



Constitution Act Amendment Act 1934

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Queensland

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Constitution Act Amendment Act 1934

An Act to amend the Constitution of Queensland by providing that a Legislative Council (or other similar legislative body) shall not be restored, constituted, or established, and that the duration of the Legislative Assembly (as now by law provided) shall not be extended unless or until a referendum of the electors of the State shall so approve, in either case; and for other purposes

Preamble

WHEREAS, a Bill intituled The Constitution Act Amendment Bill of 1921 was, during the session of the Parliament holden in the year 1921, passed by the legislature, and which Bill was, pursuant to the provisions of the *Australian States Constitution Act 1907* reserved for the signification of His Majesty's pleasure.

And whereas the assent of His Majesty (whom God may long preserve!) to the said Bill was proclaimed on the 12th year of His Majesty's reign on 23 March 1922, and on the Bill becoming an Act by virtue of such assent, such Act was intituled the *Constitution Act Amendment Act 1922*, and was numbered No. 32 of such 12th year of His Majesty's reign, and which Act is and forms part of the Constitution of Queensland.

And whereas, pursuant to such Act, the Legislative Council was abolished.

And whereas the Parliament of Queensland (or, as sometimes called, the Legislature of Queensland), has since the year 1922 been constituted by His Majesty the King and the Legislative Assembly in Parliament assembled, and is so presently constituted.

And whereas it is desirable that no other legislative body (whether called the 'Legislative Council,' or by any other name or designation, in addition to the Legislative Assembly) should be

restored, or constituted, or established, except subject to the provisions hereinafter set forth.

1 Short title and construction

This Act may be cited as the *Constitution Act Amendment Act 1934*, and shall be read and construed with and as an amendment of the Constitution of Queensland.

2 Interpretation—Constitution of Queensland

In this Act—

Constitution of Queensland means and includes the order in council of Her late Majesty Queen Victoria dated 6 June 1859, referred to in the preamble to the *Constitution Act 1867* and the *Constitution Act 1867*, and each and every Act amending, altering, or repealing or purporting to amend, alter, or repeal any of the provisions of the abovementioned order in council and Act, or either of them.

3 Parliament not to be altered in the direction of re-establishing the Legislative Council or other body except in accordance with this section

- (1) The Parliament of Queensland (or, as sometimes called, the Legislature of Queensland), constituted by His Majesty the King and the Legislative Assembly of Queensland in Parliament assembled shall not be altered in the direction of providing for the restoration and/or constitution and/or establishment of another legislative body (whether called the *Legislative Council*, or by any other name or designation, in addition to the Legislative Assembly) except in the manner provided in this section.
- (2) A Bill for any purpose within subsection one of this section shall not be presented to the Governor for the reservation thereof for the signification of His Majesty's pleasure, or for the Governor's Assent, or be in any other way assented to, until the Bill has been approved by the electors in accordance with this section.

- (3) On a day not sooner than two months after the passage of the Bill through the Legislative Assembly, the question for the approval or otherwise of the Bill shall be submitted to the electors qualified to vote for the election of members of the Legislative Assembly according to the provisions of “*The Elections Acts, 1915 to 1932,*” or any Act amending the same or in substitution therefor.

Such day shall be appointed by the Governor in Council.

- (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 the reservation thereof for the signification of His Majesty’s pleasure.
- (6) The provisions of this section shall extend to any Bill for the repeal or amendment of this section.