

## CONSTITUTION (DISQUALIFICATION REMOVAL).

No. 75 of 1948.

AN ACT to remove doubts as to whether *Henry James Hope*, Esquire, a Member of the House of Assembly, has incurred any penalty by sitting and voting as a Member of the said House; to validate his election as a member of the said House; and provide for his continuation as a Member thereof.  
[15 December, 1948.]

PREAMBLE.

WHEREAS by section thirty-three of the *Constitution Act* 1934\* it is provided, among other things, that any person who undertakes, executes, holds, or enjoys, 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 either House of Parliament during the time he executes, holds, or enjoys any such contract or any part or share thereof or any benefit or emolument arising from the same, and that if any Member enters into any such contract or agreement, or, having entered into it, continues to hold it, his seat shall be void:

And whereas *Henry James Hope*, Esquire, a Member of this present House of Assembly, did, prior to his election to the said House at the general election held on the twenty-first day of August, 1948, enter into certain contracts (in this Act called "the said contracts") for the performance by the said *Henry James Hope* of certain services of a professional nature with respect to the preparation of plans and specifications of certain buildings proposed to be erected under the provisions of the *Industries Establishment Act* 1946† and for the supervision of the work of erection of such buildings:

And whereas doubts have arisen whether, by reason of the provisions of section thirty-three of the *Constitution Act* 1934\*, the said *Henry James Hope* was, on the date of his election to the House of Assembly, capable of being validly elected as a Member of the said House, and whether he has incurred any penalty by sitting and voting as a Member of the said House:

\* 25 Geo. V. No. 94. For this Act, as amended to 1926, see Reprint of Statutes, Vol. I, p. 350. Subsequently amended by 1 Edw. VIII. & 1 Geo. VI. No. 61. 5 Geo. VI. No. 66, 7 & 8 Geo. VI. No. 74, and 9 & 10 Geo. VI. No. 48.

† 9 & 10 Geo. VI. No. 58, as amended by 11 Geo. VI. No. 19.

And whereas it is desirable that such doubts should be removed, and that the election of the said *Henry James Hope* as a Member of the said House of Assembly, should be validated:

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:—

**1** This Act may be cited as the *Constitution (Disqualifi-* Short title.  
*cation Removal) Act 1948.*

**2** Notwithstanding any law to the contrary, it is hereby Validation of  
declared that *Henry James Hope*, Esquire, was, on the twenty- election of  
first day of August, 1948, capable, in all respects, of being *Henry James*  
elected as a Member of the House of Assembly and that the *Hope.*  
election of the said *Henry James Hope* as a Member of the  
said House at the general election of members of the said  
House held on that day was valid and effectual for all purposes  
whatsoever.

**3** The said *Henry James Hope* is hereby indemnified Indemnity.  
against, and freed and discharged from, all penalties, for-  
feitures, incapacities, disqualifications, and disabilities, what-  
soever which, but for this Act, he would have incurred.

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## FRUITGROWERS' RELIEF.

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No. 76 of 1948.

AN ACT to provide for the granting of assistance  
to fruitgrowers who have suffered loss by hail occur-  
ring during the month of November, 1948.

[15 December, 1948.]

**B**E it 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:—

**1**—(1) This Act may be cited as the *Fruitgrowers' Relief* Short titl  
*Act 1948.* and com-  
mencement.

(2) This Act shall commence on the date on which the  
*Fruit Board Act 1948* commences.