



ANNO PRIMO

# GEORGII V REGIS.

A.D. 1910.

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## No. 1029.

An Act to further amend the Constitution.

[*Assented to, December 7th, 1910.*]

Preamble.

**W**HEREAS by "The Northern Territory Surrender Act, 1907," passed by the Parliament of the State of South Australia, provision is made for the surrender of the Northern Territory of the said State to the Commonwealth of Australia, in accordance with the agreement set out in the Schedule to the said Act: And whereas a Bill for an Act to provide for the acceptance of the said Northern Territory as a territory under the authority of the said Commonwealth and for carrying out the said agreement has been passed by both Houses of the Parliament of the said Commonwealth: And whereas by "The Constitution Amendment Act, 1908," passed by the Parliament of the said State, it is enacted (*inter alia*) that the House of Assembly of the Parliament of the said State shall consist of forty-two members, and that the said Northern Territory shall remain, as theretofore, an Electoral District, returning two members to the said House—Be it therefore Enacted by the Governor of the said State, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as "The Constitution Amendment Act, 1910." Short title.

2. This Act is incorporated and shall be read with "The Constitution Act" and "The Electoral Code, 1908," and all Acts amending those Acts or either of them. Incorporation with other Acts.

3. This

*The Constitution Amendment Act.—1910.*

Commencement.

**3.** This Act shall come into force on a day, hereinafter referred to as the commencement of this Act, to be fixed by the Governor by proclamation published in the *Government Gazette*. Such day shall not be earlier than the day of the coming into force of the said Act passed by the Houses of the Parliament of the Commonwealth.

House of Assembly to consist of forty members.

**4.** From the commencement of this Act, section 5 of "The Constitution Amendment Act, 1908," shall be read as follows:—

The House of Assembly shall consist of forty members.

Northern Territory to cease to be an Electoral District, and consequent amendments of Act 959 of 1908.

**5.** "The Constitution Amendment Act, 1908," is hereby further amended as follows:—

- i. In section 6, by striking out the words "including the Northern Territory";
- ii. In section 7, by striking out the words "excluding the Northern Territory thereof," and the words "and the Northern Territory shall remain, as heretofore, one electoral district, returning two members to the said House";
- iii. In the First Schedule, by striking out the words "and Northern Territory"; and
- iv. In the Second Schedule, by striking out the line reading "District Northern Territory...2...Northern Territory," and by substituting "40" for "42" at the end of that schedule.

Repeal of Northern Territory Representation Act.

**6.** "The Northern Territory Representation Act, 1888," is hereby repealed.

Members of Assembly returned for Northern Territory to vacate their seats.

**7.** Immediately upon the commencement of this Act, the members of the House of Assembly who were returned for the Assembly District distinguished by the name "District Northern Territory," shall cease to be members of the said House; but neither this Act, nor the ceasing of the said Assembly District to be comprised in the Council District distinguished by the name "Northern Electoral District," by reason of the said surrender and acceptance of the said Northern Territory, shall affect the membership of the members of the Legislative Council returned for the said Council District.

Present members for Northern Territory entitled to payment until expiration of present Parliament.

**8.** Notwithstanding anything in this Act or the Act No. 399 of 1887 (being an Act to provide for the Payment of Members of Parliament) or the Act No. 476 of 1890 (being an Act to continue the last mentioned Act), the said members of the House of Assembly returned for the said Assembly District shall be entitled to receive the same payment as they would be entitled to receive under the said Acts No. 399 of 1887 and No. 476 of 1890 if they continued to be members of the House of Assembly until the expiration of the present Parliament by effluxion of time or otherwise:  
Provided

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*The Constitution Amendment Act.—1910.*

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Provided that if either of such members—

- (a) Becomes a member of either House of the Parliament of the Commonwealth, or of this or any other State in the Commonwealth, or
- (b) Accepts any office under the Crown or under the Government of the Commonwealth or of this or any other State of the Commonwealth, entitling him to receive any profits or salary or other payment,

he shall cease to be entitled to payment under this section as from the time of his becoming such member or accepting such office.

9. Consequent upon the reduction of the number of members as provided for in clause 4 hereof section 14 of "The Constitution Amendment Act, 1908" (which deals with the quorum of the House of Assembly), is hereby amended by substituting the word "fifteen" for the word "twenty" before the word "members."

Amendment of section 14 of Act 959 of 1908.

Quorum of Assembly.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

DAY H. BOSANQUET, Governor.