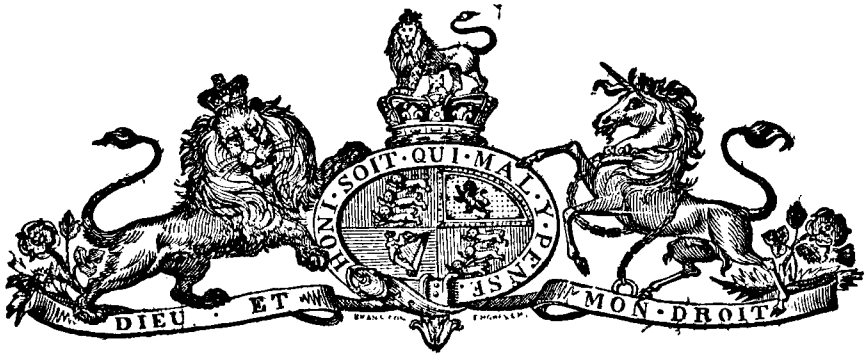


ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

CAP. LXII.

An Act to continue until the Thirty-first Day of *December* One thousand eight hundred and forty-one, and to the End of the then next Session of Parliament, and to extend, the Provisions of an Act to provide for the Administration of Justice in *New South Wales* and *Van Diemen's Land*, and for the more effectual Government thereof, and for other Purposes relating thereto.

[7th *August* 1840.]

WHEREAS an Act was passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to provide for the Administration of Justice in* New South Wales *and* Van Diemen's Land, *and for the more effectual Government thereof, and for other Purposes relating thereto:* And whereas the said Act hath been since continued, and by an Act passed in the last Session of Parliament the said Act hath been further continued, with certain Amendments: And whereas the said Act will shortly expire; and it is expedient further to continue the said Act, with such Amendments as are herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and 9 G. 4. c. 83.

Consent

Recited Act continued.

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, as amended by the said Act of the last Session of Parliament, shall continue and be in force until the Thirty-first Day of *December* in the Year One thousand eight hundred and forty-one, and thenceforward to the End of the then next Session of Parliament.

Provision for Constitution of new Colonies.

II. And whereas the said Colony of *New South Wales* is of great Extent, and it may be fit that certain Dependencies of the said Colony should be formed into separate Colonies, and Provision should be made for the temporary Administration of the Government of any such newly erected Colony; be it therefore enacted, That it shall be lawful for Her Majesty, by Letters Patent to be from Time to Time issued under the Great Seal of the United Kingdom, to erect into a separate Colony or Colonies any Islands which now are or which hereafter may be comprised within and be Dependencies of the said Colony of *New South Wales*.

Her Majesty may appoint a Legislative Council for any new Colony,

III. And be it enacted, That in case Her Majesty shall, by any such Letters Patent as aforesaid, establish any such new Colony or Colonies as aforesaid, it shall be lawful for Her Majesty, by any such Letters Patent, to authorize any Number of Persons, not less than Seven, including the Governor or Lieutenant Governor of any such new Colony or Colonies, to constitute a Legislative Council or Legislative Councils for the same; and that every such Legislative Council shall be composed of such Persons as shall from Time to Time be named or designated by Her Majesty for that Purpose, and shall hold their Places therein at Her Majesty's Pleasure; and that it shall be lawful for such Legislative Council to make and ordain all such Laws and Ordinances as may be required for the Peace, Order, and good Government of any such Colony as aforesaid, for which such Legislative Council may be so appointed; and that in the making all such Laws and Ordinances the said Legislative Council shall conform to and observe all such Instructions as Her Majesty, with the Advice of Her Privy Council, shall from Time to Time make for their Guidance therein: Provided always, that no such Instructions, and that no such Laws or Ordinances as aforesaid, shall be repugnant to the Law of *England*, but consistent therewith, so far as the Circumstances of any such Colony may admit: Provided also, that all such Laws and Ordinances shall be subject to Her Majesty's Confirmation or Disallowance in such Manner and according to such Regulations as Her Majesty, by any such Instructions as aforesaid, shall from Time to Time see fit to prescribe: Provided also, that all Instructions which shall in pursuance hereof be made by Her Majesty, with the Advice of Her Privy Council, and that all Laws and Ordinances which shall be made in pursuance hereof by any such Legislative Council of any such newly erected Colony as last aforesaid, shall be laid before both Houses of Parliament within One Month from the Date of any such Instructions, or from the Arrival in this Kingdom of the Transcripts of any such Laws or Ordinances, if Parliament shall then be in Session sitting, or if

who may make Laws for the Government thereof, subject to Confirmation;

and to be laid before Parliament.

if not, then within One Month from the Commencement of the next ensuing Session of Parliament.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended.

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