members to serve in the said Parliament for any additional Electoral Districts that may be created by any Act to be passed in this present Session of Parliament.

Present Parlia-
ment may meet
and transact
business although
Governor signifies
Queen's Assent
hereto.

10 This Act, and "The Constitutional Act," and any Act amending the same, shall, save as altered or amended by any Act or this Act, be read and construed together as one Act.

Acts to be read
together.

11 This Act may be cited as "The Constitutional Amendment Act."

Short title.

