



ANNO QUINQUAGESIMO PRIMO ET QUINQUAGESIMO
SECUNDO

VICTORIÆ REGINÆ.

A.D. 1888.

No. 440.

An Act to bring into operation, in respect of the Province of South Australia, an Act of the Imperial Parliament intituled "An Act to Constitute a Federal Council of Australasia."

[*Assented to, December 8th, 1888.*]

WHEREAS by an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the forty-ninth year of Her Majesty's reign, and intituled "An Act to Constitute a Federal Council of Australasia," it is enacted that there shall be in and for Her Majesty's Possessions in Australasia a Federal Council constituted as by the said Act is provided, and called the Federal Council of Australasia, which shall have the functions, powers, and authority by the said Act defined: And by the said Act it is further enacted that each of the Australasian Colonies shall be represented in the said Federal Council by two members, except in the case of Crown Colonies, which shall be represented by one member each, but that Her Majesty, at the request of the Legislatures of the Colonies may, by order in Council from time to time increase the number of representatives for each Colony: And by the said Act it is further enacted that the Legislature of any Colony may make such provision as it thinks fit for the appointment of the representatives of that Colony, and for determining the tenure of their office: And by the said Act it is further enacted that the said Act shall not come into operation in respect of any Colony until the Legislature of such Colony shall have passed an Act or Ordinance declaring that the same shall be in force therein, and appointing a day on and from which such operation shall take effect, nor until four Colonies at the least

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least shall have passed such Act or Ordinance: And whereas it is desirable that the said Act should come into operation in respect to the Province of South Australia, and that provision should be made for the appointment of representatives of the said colony in the said Federal Council—Be it Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

Federal Council Act to be in force in South Australia from December 10th, 1888, for two years.

1. In pursuance of the powers contained in the said recited Act, it is hereby declared and enacted that the said Act shall come into operation and be in force in South Australia on and from the tenth day of December, one thousand eight hundred and eighty-eight, and shall cease to be in operation and force in South Australia on and after the tenth day of December, one thousand eight hundred and ninety.

First representatives of South Australia to be appointed by the Governor, and vacancies filled by the Houses of Parliament.

2. The first representatives of the Province of South Australia, in the Federal Council shall be appointed by the Governor by Commission under the hand of the Governor and the Great Seal of the province, and shall hold office during pleasure: Provided that in the event of the Government in office at the time of the appointment of such representatives retiring from office, vacancies shall be created in the office of such representatives: Provided also, that any representative shall be removed, if at any time an address be presented to the Governor from both Houses of Parliament praying for such removal. The representatives of the province, after the first appointment, shall be elected by the members of the Legislative Council and House of Assembly, and for that purpose it shall be lawful for the Governor, by Proclamation, to appoint a time, and place, and mode for such election, and immediately after the result of such election shall be certified by the President of the Legislative Council and the Speaker of the House of Assembly, the Governor shall, by commission, appoint the persons so elected to be such representatives accordingly. No person shall hold office as a representative of the province for more than one year without re-appointment.

Qualification of representatives.

3. Every person appointed as a representative must, at the time of his appointment—

- (1) Be a member of the Executive Council; or,
- (2) Be a member of the Legislative Council or House of Assembly.

Resignation of office.

4. Any representative may resign his office by a letter addressed to the Governor, and upon the receipt of such letter by the Governor the office shall become vacant.

Appointments and vacancies to be notified to Legislature by message.

5. Every appointment, removal, and resignation of a representative shall be notified by the Governor to the Legislative Council and

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and House of Assembly by message forthwith after such appointment, removal, or resignation takes place, and shall also be publicly notified in the *Government Gazette*.

6. Each representative shall be entitled to be paid, out of any moneys to be appropriated by Parliament for the purpose, all reasonable expenses incurred by him in and about his attendance at the Federal Council, or any committee thereof. Representatives to receive expenses of attendance.

7. No matter or question shall be referred from South Australia to the Federal Council under the provisions of the said recited Act of the Imperial Parliament, except by an Act of the Parliament of South Australia, the second and third readings whereof shall have been passed with the concurrence of an absolute majority of the whole of the members of the Legislative Council and of the House of Assembly respectively. Reference to be by Act.

8. This Act may be cited as “The Federal Council Adopting Act, 1888.” Short title.

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

WM. C. F. ROBINSON, Governor.