

## **Local Government Amendment (Mayoral Elections) Bill 2004**

### **Explanatory note**

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

#### Overview of Bill

The *Local Government Amendment (Elections) Act 2003*, which commenced on 18 July 2003, amended the *Local Government Act 1993* (the **Principal Act**) to provide that the ordinary elections of councillors for local government areas due in September 2003 would be held on 27 March 2004 and subsequent ordinary elections would be held every 4 years on the fourth Saturday in September.

Section 230 of the Principal Act provides that, subject to any other provisions of that Act, a mayor elected by councillors has a term of office of 1 year (a mayor elected by the electors has a term of office of 4 years). Section 290 of that Act provides that the election of the mayor by the councillors is to be held:

- (a) if it is the first election after an ordinary election of councillors—within 3 weeks after the ordinary election, or
- (b) if it is not that first election or an election to fill a casual vacancy—during the month of September.

As a result, local government areas with mayors elected by councillors within the 3 weeks after an ordinary election held on 27 March 2004 are required to hold another election for mayor by the councillors in September 2004.

Also, a number of further elections of councillors are now required to be held as a consequence of recent amalgamations of certain councils. Certain of those councils will elect mayors by councillors after those councillor elections. By the operation of section 290 of the Principal Act those councils will be required to hold a further election for mayor in September 2004.

The object of this Bill is to amend the *Local Government Act 1993* to provide that the term of office of the mayors elected by councillors following elections of councillors held on or after 27 March 2004 but before September 2004 is extended to September 2005 (when the election of their successors is to take place).