ANNO VICESIMO QUINTO

VICTORIÆ REGINÆ.

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C A P. XI.

An Act to explain an Act, intituled *An Act for the better Government of Her Majesty's* Australian *Colonies.* [11th *April* 1862.]

WHEREAS by an Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of Her Majesty, intituled *An Act for the better Government of Her Majesty's* Australian *Colonies*, it was enacted, that it should 13 & 14 Vict. c. 59. be lawful for the Governors and Legislative Councils of the Colonies of *New South Wales*, *Victoria*, *Van Diemen's Land*, and *South Australia* respectively, by any Act or Acts to establish in the said Colonies respectively, instead of the Legislative Council, a Council and House of Representatives or other separate Legislative Houses, to consist respectively of such Members to be appointed or elected respectively by such Persons and in such Manner as by such Act or Acts should be determined, and to vest in such Council and House of Representatives or other Legislative Houses the Powers and Functions of the Legislative Council for which the same might be substituted; provided always, that every Bill which should be passed by the Council in any of the said Colonies for any of such Purposes should be reserved for the Signification of Her Majesty's Pleasure thereon, and that a Copy of such Bill should be laid before both

Houses of Parliament for the Space of Thirty Days at the least before Her Majesty's Pleasure thereupon should be signified: And whereas Acts have been passed for the above Purposes in each of the said Colonies as well by the said first-mentioned Legislative Councils as by the Councils and Houses of Representatives or other separate Legislative Houses established instead of such Legislative Councils: And whereas Doubts have been entertained whether some Acts so passed may not be invalid by reason that the same were not reserved for the Signification of Her Majesty's Pleasure, or laid before both Houses of Parliament, as herein-before mentioned: And whereas Provision is made in some of the said Acts passed in the said Colonies respectively for subsequent Changes in the Constitution or Mode of Election or Appointment of the several Bodies composing the Colonial Legislature, subject to Provisions requiring that any Acts or Act for that Purpose should be reserved for the Signification of Her Majesty's Pleasure thereon, and under such Powers certain Acts have been passed by the said Colonial Legislatures, or some of them, as to the Validity of which Doubts have arisen by reason that the same were not reserved for the Signification of Her Majesty's Pleasure thereon: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts passed by certain Legislative Councils, and assented to by Governors, to be as effectual as if reserved for Her Majesty's Assent.

1. Every Act passed for the Purposes mentioned in the said first-recited Act, or any of them, by the Legislative Council of any of the said Colonies, and assented to in Her Majesty's Name by the Governor of such Colony, shall be deemed to be and to have been from the Date of such Assent as valid and effectual for all Purposes whatever as if the same Act had been reserved for the Signification of Her Majesty's Pleasure, and as if the same had been duly laid before both Houses of Parliament, and as if Her Majesty's Assent had been duly given to the same, and signified in the Colony at the Date aforesaid.

The Term "Council" to apply only to such Legislative Councils.

2. And be it further declared and enacted, The Term Council in the above-recited Proviso of the said first-recited Act shall be deemed to apply only to the Legislative Councils herein-before first mentioned.

Acts passed for altering Constitution of Legislative Bodies, so assented to, deemed valid.

3. And be it further enacted, That every Act passed by any Colonial Legislature established under any such Acts or Act as aforesaid, for altering the Constitution or Mode of Election or Appointment of any or either of the Legislative Bodies composing such Legislature, which may have been at any Time heretofore assented to in Her Majesty's

Majesty's Name by the Governor of the Colony in which the same shall have been passed, shall be deemed to be and to have been from the Date of such Assent as valid and effectual for all Purposes whatever as if the same Act had been reserved for the Signification of Her Majesty's Pleasure thereon, and as if Her Majesty's Assent had been duly given to the same, and signified in the Colony at the Date last aforesaid.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty 1862.