

No. 5285.

An Act to make Provision with respect to a Joint Statute Law Revision Committee of the Legislative Council and the Legislative Assembly.

[6th August, 1948.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the *Statute Law Revision Committee Act 1948* and shall be read and construed as one with *The Constitution Act Amendment Act 1928* (hereinafter called the Principal Act) and any Act amending the same all of which Acts and this Act may be cited together as *The Constitution Act Amendment Acts*.

Short title
construction
and citation.

Nos. 3660, 4278,
4305, 4334,
4350, 4367,
4409, 4468,
4533, 4563,
4584, 4691,
4718, 4849,
4896, 5014,
5028, 5052,
5185, 5211,
5252.

2. (1) There shall be a joint committee of the Council and the Assembly to be called the Statute Law Revision Committee.

Statute Law
Revision
Committee.

Comp. No. 3660
s. 367.

(2) The committee shall consist of twelve members.

(3) As soon as conveniently practicable after the commencement of every session of Parliament the members of the committee shall be appointed according to the practice of Parliament with reference to the appointment of members to serve on joint select committees of the Council and the Assembly.

(4) Six of such members shall be members of and be appointed by the Council and six shall be members of and be appointed by the Assembly.

(5) Five members of the committee shall form a quorum; but no quorum of the committee shall consist exclusively of members of the Council or of members of the Assembly.

(6) The

(6) The seat of any member of the committee shall be deemed to become vacant for any cause for which his seat as a member of the Council or of the Assembly (as the case may be) would become vacant.

(7) When any vacancy (however arising) occurs in the membership of the committee it shall be filled upon motion in the usual manner :

Provided that equal representation on the committee of members of the Council and of the Assembly shall be observed in the filling of the vacancy.

(8) The committee may elect one of the members thereof to be chairman and the chairman shall have a vote but not a casting vote.

**Functions of
committee.**

3. The functions of the committee shall be—

- (a) to examine anomalies in the statute law ;
- (b) to examine proposals for the consolidation of statutes ;
- (c) to examine proposals in bills involving technical alterations in the existing law which have been referred by either House to the committee ;
- (d) to make such reports and recommendations to the Council and the Assembly as it thinks proper as the results of any such examination.

**Tenure of
Committee.
Comp. No. 3660
s. 376.**

4. (1) The committee shall hold office as such and may exercise all the powers conferred upon it by this Act or otherwise, for the session during which it is appointed, and thence until—

- (a) the day before the commencement of a new session of Parliament ; or
- (b) the expiry of the Assembly by effluxion of time ;
or
- (c) the dissolution of either House of Parliament—

whichever of such events first happens.

(2) The

(2) The committee may sit and transact business during any adjournment or recess in the period for which it holds office, but the committee shall not sit during the sittings of either House of Parliament except by leave of such House.

5. (1) Each member of the committee shall, notwithstanding anything in The Constitution Act Amendment Acts, be entitled to receive by way of reimbursement of his expenses in relation to his attendance in the discharge of his duties as a member of the committee an attendance fee at the rate of Two guineas for every attendance at a meeting of the said committee at which a quorum is present; but no member of the committee shall be entitled to receive more than one attendance fee in respect of any one day.

Attendance fees of members of committee.

Comp. No. 3660 s. 374 (1)–(3), (5).

(2) The amount to which any member of the committee is entitled pursuant to this section for attendance fees shall be certified by the chairman of the committee and when approved by the Treasurer of Victoria shall be payable out of the consolidated revenue (which is hereby to the necessary extent appropriated for the purpose accordingly).

(3) Such reimbursement payable to any member of the committee shall be in addition to any payment received by such member as reimbursement of his expenses in relation to his attendance in the discharge of his parliamentary duties.

(4) The total amount payable for attendance fees of members of the committee shall not exceed One thousand five hundred pounds in respect of any one financial year.

6. (1) In addition to the attendance fees payable under this Act to members of the committee each member thereof shall be entitled to such further sum as is prescribed by regulations for the expenses incurred by him when travelling and also to any charges for any conveyance paid by him when so travelling whenever such expenses and charges have been necessarily incurred in the performance of his duties as a member of the committee.

As to travelling expenses and charges.

Comp. No. 4875 ss. 8, 9.

(2) The

(2) The travelling expenses and charges payable to any member of the committee pursuant to this Act shall be in addition to any payment received by such member pursuant to any Act as reimbursement of his expenses in relation to his attendance in the discharge of his parliamentary duties.

(3) The amount to which any member is entitled pursuant to this Act for travelling expenses and charges shall be certified to by the chairman or vice-chairman of the committee and when approved by the Minister shall be payable out of the consolidated revenue (which is hereby to the necessary extent appropriated for that purpose accordingly).

Payments under this Act not to disqualify members.

Comp. No. 5211
s. 2 (4).

No. 3660
Part II. Div. 2.

7. Notwithstanding anything in The Constitution Act Amendment Acts a member of the committee shall not (by reason only of receiving any payment under this Act) be deemed to hold or accept an office or place of profit under the Crown or to be employed in the public service within the meaning of Division two of Part II. of the Principal Act so as to render him incapable of sitting or voting as a member of the Council or of the Assembly or to disqualify him or to render him incapable of being or continuing a member of the Council or of the Assembly or to make him liable to any penalty under the Principal Act.

Application of standing orders and practice to committee.

Comp. No. 3660
s. 371.

8. Save as otherwise expressly provided in this Act the standing orders and the practice as to select committees and joint committees shall extend and apply with respect to the committee.

Regulations.

9. (1) The Governor in Council may make regulations for or with respect to prescribing any matters or things authorized or required to be prescribed or necessary or expedient to be prescribed for giving effect to this Act.

Publication.

(2) All such regulations shall be published in the *Government Gazette*, and shall be laid before both Houses of Parliament within fourteen days after the making thereof if Parliament is then sitting and if Parliament is not then sitting then within fourteen days after the next meeting of Parliament, and a copy of all such regulations shall be posted to each Member of Parliament.

Consequential

Consequential and Transitory Provisions.

10. In the Principal Act—

- (a) Division five of Part VI. is hereby repealed ;
(b) in section one the expression “ Division 5.—Joint Statute Law Revision Committee s. 376 ” is hereby repealed.

Consequential
repeal of
No. 3680
Part VI.
Div. 5. and
amendment of
No. 3680 s. 1.

11. On the commencement of this Act the members of the Joint Statute Law Revision Committee as constituted immediately before the commencement thereof shall go out of office.

Members of
existing
committee to
go out of
office.