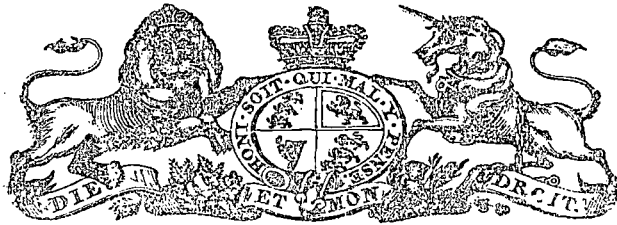


(No. 1.)



1863.

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TASMANIA.

LEGISLATIVE COUNCIL.

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DESPATCH FROM SECRETARY OF STATE.

ACTS—ALLOWANCE OF.

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Laid on the Table by Mr. Whyte, and ordered to be printed, 16 June, 1863.



[TASMANIA.—SEPARATE.]

*Downing-street, 20th March, 1863.*

SIR,

You will observe from my Despatch of the 20th instant, No. 8, that a slight alteration has been made in the form of words by which you are apprized that certain Acts of the recent Session will be allowed to remain in force.

It has hitherto been customary to state that Her Majesty had been advised to “leave such Acts to their operation.” It happens, however, that this is a form of words by which Her Majesty’s sanction is sometimes given to Laws of which the provisions have been examined and approved in this country, and which, therefore, may be considered as receiving more or less of positive approval on the part of the Imperial Government.

But in New South Wales, and the other Australian Colonies possessing Responsible Governments, it is not, as you are aware, the general practice of Her Majesty’s Government to ascertain the sufficiency or propriety of Colonial Enactments, so long as they affect matters of merely Colonial interest. I have thought it best, therefore, that the form of words in such cases should be so chosen as to express as unambiguously as possible this absence of Imperial responsibility; and this, I think, is best effected by following the leading of the Constitutional Acts of the Colony, and merely declaring that the power of disallowance expressly reserved to Her Majesty by these Acts will not be exercised. The change is of little importance, but I have thought it best to explain it to you, in case it should call forth any remark.

I have, &c.,

(Signed) NEWCASTLE.

Governor GORE BROWNE, C.B.