CONSTITUTION (AMENDMENT) BILL.

Schedule of Amendments referred to in Legislative Council's Message of 6th December, 1962.

No. 1.—Page 2, clause 2, lines 25 and 26. *Omit* "one year after the devolution" *insert* **"he has been in possession of the benefit, burden or interest, as the case may be, for one year from the date of commencement of the Constitution (Amendment) Act, 1962, or from the date of the devolution, whichever is the later date".**

No. 2.—Page 2, clause 2, lines 36 and 37. *Omit* "three years after the devolution" *insert* **"he has been in possession of the benefit, burden or interest, as the case may be, for three years from the date of commencement of the Constitution (Amendment) Act, 1962, or from the date of the devolution, whichever is the later date".**

No. 3.—Page 4, clause 2. *After* line 3 *insert*:—

"Notice of any such compromise or settlement as is referred to in paragraph (c) of this subsection that takes place after the commencement of the Constitution (Amendment) Act, 1962, shall be published in the Gazette within two months from the date of the compromise or settlement, as the case may be."

No. 4.—Page 4, clause 2. *Before* paragraph (b) which begins on line 18 *insert*:—

"(5) In this section, 'statutory body representing Her Majesty' includes any statutory body that is part of, or that exercises any function that is a function of, the Public Service of New South Wales."

3301 92—

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, 4 December, 1962.

The LEGISLATIVE COUNCIL *has this day agreed to this Bill with Amendments.*

J. R. STEVENSON,
Clerk of the Parliaments.

Legislative Council Chamber,
Sydney, 6 December, 1962.

New South Wales

ANNO UNDECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1962.

An Act to make further provision with respect to the disqualification of persons who may be elected, or sit or vote as members of the Legislative Council or Legislative Assembly; for this purpose to amend the Constitution Act, 1902, and certain other Acts; and for purposes connected therewith.

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, and by the authority of the same, as follows: —

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1. This Act may be cited as the "Constitution (Amendment) Act, 1962". Short title.

2.

3301 92—

NOTE.—The words to be *omitted* are *ruled through;* those to be *inserted* are printed in **black letter.**

2. The Constitution Act, 1902, as amended by subsequent Acts, is amended— Amendment of Act No. 32, 1902.

(a) (i) by inserting in subsection one of section thirteen after the words "Public Service" the words "of New South Wales"; Sec. 13. (Disqualifications.)

(ii) by omitting from subsection three of the same section the word "herein" and by inserting in lieu thereof the words "in subsection one or two of this section";

(iii) by inserting at the end of the same section the following new subsections:—

(4) It is hereby declared that nothing in subsection one or two of this section extends to—

(a) a contract or agreement for or in respect of a loan to the Treasurer or to a body authorised to borrow by Act of Parliament;

(b) a contract or agreement the benefit or burden of which or any interest in which devolves upon a person—

(i) as beneficiary under a will or as a person entitled to share in the estate of an intestate—until ~~one year after the devolution~~ **he has been in possession of the benefit, burden or interest, as the case may be, for one year from the date of commencement of the Constitution (Amendment) Act, 1962, or from the date of the devolution, whichever is the later date**;

(ii) as executor, administrator or trustee—until ~~three years after the devolution~~ **he has been**

been in possession of the benefit, burden or interest, as the case may be, for three years from the date of commencement of the Constitution (Amendment) Act, 1962, or from the date of the devolution, whichever is the later date;

(c) a compromise or settlement in respect of compensation or other money payable by Her Majesty or a statutory body representing Her Majesty;

(d) a lease, license for occupation, sale, purchase or exchange of land, or a contract or agreement for such a lease, sale, purchase or exchange or for the occupation of land or for an easement; or a gift or an agreement for a gift by any person of land to or for Her Majesty or a statutory body representing Her Majesty;

(e) a contract or agreement for the supply or provision by or to or for Her Majesty or a statutory body representing Her Majesty of goods, wares or merchandise or services (including the provision of insurance or indemnity) where the goods, wares or merchandise or services (including the provision of insurance or indemnity) are supplied or provided on the like terms as those on which they are ordinarily supplied or provided to members of the public;

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(5) In this section, "statutory body representing Her Majesty" includes any statutory body that is part of, or that exercises any function that is a function of, the Public Service of New South Wales.

(b) by omitting from paragraph (e) of section nineteen the words "contractor or". Sec. 19. (Vacation of seat.)

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1962
[4*d*.]

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Legislative Assembly Chamber,
Sydney, 4 December, 1962.

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New South Wales

ANNO UNDECIMO

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2. The Constitution Act, 1902, as amended by subsequent Acts, is amended— Amendment of Act No. 32, 1902.

(a) (i) by inserting in subsection one of section thirteen after the words "Public Service" the words "of New South Wales"; Sec. 13. (Disqualifications.)

(ii) by omitting from subsection three of the same section the word "herein" and by inserting in lieu thereof the words "in subsection one or two of this section";

(iii) by inserting at the end of the same section the following new subsections:—

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BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1962
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Legislative Assembly Chamber,
Sydney, 4 December, 1962.

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New South Wales

ANNO UNDECIMO

ELIZABETHÆ II REGINÆ

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V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1962

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Legislative Assembly Chamber,
Sydney, 4 *December,* 1962.

New South Wales

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Sec. 19. (Vacation of seat.)

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[4*d*.]

CONSTITUTION (AMENDMENT) BILL, 1962.

EXPLANATORY NOTE.

THE object of this Bill is to declare that certain specified contracts and agreements are not to be contracts and agreements the entering into or holding of which renders a member of the Legislative Council or Assembly incapable of being elected or sitting or voting as such and his seat liable to be declared vacant.

3301 92—

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2.

3301 92—

2. The Constitution Act, 1902, as amended by subsequent Acts, is amended— Amendment of Act No. 32, 1902.

(a) (i) by inserting in subsection one of section thirteen after the words "Public Service" the words "of New South Wales"; Sec. 13. (Disqualifications.)

(ii) by omitting from subsection three of the same section the word "herein" and by inserting in lieu thereof the words "in subsection one or two of this section";

(iii) by inserting at the end of the same section the following new subsection:—

(4) It is hereby declared that nothing in subsection one or two of this section extends to—

(a) a contract or agreement for or in respect of a loan to the Treasurer or to a body authorised to borrow by Act of Parliament;

(b) a contract or agreement the benefit or burden of which or any interest in which devolves upon a person—

(i) as beneficiary under a will or as a person entitled to share in the estate of an intestate—until one year after the devolution;

(ii) as executor, administrator or trustee—until three years after the devolution;

(c) a compromise or settlement in respect of compensation or other money payable by Her Majesty or a statutory body representing Her Majesty;

(d) a lease, license for occupation, sale, purchase or exchange of land, or a contract or agreement for such a lease, sale, purchase or exchange or for the occupation of land or for an easement; or a gift or an agreement for a gift by any

any person of land to or for Her Majesty or a statutory body representing Her Majesty;

(e) a contract or agreement for the supply or provision by or to or for Her Majesty or a statutory body representing Her Majesty of goods, wares or merchandise or services (including the provision of insurance or indemnity) where the goods, wares or merchandise or services (including the provision of insurance or indemnity) are supplied or provided on the like terms as those on which they are ordinarily supplied or provided to members of the public;

(f) a loan by Her Majesty or a statutory body representing Her Majesty to any person upon the security of a mortgage, bill of sale, lien or other security upon and subject to the like terms as those ordinarily imposed by Her Majesty or the statutory body on loans made to members of the public.

(b) by omitting from paragraph (e) of section nineteen the words "contractor or". Sec. 19. (Vacation of seat.)

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1962

New South Wales

ANNO UNDECIMO

ELIZABETHÆ II REGINÆ

* *

Act No. 39, 1962.

An Act to make further provision with respect to the disqualification of persons who may be elected, or sit or vote as members of the Legislative Council or Legislative Assembly; for this purpose to amend the Constitution Act, 1902, and certain other Acts; and for purposes connected therewith. [Reserved, 14th December, 1962. Assented to, 17th January, 1963.]

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, and by the authority of the same, as follows: —

1. This Act may be cited as the "Constitution (Amendment) Act, 1962". Short title.

2.

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Amendment of Act No. 32, 1902.

2. The Constitution Act, 1902, as amended by subsequent Acts, is amended—

Sec. 13. (Disqualifications.)

(a) (i) by inserting in subsection one of section thirteen after the words "Public Service" the words "of New South Wales";

(ii) by omitting from subsection three of the same section the word "herein" and by inserting in lieu thereof the words "in subsection one or two of this section";

(iii) by inserting at the end of the same section the following new subsections:—

(4) It is hereby declared that nothing in subsection one or two of this section extends to—

(a) a contract or agreement for or in respect of a loan to the Treasurer or to a body authorised to borrow by Act of Parliament;

(b) a contract or agreement the benefit or burden of which or any interest in which devolves upon a person—

(i) as beneficiary under a will or as a person entitled to share in the estate of an intestate—until he has been in possession of the benefit, burden or interest, as the case may be, for one year from the date of commencement of the Constitution (Amendment) Act, 1962, or from the date of the devolution, whichever is the later date;

(ii) as executor, administrator or trustee—until he has been in possession of the benefit, burden or interest, as the case may

may be, for three years from the date of commencement of the Constitution (Amendment) Act, 1962, or from the date of the devolution, whichever is the later date;

(c) a compromise or settlement in respect of compensation or other money payable by Her Majesty or a statutory body representing Her Majesty;

(d) a lease, license for occupation, sale, purchase or exchange of land, or a contract or agreement for such a lease, sale, purchase or exchange or for the occupation of land or for an easement; or a gift or an agreement for a gift by any person of land to or for Her Majesty or a statutory body representing Her Majesty;

(e) a contract or agreement for the supply or provision by or to or for Her Majesty or a statutory body representing Her Majesty of goods, wares or merchandise or services (including the provision of insurance or indemnity) where the goods, wares or merchandise or services (including the provision of insurance or indemnity) are supplied or provided on the like terms as those on which they are ordinarily supplied or provided to members of the public;

(f) a loan by Her Majesty or a statutory body representing Her Majesty to any person upon the security of a mortgage, bill of sale, lien or other security upon and subject to the like terms as those ordinarily imposed by Her Majesty or the statutory body on loans made to members of the public.

Notice

Notice of any such compromise or settlement as is referred to in paragraph (c) of this subsection that takes place after the commencement of the Constitution (Amendment) Act, 1962, shall be published in the Gazette within two months from the date of the compromise or settlement, as the case may be.

(5) In this section, "statutory body representing Her Majesty" includes any statutory body that is part of, or that exercises any function that is a function of, the Public Service of New South Wales.

Sec. 19. (Vacation of seat.)

(b) by omitting from paragraph (e) of section nineteen the words "contractor or".

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963

I certify that this PUBLIC BILL, *which originated in the* LEGISLATIVE ASSEMBLY, *has finally passed the* LEGISLATIVE COUNCIL *and the* LEGISLATIVE ASSEMBLY *of* NEW SOUTH WALES.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 6 December, 1962.

New South Wales

ANNO UNDECIMO

ELIZABETHÆ II REGINÆ

* *

Act No. 39, 1962.

An Act to make further provision with respect to the disqualification of persons who may be elected, or sit or vote as members of the Legislative Council or Legislative Assembly; for this purpose to amend the Constitution Act, 1902, and certain other Acts; and for purposes connected therewith. [Reserved, 14th December, 1962. Assented to, 17th January, 1963.]

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, and by the authority of the same, as follows: —

1. This Act may be cited as the "Constitution (Amendment) Act, 1962". Short title.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

HOWARD T. FOWLES,
Chairman of Committees of the Legislative Assembly.

Amendment of Act No. 32, 1902.

2. The Constitution Act, 1902, as amended by subsequent Acts, is amended—

Sec. 13. (Disqualifications.)

(a) (i) by inserting in subsection one of section thirteen after the words "Public Service" the words "of New South Wales";

(ii) by omitting from subsection three of the same section the word "herein" and by inserting in lieu thereof the words "in subsection one or two of this section";

(iii) by inserting at the end of the same section the following new subsections:—

(4) It is hereby declared that nothing in subsection one or two of this section extends to—

(a) a contract or agreement for or in respect of a loan to the Treasurer or to a body authorised to borrow by Act of Parliament;

(b) a contract or agreement the benefit or burden of which or any interest in which devolves upon a person—

(i) as beneficiary under a will or as a person entitled to share in the estate of an intestate—until he has been in possession of the benefit, burden or interest, as the case may be, for one year from the date of commencement of the Constitution (Amendment) Act, 1962, or from the date of the devolution, whichever is the later date;

(ii) as executor, administrator or trustee—until he has been in possession of the benefit, burden or interest, as the case may

may be, for three years from the date of commencement of the Constitution (Amendment) Act, 1962, or from the date of the devolution, whichever is the later date;

(c) a compromise or settlement in respect of compensation or other money payable by Her Majesty or a statutory body representing Her Majesty;

(d) a lease, license for occupation, sale, purchase or exchange of land, or a contract or agreement for such a lease, sale, purchase or exchange or for the occupation of land or for an easement; or a gift or an agreement for a gift by any person of land to or for Her Majesty or a statutory body representing Her Majesty;

(e) a contract or agreement for the supply or provision by or to or for Her Majesty or a statutory body representing Her Majesty of goods, wares or merchandise or services (including the provision of insurance or indemnity) where the goods, wares or merchandise or services (including the provision of insurance or indemnity) are supplied or provided on the like terms as those on which they are ordinarily supplied or provided to members of the public;

(f) a loan by Her Majesty or a statutory body representing Her Majesty to any person upon the security of a mortgage, bill of sale, lien or other security upon and subject to the like terms as those ordinarily imposed by Her Majesty or the statutory body on loans made to members of the public.

Notice

Notice of any such compromise or settlement as is referred to in paragraph (c) of this subsection that takes place after the commencement of the Constitution (Amendment) Act, 1962, shall be published in the Gazette within two months from the date of the compromise or settlement, as the case may be.

(5) In this section, "statutory body representing Her Majesty" includes any statutory body that is part of, or that exercises any function that is a function of, the Public Service of New South Wales.

Sec. 19. (Vacation of seat.)

(b) by omitting from paragraph (e) of section nineteen the words "contractor or".

Reserved for the signification of Her Majesty's pleasure.

E. W. WOODWARD,
Governor.

Government House,
Sydney, 14th December, 1962.

Assented to by Her Majesty in Council on 17th January, 1963.

E. W. WOODWARD,
Governor.

Government House,
Sydney, 9th April, 1963.