

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 2 December, 1959.*

New South Wales



ANNO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. , 1959.

An Act to abolish the Legislative Council; to provide that another Legislative Council shall not be created, constituted or established nor shall any Chamber, Assembly or House, other than the Legislative Assembly, designed to form part of the Legislature or the Parliament in New South Wales, be created, constituted or established until a Bill for the purpose has been approved by the electors on a referendum; to amend the Constitution Act, 1902, and certain other Acts; and for purposes connected therewith.

Constitution Amendment (Legislative Council Abolition).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, with the approval of the electors as required by the Constitution Act, 1902, as amended by subsequent Acts, and by the authority of the same, as follows :—

- 1. (1) This Act may be cited as the "Constitution Amendment (Legislative Council Abolition) Act, 1959". Short title, construction and commencement.
- 10 (2) This Act shall be read with the Constitution Act, 1902, as amended by subsequent Acts.
- (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.
- 15 2. (1) The Legislative Council is hereby abolished. Abolition of the Legislative Council.
- (2) The office of member of the Legislative Council and all offices constituted or created in or in connection with the Legislative Council are hereby abolished.
- 20 3. The Constitution Act, 1902, as amended by subsequent Acts, is amended by inserting next after section 7A the following new section :— Amendment of Act No. 32, 1902. New sec. 7B.
- 25 7B. (1) A Legislative Council shall not be created, constituted or established nor shall any Chamber, Assembly or House, other than the Legislative Assembly, designed to form part of the Legislature or the Parliament in New South Wales, be created, constituted or established except in the manner provided in this section. Special provision as to referendum on Bill to re-establish a Legislative Council.
- 30 (2) A Bill for any purpose within subsection one of this section shall not be presented to the Governor for Her Majesty's assent until the Bill has been approved by the electors in accordance with this section.

(3)

Constitution Amendment (Legislative Council Abolition).

5 (3) On a day not sooner than two months after the passage of the Bill through the Legislative Assembly the Bill shall be submitted to the electors qualified to vote for the election of the members of the Legislative Assembly.

Such day shall be appointed by the Legislature.

(4) When the Bill is submitted to the electors the vote shall be taken in such manner as the Legislature prescribes.

10 (5) If a majority of the electors voting approve the Bill, it shall be presented to the Governor for Her Majesty's assent.

15 (6) The provisions of this section shall extend to any Bill for the repeal or amendment of this section, and to any Bill for the repeal or amendment of section two of the Constitution Amendment (Legislative Council Abolition) Act, 1959.

4. Any reference in any Act, ordinance, rule, regulation, instrument or writing whatsoever to the Legislature, or to Parliament, or to both Houses of Parliament or of the Legislature, or to each House of Parliament or of the Legislature, or to either House of Parliament or of the Legislature, or other reference which if this Act had not been passed would be deemed to include a reference to the Legislative Council, shall be construed to refer only to Her Majesty the Queen with the advice and consent of the Legislative Assembly of New South Wales or only to the said Legislative Assembly as the context may require.

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Construction of references to Legislature, Parliament, &c.

Legislative Council (Continued)

(13) If a Bill is not passed by the Legislative Assembly within the period of six months from the date of its introduction...

(14) If a Bill is not passed by the Legislative Assembly within the period of six months from the date of its introduction...

(15) If a majority of the members of the Legislative Assembly vote in favour of the Bill...

(16) The provisions of this section shall extend to any Bill for the purpose of amendment of the Constitution of the Dominion of Wales...

4. Any reference in any Act or instrument to the Legislature or to the House of Commons of the Dominion of Wales or to the House of Commons of the Dominion of Wales shall be construed to refer only to the Legislative Assembly of the Dominion of Wales or only to the said Legislative Assembly as the context may require.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

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Constitution Amendment (Legislative Council Abolition).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, with the approval of the electors as required by the Constitution Act, 1902, as amended by subsequent Acts, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Constitution Amendment (Legislative Council Abolition) Act, 1959".

Short title, construction and commencement.

10 (2) This Act shall be read with the Constitution Act, 1902, as amended by subsequent Acts.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

15 2. (1) The Legislative Council is hereby abolished.

Abolition of the Legislative Council.

(2) The office of member of the Legislative Council and all offices constituted or created in or in connection with the Legislative Council are hereby abolished.

20 3. The Constitution Act, 1902, as amended by subsequent Acts, is amended by inserting next after section 7A the following new section :—

Amendment of Act No. 32, 1902. New sec. 7B.

25 7B. (1) A Legislative Council shall not be created, constituted or established nor shall any Chamber, Assembly or House, other than the Legislative Assembly, designed to form part of the Legislature or the Parliament in New South Wales, be created, constituted or established except in the manner provided in this section.

Special provision as to referendum on Bill to re-establish a Legislative Council.

30 (2) A Bill for any purpose within subsection one of this section shall not be presented to the Governor for Her Majesty's assent until the Bill has been approved by the electors in accordance with this section.

(3)

Constitution Amendment (Legislative Council Abolition).

5 (3) On a day not sooner than two months after the passage of the Bill through the Legislative Assembly the Bill shall be submitted to the electors qualified to vote for the election of the members of the Legislative Assembly.

Such day shall be appointed by the Legislature.

(4) When the Bill is submitted to the electors the vote shall be taken in such manner as the Legislature prescribes.

10 (5) If a majority of the electors voting approve the Bill, it shall be presented to the Governor for Her Majesty's assent.

15 (6) The provisions of this section shall extend to any Bill for the repeal or amendment of this section, and to any Bill for the repeal or amendment of section two of the Constitution Amendment (Legislative Council Abolition) Act, 1959.

4. Any reference in any Act, ordinance, rule, regulation, instrument or writing whatsoever to the Legislature, or to Parliament, or to both Houses of Parliament or of the Legislature or to each House of Parliament or of the Legislature, or to either House of Parliament or of the Legislature, or other reference which if this Act had not been passed would be deemed to include a reference to the Legislative Council, shall be construed to refer only to Her Majesty the Queen with the advice and consent of the Legislative Assembly of New South Wales or only to the said Legislative Assembly as the context may require.

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Constitution Amendment (Legislative Council Abolition)

(3) On a day not more than two months after the passage of this Bill through the Legislative Assembly the Bill shall be submitted to the electors qualified to vote for the election of the members of the Legislative Assembly.

Such day shall be appointed by the Legislature.

(4) When the Bill is submitted to the electors the vote shall be taken in such manner as the Legislature prescribes.

(5) If a majority of the electors voting approve the Bill it shall be presented to the Governor for Her Majesty's assent.

(6) The provisions of this section shall extend to any Bill for the repeal or amendment of this section, and to any Bill for the repeal or amendment of section two of the Constitution Amendment (Legislative Council Abolition) Act, 1950.

Any reference in any Act, ordinance, rule, regulation, instrument or writing whatsoever to the Legislature or to Parliament or to both Houses of Parliament or of the Legislature or to both Houses of Parliament or of the Legislature or to either House of Parliament or of the Legislature or other reference which if this Act had not been passed would be deemed to include a reference to the Legislative Council shall be construed to refer only to Her Majesty the Queen with the assent and consent of the Legislative Assembly of New South Wales or only to the said Legislative Assembly as the context may require.

**CONSTITUTION AMENDMENT (LEGISLATIVE COUNCIL
ABOLITION) BILL, 1959.**

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to abolish the Legislative Council; and
- (b) to provide that another Legislative Council shall not be created, constituted or established nor shall any Chamber, Assembly or House, other than the Legislative Assembly, designed to form part of the Legislature or the Parliament in New South Wales, be created, constituted or established until a Bill for the purpose has been approved by the electors on a referendum.

CONSTITUTION AMENDMENT (LEGISLATIVE COUNCIL
ABOLITION) BILL, 1958

EXPLANATORY NOTE

The Bill provides for the abolition of the Legislative Council of India and the consequential amendments to the Constitution. It also provides for the consequential amendments to the Constitution of India and the States. The Bill is intended to give effect to the recommendations of the Commission on the Constitution, which recommended the abolition of the Legislative Council of India and the consequential amendments to the Constitution.

PROOF.

No. , 1959.

A BILL

To abolish the Legislative Council; to provide that another Legislative Council shall not be created, constituted or established nor shall any Chamber, Assembly or House, other than the Legislative Assembly, designed to form part of the Legislature or the Parliament in New South Wales, be created, constituted or established until a Bill for the purpose has been approved by the electors on a referendum; to amend the Constitution Act, 1902, and certain other Acts; and for purposes connected therewith.

[MR. HEFFRON;—12 *November*, 1959.]

Constitution Amendment (Legislative Council Abolition).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, with the approval of the electors as required by the Constitution Act, 1902, as amended by subsequent Acts, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Constitution Amendment (Legislative Council Abolition) Act, 1959". Short title, construction and commencement.
- 10 (2) This Act shall be read with the Constitution Act, 1902, as amended by subsequent Acts.
- (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

- 15 2. (1) The Legislative Council is hereby abolished. Abolition of the Legislative Council.
- (2) The office of member of the Legislative Council and all offices constituted or created in or in connection with the Legislative Council are hereby abolished.

- 20 3. The Constitution Act, 1902, as amended by subsequent Acts, is amended by inserting next after section 7A the following new section :— Amendment of Act No. 32, 1902. New sec. 7B.

25 7B. (1) A Legislative Council shall not be created, constituted or established nor shall any Chamber, Assembly or House, other than the Legislative Assembly, designed to form part of the Legislature or the Parliament in New South Wales, be created, constituted or established except in the manner provided in this section. Special provision as to referendum on Bill to re-establish a Legislative Council.

30 (2) A Bill for any purpose within subsection one of this section shall not be presented to the Governor for Her Majesty's assent until the Bill has been approved by the electors in accordance with this section.

(3)

Constitution Amendment (Legislative Council Abolition).

(3) On a day not sooner than two months after the passage of the Bill through the Legislative Assembly the Bill shall be submitted to the electors qualified to vote for the election of the members of the Legislative Assembly.

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Such day shall be appointed by the Legislature.

(4) When the Bill is submitted to the electors the vote shall be taken in such manner as the Legislature prescribes.

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(5) If a majority of the electors voting approve the Bill, it shall be presented to the Governor for Her Majesty's assent.

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(6) The provisions of this section shall extend to any Bill for the repeal or amendment of this section, and to any Bill for the repeal or amendment of section two of the Constitution Amendment (Legislative Council Abolition) Act, 1959.

4. Any reference in any Act, ordinance, rule, regulation, instrument or writing whatsoever to the Legislature, or to Parliament, or to both Houses of Parliament or of the Legislature or to each House of Parliament or of the Legislature, or to either House of Parliament or of the Legislature, or other reference which if this Act had not been passed would be deemed to include a reference to the Legislative Council, shall be construed to refer only to Her Majesty the Queen with the advice and consent of the Legislative Assembly of New South Wales or only to the said Legislative Assembly as the context may require.

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(2) The office of member of the Legislative Council and all offices constituted or created in or in connection with the Legislative Council are hereby abolished.

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Amendment of Act No. 32, 1902. New sec. 7B.

25 7B. (1) A Legislative Council shall not be created, constituted or established nor shall any Chamber, Assembly or House, other than the Legislative Assembly, designed to form part of the Legislature or the Parliament in New South Wales, be created, constituted or established except in the manner provided in this section.

Special provision as to referendum on Bill to re-establish a Legislative Council.

30 (2) A Bill for any purpose within subsection one of this section shall not be presented to the Governor for Her Majesty's assent until the Bill has been approved by the electors in accordance with this section.

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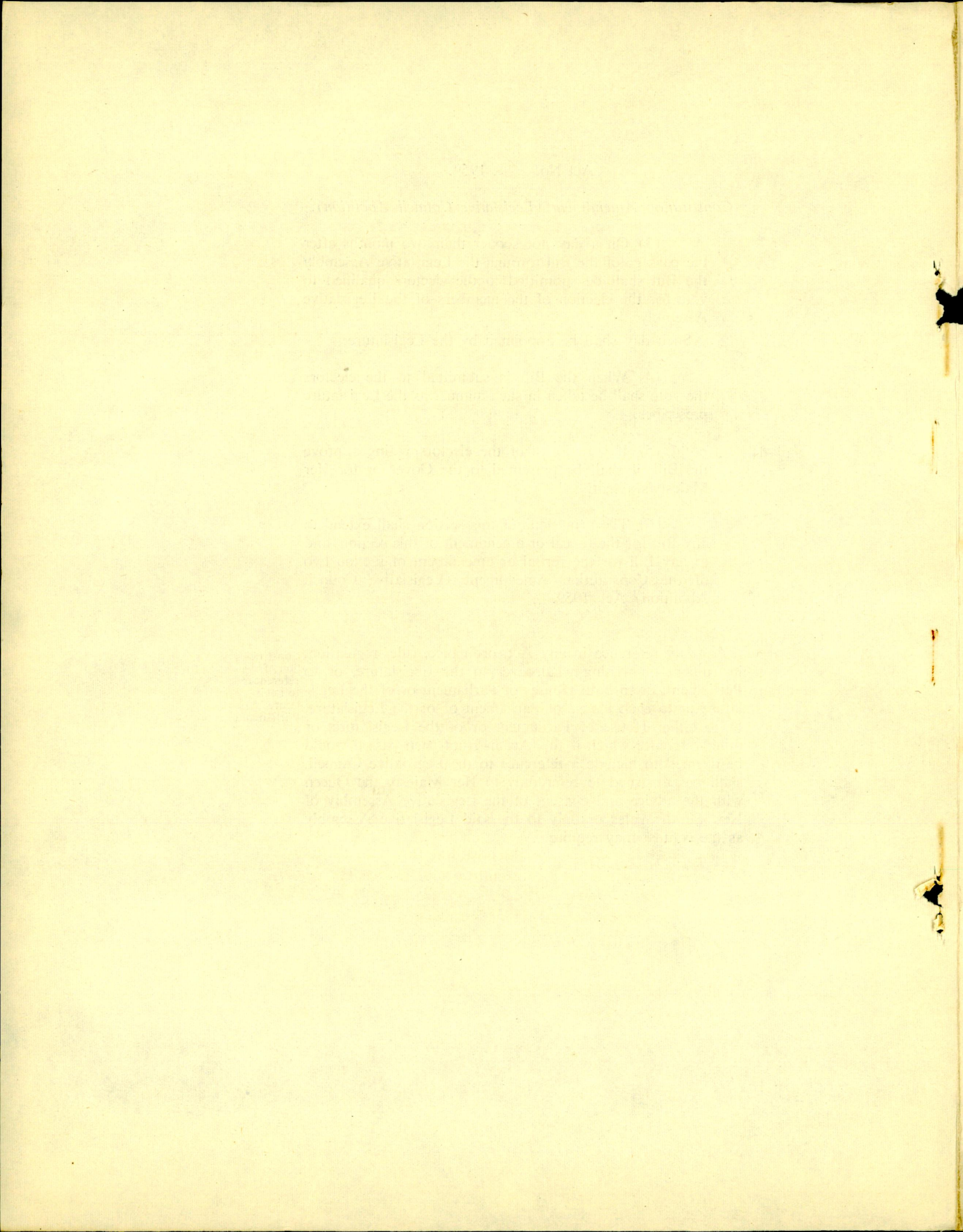
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Construction of references to Legislature, Parliament, &c.



**CONSTITUTION AMENDMENT (LEGISLATIVE COUNCIL
ABOLITION) BILL, 1959.**

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to abolish the Legislative Council ; and
- (b) to provide that another Legislative Council shall not be created, constituted or established nor shall any Chamber, Assembly or House, other than the Legislative Assembly, designed to form part of the Legislature or the Parliament in New South Wales, be created, constituted or established until a Bill for the purpose has been approved by the electors on a referendum.

CONSTITUTION AMENDMENT (LEGISLATIVE COUNCIL
ABOLITION) BILL, 1952

EXPLANATORY NOTE

The object of this Bill is to amend the Constitution of India so as to provide for the abolition of the Legislative Council of India and to provide for the abolition of the Legislative Council of each State and to provide for the abolition of the Legislative Council of each Territory.

PROOF.

No. , 1959.

A BILL

To abolish the Legislative Council; to provide that another Legislative Council shall not be created, constituted or established nor shall any Chamber, Assembly or House, other than the Legislative Assembly, designed to form part of the Legislature or the Parliament in New South Wales, be created, constituted or established until a Bill for the purpose has been approved by the electors on a referendum; to amend the Constitution Act, 1902, and certain other Acts; and for purposes connected therewith.

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Construction of references to Legislature, Parliament, &c.

