

ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

****

CAP. XXX.

An Act to declare the Validity of an Act passed by the General Assembly of *New Zealand*, intituled *An Act to provide for the Establishment of new Provinces in* New Zealand.

[11th *July* 1861.]

WHEREAS by an Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, intituled *An Act to grant a Representative Constitution to the Colony of* New Zealand, it was provided that certain Provinces therein mentioned should be established in the said Colony, and that in every such Province there should be a Provincial Council, and that there should be in the said Colony a General Assembly competent to make Laws for the Peace, Order, and good Government of the same; and by the Sixty-ninth Section of the said Act it was further provided that it should be lawful for the said General Assembly to constitute new Provinces in the said Colony, and to appoint the Number of Members of which the Provincial Councils thereof should consist, and to alter the Boundaries of any Provinces for the Time being existing, provided always that any Bill for any of the said Purposes should be reserved for the Signification of Her Majesty's Pleasure thereon: And whereas by an Act of the Session holden in the Twentieth and Twenty-first Years of Her Majesty, intituled *An Act to amend an* 15 & 16 Vict. c. 72. 20 & 21 Vict. c. 53.

Act

Act for granting a Representative Constitution to the Colony of New Zealand, it was enacted that the Sixty-ninth Section of the said first-recited Act should be repealed, and that it should be lawful for the said General Assembly to alter, suspend, or repeal all or any of the Provisions of the said Act, except the Third Section, and certain others therein specified: And whereas the said General Assembly, by an Act passed in a Session holden in the Twenty-first and Twenty-second Years of Her Majesty, intituled *An Act to provide for the Establishment of new Provinces in* New Zealand, did authorize the Governor of the said Colony to establish such new Provinces in manner therein mentioned, and the said Governor did establish certain new Provinces accordingly: And whereas Doubts are entertained whether it was competent to the said General Assembly to make such Provision, and to the said Governor to establish such new Provinces as aforesaid, and it is expedient that such Doubts should be set at rest: And whereas it is also expedient that the said General Assembly should be at liberty to alter Part of the Third Section of the herein-before first-recited Act of Parliament: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to General Assembly to constitute new Provinces.

1. It shall be lawful for the said General Assembly, by any Act or Acts to be by them from Time to Time passed, or for the Officer administering the Government of *New Zealand*, acting under Authority of any such Act or Acts, to constitute new Provinces in *New Zealand*, and to direct and appoint the Number of Members of which the Provincial Councils of such Provinces shall consist, and to alter the Boundaries of any Provinces for the Time being existing in *New Zealand*.

Power to General Assembly to repeal Part of 3d Section of 15 & 16 Vict. c. 72.

2. It shall be lawful for the said General Assembly to alter, suspend, or repeal so much of the Third Section of the herein-before first-recited Act of Parliament as provides that the Provincial Council in each of the Provinces thereby established shall consist of such Number of Members, not being less than Nine, as the Governor shall by Proclamation appoint.

Recited Act of General Assembly 21 & 22 Vict. to be valid.

3. The herein-before recited Act passed by the said General Assembly, and all Acts, Matters, or Things done under and in pursuance of Authority created or given or expressed to be created or given by the same Act, shall be, and shall be deemed to have been from the passing or doing thereof, as valid and effectual for all Purposes whatever as such Acts, Matters, or Things might or would have

have been if at the Time of the passing of the same Act by the said General Assembly this Act of Parliament had been in force.

15 & 16 Vict. c. 72. and 20 & 21 Vict. c. 53. to apply to new Provinces.

4. The Provisions of the Two herein-before recited Acts of Parliament as altered by this Act shall apply to all Provinces at any Time existing in *New Zealand*, in like Manner and under the same Conditions as the same apply to the Provinces established by the herein-before first-recited Act of Parliament.

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