



CHAPTER 17

An Act to amend the Legislature Act

[Assented to, the 4th of April, 1930]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 30 of the Legislature Act (Revised Statutes, R. S., c. 3, s. 1925, chapter 3) is replaced by the following: 30, replaced.

“30. Any member may likewise, during a session or between two sessions, address and cause to be delivered to the Speaker or Deputy Speaker a declaration resigning his seat, by a writing under his hand before two witnesses.

Upon the receipt of such declaration, the Speaker or Deputy Speaker, as the case may be, under his hand, shall address a warrant to the Clerk of the Crown in Chancery, enjoining him to issue a writ for the election of a new member in the place of the member so resigning; and a writ shall be issued accordingly.

An entry of such declaration shall be made in the Journal of the Legislative Assembly as soon as it has been communicated to the latter.”

2. Section 31 of the said act is replaced by the following: R. S., c. 3, s. 31, replaced.

“31. If a member wishes to resign his seat between two sessions, and there be then no Speaker and no Deputy Speaker, or the Speaker and Deputy Speaker be then absent from the Province, he may address and cause a similar declaration to be delivered to the Clerk of the Legislative Assembly.

Upon the receipt of such declaration, the Clerk of the Legislative Assembly shall, under his hand, address a warrant to the Clerk of the Crown in Chancery, enjoining him to issue a writ for the election of a new member in the place of the member resigning; and a writ shall be issued accordingly.

An entry of such declaration shall be made in the Journal of the Legislative Assembly as soon as it has been communicated to the latter.”

R. S., c. 3, s. 34, replaced. **3.** Section 34 of the said act, as amended by the act 17 George V, chapter 13, section 2, is replaced by the following:

Warrant for new writ if vacancy occurs through death, etc.

“34. If a vacancy occur in the Legislative Assembly by the death of any member or by his accepting any office, commission or employment, or by his becoming interested in a contract connected with the public service, or by becoming a candidate for the House of Commons of Canada, or by his acceptance of the office of senator or legislative councillor, the Speaker or Deputy Speaker, on being informed of such vacancy by any member in his place, or by written notice under the hands of two members, shall, under his hand, address a warrant to the Clerk of the Crown in Chancery, enjoining him to issue a writ for the election of a member to fill such vacancy; and a writ shall be issued accordingly.”

R. S., c. 3, s. 35, replaced.

Warrant by two members, if no Speaker, etc.

4. Section 35 of the said act is replaced by the following:

“35. If, when such vacancy happens, or if, afterwards, when the warrant has to be issued, there is no Speaker and no Deputy Speaker, or if the Speaker and Deputy Speaker be absent from the Province, two members under their hands may address a warrant to the Clerk of the Crown in Chancery, enjoining him to issue a writ for the election of a member to fill such vacancy; and a writ shall be issued accordingly.”

R. S., c. 3, s. 41, am.

Effect of acts of Deputy Speaker.

5. Subsection 4 of section 41 of the said act is replaced by the following:

“4. Every act done, and warrant, order or other document issued, signed or published by the Deputy Speaker in relation to any acts or proceedings of the Legislative Assembly, or through application of any statute defining the powers or duties of the Speaker, shall have the same effect and validity as if the Speaker himself were acting.”

R. S. c. 3, s. 50, replaced.

Absence, etc of Speaker.

6. Section 50 of the said act is replaced by the following:

“50. In the event of the death, disability or absence from the Province of the Speaker during any dissolution or prorogation of the Legislature, the Deputy Speaker shall act in his place. If, at the time, there be no Deputy Speaker or if he be absent from the Province, the three other commissioners may alone carry out the provisions of this subdivision.”

Deputy Speaker, etc., to act.

Coming into force.

7. This act shall come into force on the day of its sanction.