

CHAPTER 4.

LEGISLATIVE COUNCIL (PRIVILEGE).

AN ORDINANCE RELATING TO THE POWERS OF THE LEGISLATIVE COUNCIL TO PUNISH CONTEMPT AND BREACH OF PRIVILEGE. Ordinance No. 163.

[18th September, 1841.]

1. This Ordinance may be cited as the Legislative Council (Privileges) Ordinance. Short title.

2. The Legislative Council as the supreme legislative body within the Colony has, and does of right possess, the power of punishing by imprisonment all persons guilty of contempt or of breach of the privileges of the said Council. Power to punish contempt, etc.

3. Upon complaint made to the said Council by any member of such Council, of any contempt or breach of the privileges of the Council, it shall be lawful for the Governor or President of the Council for the time being, on the order of the Council, to summon the persons so complained of to appear before the Council and answer to such complaint, at such time as shall be specified in such summons; or if the Council shall see fit, and shall so order, to issue a warrant under his hand to the Marshal for arresting and bringing the person so complained of before the Council to answer to such charge; and if upon the person so complained of appearing upon such summons, or being brought before the Council on such warrant, the Council shall resolve that such person has been guilty of any contempt of the Council or of any breach of the privileges of the Council, it shall be lawful for the Governor or President of the Council for the time being, on the order of the Council, by a warrant under his hand to commit such person to the Royal Gaol, there to be imprisoned for such term, not exceeding three months, as shall be named in the warrant, unless previously discharged by order of the Council. Procedure.

Execution of
process.

4. All such summonses and warrants for the arresting and bringing before the Council any person so complained of shall be directed to and executed by the Marshal, and all members of the Constabulary Force shall, when required by the Marshal, aid and assist him in the execution of such warrants.

Protection of
officers.

5. Every person against whom any action may be brought for anything by him done in pursuance of this Ordinance shall be entitled to and shall have all such and the same protection as Magistrates are entitled to under the Magistrates Protection Ordinance.

Cap. 80.