

[VICTORIA R]

Signature

INSTRUCTIONS to Our Governor-General and
Commander-in-Chief in and over Our Commonwealth
of Australia, or in his absence, to Our Lieutenant-
Governor or the Officer for the time being administering
the Government of Our said Commonwealth.

Given at Our Court at Saint James's this [Twenty-ninth]
day of [October] 1900, in the Sixty-fourth year of Our
Reign.

Preamble

Recites Letters Patent constituting
the office of Governor-General.

WHEREAS by certain Letters Patent bearing even date
herewith, We have constituted, ordered, and declared that
there shall be a Governor-General and Commander-in-
Chief (therein and hereinafter called the Governor-
General), in and over Our Commonwealth of Australia
(therein and hereinafter called Our said Commonwealth).
And We have thereby authorised and commanded Our said
Governor-General to do and execute in due manner all
things that shall belong to his said command, and to the
trust We have reposed in him, according to the several
powers and authorities granted or

INSTRUCTIONS to the
Governor-General and Commander-in-Chief of the
COMMONWEALTH OF AUSTRALIA

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appointed him by virtue of the said Letters Patent and of such Commission as may be issued to him under Our Sign Manuel(sic) and Signet, and according to such Instructions as may from time to time be given to him, under Our Sign Manual and Signet, or by our Order in Our Privy Council, or by Us through One of Our Principal Secretaries of State, and to such laws as shall hereafter be in force in Our said Commonwealth. Now, therefore, We do, by these Our Instructions under Our Sign Manual and Signet, declare Our pleasure to be as follows:—

I. Our first appointed Governor-General shall, with all due solemnity, cause Our Commission, under Our Sign Manual and Signet, appointing Our said Governor-General, to be read and published in the presence of Our Governors, or in their absence of Our Lieutenant-Governors of Our Colonies of New South Wales, Victoria, South Australia, Queensland, Tasmania, and Western Australia and such of the members of the Executive Council, Judges, and members of the Legislatures of Our said Colonies as are able to attend.

Publication of first Governor-General's Commission.

II. Our said Governor-General of Our said Commonwealth shall take the Oath of Allegiance in the form provided by an Act passed in the Session holden in the thirty-first and thirty-second years of Our Reign, intituled "An Act " to amend the Law relating to Promissory " Oaths;" and likewise the usual Oath for the due execution of the Office of Our Governor-General in and over Our said Commonwealth, and for the due and impartial administration of justice; which Oaths Our said Governor and Commander-in-Chief of Our Colony of New South Wales, or, in his absence, Our Lieutenant-Governor(sic) or other officer administering the Government of Our said Colony, shall and he is hereby required to tender and administer unto him.

Oaths to be taken by first Governor-General, &c.

Imperial Act, 31 & 32 Vict. c. 72

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Publication of Governor-General's
Commission after the first appointment.

III. Every Governor-General, and every other officer appointed to administer the Government of Our said Commonwealth after Our said first appointed Governor-General, shall, with all due solemnity, cause Our Commission, under Our Sign Manual and Signet, appointing Our said Governor-General, to be read and published in the presence of the Chief Justice of the High Court of Australia, or some other Judge of the said Court.

Oaths to be taken by Governor-General,
&c., after the first appointment.

IV. Every Governor-General, and every other officer appointed to administer the Government of Our said Commonwealth after Our said first appointed Governor-General, shall take the Oath of allegiance in the form provided by an Act passed in the Session holden in the thirty-first and thirty-second years of Our Reign, intituled "An Act to amend the Law relating to Promissory Oaths;" and likewise the usual Oath for the due execution of the Office of Our Governor-General in and over Our said Commonwealth, and for the due and impartial administration of justice; which Oaths the Chief Justice of the High Court of Australia or some other Judge of the said Court, shall and he is hereby required to tender and administer unto him or them.

Imperial Act, 31 & 32 Vict. c. 72

Oaths to be administered by the
Governor-General.

V. And We do authorise and require Our said Governor-General from time to time, by himself or by any other person to be authorised by him in that behalf, to administer to all and to every persons or person, as he shall think fit, who shall hold any office or place of trust or profit in Our said Commonwealth, the said Oath of Allegiance, together with such other Oath or Oaths as may from time to time be prescribed by any laws or statutes in that behalf made and provided.

Governor-General to communicate
Instructions to the Executive Council.

VI. And We do require Our said Governor-General to communicate forthwith to the Members of the Executive Council for Our said Commonwealth these Our Instructions, and likewise all

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such others, from time to time, as he shall find convenient(sic) for Our service to be imparted to them.

VII. Our said Governor-General is to take care that all laws assented to by him in Our name, or reserved for the signification of Our pleasure thereon, shall, when transmitted by him, be fairly abstracted in the margins, and be accompanied, in such cases as may seem to him necessary, with such explanatory observations as may be required to exhibit the reasons and occasions for proposing such laws; and he shall also transmit fair copies of the Journals and Minutes of the proceedings of the Parliament of Our said Commonwealth, which he is to require from the clerks, or other proper officers in that behalf, of the said Parliament.

Laws sent home to have marginal abstracts.

Journals and Minutes.

VIII. And We do further authorise and empower Our said Governor-General, as he shall see occasion, in Our name and on Our behalf, when any crime or offence against the laws of Our Commonwealth has been committed for which the offender may be tried within Our said Commonwealth, to grant a pardon to any accomplice in such crime or offence who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders if more than one; and further, to grant to any offender convicted of any such crime or offence in any Court, or before any Judge, Justice, or Magistrate, within Our said Commonwealth, a pardon, either free or subject to lawful conditions, or any respite of the execution of the sentence of any such offender, for such period as to Our said Governor-General may seem fit, and to remit any fines, penalties, or forfeitures which may become due and payable to Us. Provided always, that Our said Governor-General shall not in any case, except where the offence has been of a political nature, make it a condition of any pardon or remission of sentence that the offender shall be banished from

Grant of pardons.

Remission of fines.

Proviso—Banishment from the Commonwealth prohibited.

Exception—Political offences.

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or shall absent himself from Our said Commonwealth. And We do hereby direct and enjoin that Our said Governor-General shall not pardon or reprove any such offender without first receiving in capital cases the advice of the Executive Council for Our said Commonwealth, and in other cases the advice of one, at least, of his Ministers; and in any case in which such pardon or reprove might directly affect the interests of Our Empire, or of any country or place beyond the jurisdiction of the Government of Our said Commonwealth, Our said Governor-General shall, before deciding as to either pardon or reprove, take those interests specially into his own personal consideration in conjunction with such advice as aforesaid.

Governor-General's absence.

IX. And whereas great prejudice may happen to Our service and to the security of Our said Commonwealth by the absence of Our said Governor-General, he shall not, upon any pretence whatever, quit Our said Commonwealth without having first obtained leave from Us for so doing under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State.

VICTORIA
(Initials)