ANNO TRICESIMO PRIMO & TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

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C A P. LVII.

An Act to make Provision for the Appointment of Members of the Legislative Council of *New Zealand*, and to remove Doubts in respect of past Appointments. [13th *July* 1868.]

WHEREAS by an Act passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of Her Majesty's Reign, Chapter Seventy-two, intituled *An Act to grant a Representative Constitution to the Colony of* New Zealand, it is (amongst other things) enacted, that it shall be lawful for Her Majesty, from Time to Time, by any Instrument under Her Royal Sign Manual, to authorize the Governor to summon to the Legislative Council of the said Colony such Person or Persons as Her Majesty shall think fit, being qualified as therein is mentioned: 15 & 16 Vict. c. 72.

And whereas Her Majesty has, by divers Instruments under Her Royal Sign Manual, authorized successive Governors of the said Colony to summon to the said Legislative Council, from Time to Time, such Person or Persons, being qualified as aforesaid, as the said Governors respectively should deem to be prudent and discreet Men:

And whereas, in pursuance of the said Instructions, Persons have, from Time to Time, been summoned to the said Legislative Council by the Governors of the said Colony:

And whereas Doubts have arisen whether such Persons, not having been, previously to their being so summoned, expressly named or appointed by Her Majesty in any Instrument under the Royal Sign Manual, or otherwise, have been legally summoned to the said Legislative Council, and become Members thereof; and it is expedient that such Doubts should be removed, and that fresh Provision should be made for the future Appointment of Legislative Councillors in the said Colony:

Be it 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:

Part of recited Act repealed.

1. So much of the said recited Act as is inconsistent with this Act is hereby repealed.

Governor empowered to summon such Persons as he may think fit to the Legislative Council.

2. From and after the Proclamation of this Act in the said Colony of *New Zealand*, it shall be lawful for the Governor of the said Colony, from Time to Time, in Her Majesty's Name, by an Instrument or Instruments under the Public Seal of the said Colony, to summon to the said Legislative Council such Person or Persons as the said Governor shall think fit, either in addition to the present Members of the said Council, or for supplying any Vacancies which may take place therein by Death or otherwise; and every Person who shall be so summoned shall thereby become a Member of the Legislative Council: Provided always, that, unless otherwise determined by the Legislature of *New Zealand*, no Person shall be summoned to such Legislative Council who shall not be of the full Age of Twenty-one Years, and either a natural-born Subject of Her Majesty, or a Subject of Her Majesty naturalized by Act of Parliament or by an Act of the Legislature of *New Zealand*.

All Summonses to Legislative Council declared valid.

3. All Persons who, before the Proclamation of this Act in the said Colony, shall have been summoned to the Legislative Council of the said Colony by the Governor, without having been so previously named or appointed by Her Majesty as aforesaid, shall be deemed and taken to have been legally summoned, and to be and to have been and become Members of the said Legislative Council from the respective Periods when they were so summoned; and no Matter or Thing done by any such Person so summoned as aforesaid, as such Member as aforesaid, shall be deemed or taken to be or to have been invalid by reason of such Person not having been previously duly named or appointed by Her Majesty in pursuance of the said recited Act.

4. In

4. In the Construction of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of *New Zealand*. "Governor."

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