

## The Bill.

## Explanation.

office by a vote of the House, or he may resign his office or his seat by writing addressed to the Governor-General.

36. Before or during any absence of the Speaker, the House of Representatives may choose a member to perform his duties in his absence.

37. A member may by writing addressed to the Speaker, or to the Governor-General if there is no Speaker or if the Speaker is absent from the Commonwealth, resign his place, which thereupon shall become vacant.

38. The place of a member shall become vacant if for two consecutive months of any session of the Parliament he, without the permission of the House, fails to attend the House.

39. Until the Parliament otherwise provides, the presence of at least one-third of the whole number of the members of the House of Representatives shall be necessary to constitute a meeting of the House for the exercise of its powers.

40. Questions arising in the House of Representatives shall be determined by a majority of votes other than that of the Speaker. The Speaker shall not vote unless the numbers are equal, and then he shall have a casting vote.

## PART 4.—HOUSES OF PARLIAMENT.

41. No adult person who has or acquires a right to vote at elections for the more numerous House of the Parliament of a State, shall, while the right continues, be prevented by any law of the Commonwealth from voting at elections for either House of the Parliament of the Commonwealth.

42. Every senator and every member of the House of Representatives shall, before taking his seat, make and subscribe before the Governor-General, or some other person authorised by him, an oath or affirmation of allegiance in the form set forth in the schedule.

43. A member of either House of the Parliament shall be incapable of being chosen or of sitting as a member of the other House.

44. Any person who—

(1.) Is under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or citizen of a foreign power; or

(2.) Is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer; or

(3.) Is an undischarged bankrupt or insolvent; or

(4.) Holds any office of profit under the Crown, or any pension payable during the pleasure of the Crown out of any of the revenues of the Commonwealth; or

(5.) Has any direct or indirect pecuniary interest in any agreement with the public service of the Commonwealth, otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons;

shall be incapable of being chosen or of sitting as a senator or as a member of the House of Representatives.

But subsection (4) does not apply to the office of any of the Queen's Ministers of State for the Com-

## Section 41.

A right to an adult vote for the Lower House once acquired in any State before Federal Parliament frames a uniform federal suffrage may not be prejudiced or abridged by any federal law as long as the right continues in legal force in the State.

## Sections 42 to 46.

Every Senator and Representative to take oath or affirmation of allegiance in form set forth in schedule. Member of one House to be incapable of being member of the other. Disqualifications for membership enumerated. No person may be a member in the following cases: (1) Owing allegiance or obedience to foreign power; (2) conviction and under sentence for criminal offences punishable by imprisonment for one year; (3) undischarged from insolvency; (4) holding an office of profit under the Crown, or any pension during the pleasure of the Crown, or having any pecuniary interest in any agreement with the public service of the Commonwealth. But there is nothing to prevent the Queen's Ministers for the Commonwealth or the Queen's Ministers for a State or officers or members of the Queen's navy or army, or officers or members of the naval or military forces of the Commonwealth, though in receipt of pay or pension, from being chosen or sitting as members of the Federal Parliament. If a member become subject to the said disabilities, or takes the benefit of any bankrupt or insolvent law, or takes or agrees to take any fee or honorarium for services rendered to the Commonwealth, or for services rendered in the Parliament to any person or state, his place becomes vacant. Every disqualified person sitting as a Senator or Representative is liable to a penalty.