



New South Wales

Port Macquarie-Hastings Council Election Bill 2008

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

Pursuant to a proclamation dated 26 February 2008, an Administrator was appointed for the local government area of Port Macquarie-Hastings. The Administrator's term of office commenced from that date and ceases on the date of the declaration of the Port Macquarie-Hastings Council's fresh election to be held in conjunction with the ordinary council elections on the second Saturday in September 2012.

The object of this Bill is to ensure that a fresh council election is held for the local government area of Port Macquarie-Hastings in conjunction with the next ordinary election of councillors in accordance with section 287 (1) of the *Local Government Act 1993* (under that section the next ordinary election of councillors is to be held on the second Saturday in September 2008, that is, 13 September 2008).

Under this Bill, the Administrator will cease to hold office immediately before the first meeting of the Port Macquarie-Hastings Council held after the fresh council election, unless the Administrator ceases to hold office under the *Local Government Act 1993* before that time.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 defines certain words and expressions used in the proposed Act.

Clause 4 makes provision for a fresh council election to be held for the local government area of Port Macquarie-Hastings in conjunction with the next ordinary election of councillors in accordance with section 287 (1) of the *Local Government Act 1993*.

Clause 5 provides that the Administrator of Port Macquarie-Hastings Council will cease to hold office immediately before the first meeting of the Council held after the fresh council election referred to in clause 4, unless the Administrator ceases to hold office under the *Local Government Act 1993* before that time.

Clause 6 enables the Governor to make regulations for the purposes of the proposed Act, including regulations containing provisions of a savings or transitional nature consequent on the enactment of the proposed Act.

Clause 7 provides for the repeal of the proposed Act on the day following the day on which the Administrator of Port Macquarie-Hastings Council ceases to hold office.



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New South Wales

Port Macquarie-Hastings Council Election Bill 2008

No. , 2008

A Bill for

An Act to ensure a fresh council election is held for the local government area of Port Macquarie-Hastings in conjunction with the next ordinary council elections.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Port Macquarie-Hastings Council Election Act 2008</i> .	3
2 Commencement	4
This Act commences on the date of assent to this Act.	5
3 Definitions	6
In this Act:	7
Administrator means the Administrator referred to in the proclamation.	8
Council means the Port Macquarie-Hastings Council.	9
election has the same meaning as in the <i>Local Government Act 1993</i> .	10
proclamation means the proclamation made under sections 255 and 256 of the <i>Local Government Act 1993</i> (dated 26 February 2008 and published in Government Gazette No 25 of 27 February 2008 at page 1251) declaring, among other things, all civic offices in relation to the Port Macquarie-Hastings Council to be vacant and appointing Mr Richard Persson as Administrator of the Council from 26 February 2008 until the date of the declaration of the council's fresh election to be held in conjunction with the ordinary council elections in September 2012.	11 12 13 14 15 16 17 18 19
4 Election of councillors	20
Despite the proclamation, a fresh council election is to be held for the local government area of Port Macquarie-Hastings in conjunction with the next ordinary election of councillors in accordance with section 287 (1) of the <i>Local Government Act 1993</i> .	21 22 23 24
5 Term of Administrator	25
Despite the proclamation, the Administrator ceases to hold office immediately before the first meeting of the Council held after the fresh council election referred to in section 4, unless the Administrator ceases to hold office under the <i>Local Government Act 1993</i> before that time.	26 27 28 29
6 Regulations	30
(1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.	31 32 33 34
(2) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act.	35 36

7 Repeal of Act

This Act is repealed on the day following the day on which the
Administrator ceases to hold office.

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