

(No. 140.)



1885.

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PARLIAMENT OF TASMANIA.

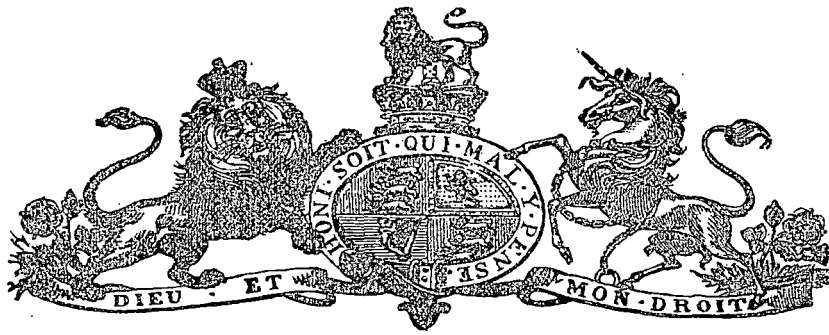
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**PARLIAMENTARY PRIVILEGES :**

REPORT FROM SELECT COMMITTEE, WITH MINUTES OF  
PROCEEDINGS.

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Brought up by Mr. Attorney-General, and ordered by the House of Assembly to  
be printed, November 4, 1885.



*SELECT COMMITTEE appointed, on the 20th October, 1885, to enquire into and report upon the Privileges of the House in reference to the Summoning and Examination of Witnesses, and to make any recommendation that the Committee think fit with a view to Legislation.*

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MEMBERS OF THE COMMITTEE.

MR. SPEAKER.  
MR. REIBEY.  
MR. BRADDON.  
MR. ROOKE.

MR. LUCAS.  
MR. DAVIES.  
MR. ATTORNEY-GENERAL (*Mover*).

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DAY OF MEETING.

Wednesday, 4th November.

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MINUTES.

WEDNESDAY, NOVEMBER 4, 1885.

The Committee met at 3 P.M.

*Present*—Mr. Speaker, Mr. Reibey, Mr. Lucas, and Mr. Attorney-General.

Mr. Attorney-General was voted to the Chair.

The Committee considered the provisions of the Parliamentary Privilege Act (22 Vict. No. 17), and resolved that it was desirable that both branches of the Legislature should have power to order the Sheriff to produce a prisoner in his custody for the purpose of being examined as a witness.

The Committee having considered a draft Bill amending the above-named Act, submitted by Mr. Attorney-General, decided to recommend its adoption to the House.

The Committee adjourned *sine die*.

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REPORT.

Your Committee have the honor to report to your Honorable House that they have enquired into the powers and privileges of your Honorable House in reference to the summoning and examination of witnesses.

Your Committee carefully considered the provisions contained in the Parliamentary Privilege Act (22 Vict. No. 17); and they are of opinion that that Act does not provide any means by which prisoners undergoing sentences can be brought before either House of Parliament or any Committee thereof.

Your Committee also took into their consideration the question whether such power should be given by law, and are of opinion that it is desirable that both branches of the Legislature should have the power to order the Sheriff to produce any prisoner in his custody for the purpose of being examined as a witness.

Your Committee have accordingly framed a Bill amending "The Parliamentary Privilege Act," and giving both Houses of Parliament the additional powers recommended in this Report, which Bill your Committee commend to the favourable consideration of your Honorable House.

J. S. DODDS, *Chairman*.

Committee Room, 4th November, 1885.

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B I L L

TO

Amend *The Parliamentary Privilege Act.* A.D. 1885.

**B**E it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

**1** This Act may be cited as “The Parliamentary Privilege Act Amendment Act, 1885.” Short title.

**2** Each House of the Parliament of *Tasmania* is hereby empowered to order the Sheriff or any Gaoler to cause any person under imprisonment for any cause to be brought up before the House, or any Committee of such House duly authorised by the House to send for persons and papers, in order to his being examined as a witness in any matter depending before such House or Committee; and after his evidence has been given, such Sheriff or Gaoler shall cause such Prisoner to be removed and again imprisoned. Mode of bringing Prisoners before Houses of Parliament or Committees thereof to give evidence.

[Bill 47.]

Order to Sheriff  
or Gaoler to be  
notified by  
Summons.

**3** Any such Order to the Sheriff or any Gaoler under the last preceding Section shall be notified to such Sheriff or Gaoler by a Summons under the hand of the President or Speaker as the case may be; and in any such Summons shall be stated the name of the Prisoner required to attend, and the time and place when and where such Prisoner is to attend; and such Summons shall be served on such Sheriff or Gaoler, either personally or by leaving the same with some person for him at his office.

Sheriff and Gaoler  
liable for dis-  
obedience of order.

22 Vict. No. 17.

**4** The Sheriff or any Gaoler guilty of disobedience of any such Order hereinbefore mentioned shall be liable to be punished in a summary manner, as for Contempt, in the mode prescribed in *The Parliamentary Privilege Act*, for the offences enumerated in Section Three thereof.

Acts to be read  
together.

**5** *The Parliamentary Privilege Act*, as altered or amended by this Act, and this Act, shall be read and construed together as one Act.