

SYDNEY CORPORATION (AMENDMENT) BILL.

SCHEDULE of Amendments referred to in Message of 29th November, 1921.

Page 1, Title. *Omit* "to provide for the qualifications of citizens voting at elections of
"the Municipal Council of Sydney; to provide for the election of the Mayor
"of the City of Sydney by the citizens."

Pages 2 to 14. *Omit* clauses 2 to 29 inclusive.

Page 23, clause ~~45~~ 17, lines 29 and 30. *Omit* "and may defray the cost thereof out of
"the city fund" *insert* "which service shall be subject to charges deter-
"mined by the City Council."

Page 26, Second Schedule. *Omit* the Schedule.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

TO THE PHYSICS DEPARTMENT, UNIVERSITY OF CHICAGO, FROM THE PHYSICS DEPARTMENT, UNIVERSITY OF MICHIGAN

RE: [Illegible text]

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 10 November, 1921.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 29th November, 1921.*

New South Wales.



ANNO DUODECIMO

GEORGI V REGIS.

Act No. , 1921.

~~An Act to provide for the qualifications of citizens voting at elections of the Municipal Council of Sydney; to provide for the election of the Mayor of the City of Sydney by the citizens; to amend the Sydney Corporation Act, 1902, and certain other Acts; and for purposes connected therewith.~~

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353—A

BE

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Sydney Corporation (Amendment).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
 5 the same, as follows:—

1. This Act may be cited as the "Sydney Corpora-^{Short title.}tion (Amendment) Act, 1921," and shall be construed with the Sydney Corporation Act, 1902, and any Acts amending the same. The Sydney Corporation Act, 1902,
 10 as so amended, is hereinafter called the Principal Act.

2. Section one of the Principal Act is amended— ^{Amendment}

(1) by omitting after the words "Part III" the ^{of s. 1 of} words and figures "The qualification of ^{Principal} citizens—s. 9" and inserting in lieu thereof ^{Act.} the words and figures "The qualification of citizens and preparation of citizens' rolls—
 15 ss. 9-17";

(2) by omitting the words and figures "Part IV—Lists and rolls of citizens—s. 10-17."

3. Section three of the Principal Act is amended— ^{Amendment}

(1) in the definition of "citizen" by omitting the ^{of s. 3 Ibid.} words "the roll of citizens" and inserting in lieu thereof the words "a citizens' roll";

(2) by inserting after the definition of the word
 25 "citizen" the following new definition:—

"Citizens' rolls"—The rolls of citizens for the various wards duly prepared as hereinafter provided;

(3) by inserting after the definition of the word
 30 "corporation" the following new definition:—

"Electoral rolls"—The electoral rolls compiled in pursuance of the Parliamentary Electorates and Elections Act, 1912, as amended;

(4) by inserting after the definition of the word
 35 "owner" the following new definition:—

"Principal Electoral Registrar"—The Principal Electoral Registrar appointed in pursuance of the Parliamentary Electorates and Elections Act, 1912, as amended;

(5) by omitting the definition of the word "rolls."
 40 ^{Qualification}

Sydney Corporation (Amendment).

Qualification of citizens and preparation of citizens' rolls.

4. Parts I, II and IV, comprising sections nine to seventeen, each inclusive, of the Principal Act, are omitted and the following new Part is inserted after Part II:—

Omission of Parts III and IV of Principal Act.

PART III.

The qualification of citizens and preparation of citizens' rolls.

10 9. (1) Subject to the provisions of this Act all persons who are enrolled upon the electoral rolls, and whose place of residence as described in any such roll is within the boundaries of a ward of the city, shall be entitled to be enrolled on the citizens' roll for that ward.

Qualifications of persons entitled to be enrolled on citizens' roll.

15 (2) No person shall be entitled to be enrolled on more than one citizens' roll.

20 10. (1) As soon as is practicable after the first day of October in every year in which a triennial election is to be held as hereinafter provided in this Act, and not later than the fifteenth day of November next following, the Principal Electoral Registrar shall cause to be prepared, printed, and delivered to the returning officer, a citizens' roll for each ward of the city.

Preparation of citizens' rolls by Principal Electoral Registrar.

25 Each such citizens' roll shall contain the names alphabetically arranged and numbered in regular arithmetical order, of all persons who are enrolled upon the last print of the electoral rolls, and who are entitled, as provided in section nine of this Act, to be enrolled on such citizens' roll.

30 (2) On or before the twenty-first day of November in every such year the Principal Electoral Registrar shall, in addition, cause to be prepared and delivered to the returning officer a supplemental citizens' roll for each ward. Such supplemental citizens' roll shall set out all additions to

Supplemental citizens' roll.

the

Sydney Corporation (Amendment).

the electoral rolls referred to in the last preceding subsection, which—

- 5 (a) have been made prior to four o'clock in the afternoon of the fifteenth day of November in that year; and
- 10 (b) are, in the opinion of the Principal Electoral Registrar, relevant and necessary to be made to the citizens' roll for that ward, having regard to the qualifications of persons entitled to be enrolled on such citizens' roll, as provided in section nine of this Act.

15 11. For the purposes of the preparation, printing, and delivery to the returning officer of citizens' rolls and supplemental rolls for the election to be held under the provisions of this Act in January, one thousand nine hundred and twenty-two, the provisions of the last preceding section shall, subject to the following amendments, apply:—

- 20 (1) In subsection one—
- (a) omit the words "first day of October in every year in which a triennial election is to be held as hereinafter provided in this Act" and insert in lieu thereof the words
- 25 "first day of December, one thousand nine hundred and twenty-one";
- (b) omit the words "fifteenth day of November next following" and insert in lieu thereof the words "eleventh day of January, one thousand nine hundred and twenty-two."
- 30 (2) In subsection two—
- (a) omit the words "twenty-first day of November in every such year" and insert in lieu thereof the words "seventeenth day of January, one thousand nine
- 35 hundred and twenty-two";
- (b) omit the words "fifteenth day of November in that year" and insert in lieu thereof the words "eleventh day of January, one thousand nine hundred and twenty-two."

Sydney Corporation (Amendment).

12. As soon as is practicable after the twelfth day and before the twenty-fifth day next after the occurrence of an extraordinary vacancy in the office of mayor or alderman, the Principal Electoral Registrar shall cause to be prepared and delivered to the returning officer a supplemental citizens' roll or rolls, as the case may require, for the ward or wards in which an election to supply such vacancy is to take place.
- 5
- 10 Each such supplemental citizens' roll shall set out all additions to the electoral rolls which—
- (a) have been made since the preparation of the citizens' roll for that ward; and
- 15 (b) have been made prior to four o'clock in the afternoon of the eleventh day following the occurrence of the vacancy; and
- (c) are, in the opinion of the Principal Electoral Registrar, relevant and necessary to be made to the citizens' roll for that ward, having regard to the qualifications of persons entitled to be enrolled on such citizens' rolls as provided in section nine of this Act.
- 20
13. Supplemental citizens' rolls prepared in pursuance of the provisions of this Act shall be deemed to be part of the citizens' rolls for the wards to which they relate.
- 25
14. The citizens' rolls prepared in pursuance of the provisions of this Act shall be rolls to be used at the election next following such preparation.
- 30
- 14A. The council shall each year pay into the Treasury a sum fixed by the Colonial Treasurer as the cost of the preparation of citizens' rolls by the Principal Electoral Registrar. Such sum shall be carried to the Consolidated Revenue Fund.
- 35

Preparation of citizens' rolls for extraordinary elections.

Supplemental citizens' roll to be part of citizens' roll.

Citizens' rolls at elections.

Cost of preparation of citizens' rolls.

Sydney Corporation (Amendment).

15. The citizens' rolls shall be in the following ^{Form of} form:— ^{citizens' rolls}

SYDNEY CORPORATION ACT, 1902.

Citizens' Roll.

Ward [*here insert name of ward*].

Roll of citizens who are entitled to vote in [*here insert name of ward*] ward.

No.	Surname of each Citizen.	Christian name of each citizen at full length.	Residence.	Occupation.	Sex.
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The sex may be indicated by letter, viz., "M" for male, and "F" for female.

16. Copies of the citizens' rolls as prepared and printed in pursuance of the provisions of this Act shall be obtainable at the office of the Government Printer, who shall furnish such copies to any person requiring them, on payment of a sum not exceeding one shilling for each copy thereof. ^{Copies of rolls may be purchased.}

17. (1) Subject to the provisions of this Act, at any election held within a ward only those persons— ^{Persons qualified to vote.}

(a) who are enrolled upon the citizens' roll for that ward; and

(b) whose qualification for enrolment on such citizens' roll, and on the electoral rolls, still continues,

shall be entitled to vote.

(2) A citizen who has changed his residence from the ward for which he is enrolled to another ward, shall not on that account be debarred from voting at an election held within the ward for which he is enrolled, until a period of one month has elapsed from such change of residence: ^{Citizen who has moved to a new ward may vote for his old ward for a period of one month.}

Provided that where, by reason of the closing of the citizens' rolls prior to an election, as provided in this Act, a citizen is prevented from getting his name placed on the citizens' roll for the new ward, his right to record his vote in the old ward shall hold good until after such election.

(3) At any election held in pursuance of this Act, each citizen shall be entitled to vote once only.

Election

Sydney Corporation (Amendment).

Election and retirement of mayor and aldermen.

5 **5.** Sections eighteen and nineteen of the Principal Act are omitted, and the following sections are inserted in lieu thereof:—

Amendment of ss. 18 and 19 of Principal Act.

18. (1) From and after the holding of the first election under this Act, as hereinafter provided, the mayor and aldermen of the city shall be elected by the citizens, and shall, subject to this Act, hold office respectively by virtue of such election.

Election of mayor and aldermen by citizens.

10 (2) On the last Saturday in January, one thousand nine hundred and twenty-two, the first election of the mayor and aldermen of the city shall be held. The mayor and aldermen who are in office on the first day of November, one thousand
15 nine hundred and twenty-one, shall retain office until the conclusion of such first election.

(3) On the first Saturday in December, one thousand nine hundred and twenty-four, and on
20 the first Saturday in December in every third year thereafter, there shall be an election of the mayor and aldermen of the city.

(4) Upon an election being held in pursuance of the provisions of subsection two, or of subsection three, of this section, the mayor and aldermen then in office shall retire, but may at such election be re-elected, if otherwise qualified.

(5) Any person who is enrolled upon any of the electoral rolls, and who continues to be qualified for such enrolment shall, subject to the provisions of this Act, and unless disqualified as hereinafter provided, be qualified to be elected as mayor or as
30 alderman.

Qualifications.

19. Subject to the provisions of this Act the mayor and each alderman shall hold office for
25 three years.

Tenure of office.

Such office shall—

- (a) commence upon the day of his election thereto; and
40 (b) continue until vacated in accordance with the provisions of this Act.

Sydney Corporation (Amendment).

<p>6.</p> <p>5</p> <p>10</p> <p>15</p> <p>20</p> <p>25</p> <p>30</p> <p>35</p> <p>40</p>	<p>Section twenty-one of the Principal Act is omitted, and the following section is inserted in lieu thereof:—</p> <p>21. (1) There shall be two aldermen for each ward, who shall be elected by the persons whose names appear upon the citizens' roll for such ward.</p> <p>(2) The mayor shall not be assigned to any ward. He shall be an alderman by virtue of his office, and shall be elected by the persons whose names appear upon the citizens' rolls for the various wards of the city.</p> <p>7. The Principal Act is amended by the insertion, next after section twenty-one as inserted by this Act, of the following new section:—</p> <p>21A. At any election held under the provisions of this Act, no person shall be qualified to be a candidate for the office of mayor and also for the office of alderman for any ward; and no person shall be qualified to be a candidate for the office of mayor at any election held for the purpose of filling an extraordinary vacancy in that office if and so long as he holds office as an alderman for any ward, nor in the case of a person who on the occurrence of such vacancy was an alderman unless he has resigned such office of alderman within three clear days after the day on which such vacancy occurred.</p> <p>8. Subsection one of section twenty-three of the Principal Act is amended—</p> <p>(1) by inserting after the words "office of" the words "mayor or";</p> <p>(2) by inserting immediately after paragraph (c) thereof the following proviso:—</p> <p>Provided that no person shall be deemed to be disqualified under this paragraph from being elected to hold the office of alderman for any ward by reason only that he holds any office of profit in the public service of New South Wales, including the public service of any department or branch of the Government of the said State.</p>	<p>Act is omitted, Amendment of s. 21 of Principal Act</p> <p>Mayor and aldermen.</p> <p>the insertion, Amendment of Principal Act—new section.</p> <p>Person not to be candidate for office as mayor and as alderman.</p> <p>Amendment of s. 23 of Principal Act</p>
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Sydney Corporation (Amendment).

9. Subsection one of section twenty-six of the Principal Act is amended by inserting after the words "election of" the words "the mayor and."

Amendment of s. 26 of Principal Act

10. Section twenty-seven of the Principal Act is omitted, and the following section is inserted in lieu thereof:—

Amendment of s. 27 Ibid.

27. (1) On and after the tenth day, and until noon of the fifth day next before any election of the mayor or aldermen, nominations of candidates for any such election may be made to the returning officer in the manner and subject to the conditions following, that is to say:—

Nomination

(a) every nomination shall be made in writing;

(b) in the case of a candidate for election as alderman of any ward, any two citizens qualified to vote in that ward may nominate any person qualified to be so elected, or two such persons if two aldermen are to be elected, and no more;

(c) in the case of a candidate for election as mayor, any two citizens may nominate any person qualified to be so elected:

Provided that no nomination shall be received, and no proceedings in respect of the same shall be taken, unless it be accompanied by a consent to such nomination, signed by each person nominated.

(2) On the two days next before the election, and on the day of election, there shall be published under the hand of the returning officer in two newspapers, the names and residences of all persons so nominated, specifying the names and residences of two at least of their nominators.

11. Section twenty-eight of the Principal Act is omitted and the following section is inserted in lieu thereof:—

Amendment of Principal Act—new section.

(1) If, at any election of the mayor, one person only is duly nominated, the returning officer shall declare, in manner hereinafter provided, such person so nominated to be duly elected.

Election when no opposition.

(2) If at any election of aldermen no greater number of persons in any ward are nominated for election

Sydney Corporation (Amendment).

election than the number then to be elected, the returning officers shall declare, in manner hereinafter provided, each person nominated to be duly elected.

12. Section thirty of the Principal Act is amended by inserting after the words "election of" the words "the mayor or." Amendment of s. 30 of Principal Act

13. Subsection one of section thirty-one of the Principal Act is amended— Amendment of s. 31 Ibid.

10 (1) by omitting the word "roll" and inserting in lieu thereof the words "citizens' rolls";

(2) by omitting the word "form" and inserting in lieu thereof the word "forms."

14. Section thirty-four of the Principal Act is amended as follows:— Amendment of s. 34 Ibid.

15 (1) In subsection one, by omitting the word "roll" wherever appearing therein and inserting in lieu thereof the words "citizens' rolls."

(2) In subsection four, by inserting immediately after the word "shall" where first occurring, the words "at an election of aldermen."

20 (3) By the addition of the following new subsection:—

(5) Every voter shall, at an election of the mayor, vote for one candidate only and no more, otherwise the vote shall be rejected as informal.

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15. Section thirty-eight of the Principal Act is amended as follows:— Amendment of s. 38 Ibid.

30 (1) In subsection one, by the omission of the words "and shall be reported to the mayor by the returning officer."

(2) In subsection two—

(a) by omitting the word "mayor" and inserting in lieu thereof the words "returning officer";

35 (b) by inserting after the word "wards" the words "and of the mayor so elected for the city";

(c) by inserting after the words "such alderman" the words "and to such mayor."

Sydney Corporation (Amendment).

16. Section forty of the Principal Act is omitted and the following section is inserted in lieu thereof:—

Amendment of Principal Act—new section.

40. (1) Before any person claiming to vote shall be permitted to vote he shall make and subscribe before the presiding officer a declaration in the form contained in the Ninth Schedule to this Act.

Declaration by voter.

(2) The presiding officer may, and at the request of any scrutineer shall, put to any person claiming to vote all or any of the following questions:—

(a) Are you the person whose name appears as number on the citizens' roll for this ward?

(b) Are you of the full age of twenty-one years?

(c) Have you already voted either here or elsewhere at this election?

(d) Are you disqualified from voting?

(e) Have you left the ward for which you are enrolled for a longer period than one month prior to the day of one thousand nine hundred and ?

(3) Every person wilfully making a false answer to any such question, or wilfully making a false declaration under this section, shall be deemed guilty of a misdemeanour.

(4) No person shall be allowed to vote unless he makes such declaration, and (if asked) answers such questions satisfactorily.

(5) If any person refuses to answer fully any question put to him by the presiding officer, or by his answer shows that he is not entitled to vote, his claim to vote shall be rejected.

17. Section forty-one of the Principal Act is omitted, and the following section is inserted in lieu thereof:—

Amendment of Principal Act—new section.

41. (1) Save as hereinafter provided, when any extraordinary vacancy occurs in the office of mayor or of alderman, the citizens entitled to vote shall elect a person qualified to be so elected to fill such vacancy, who shall thereupon hold such office for the residue of the regular term of office of his predecessor, but he shall then be eligible for re-election if still qualified.

Extraordinary vacancies.

(2)

Sydney Corporation (Amendment).

5 (2) The election to fill any such extraordinary vacancy shall be held on such Saturday, being not less than thirty and not more than fifty clear days after the occurrence of such vacancy, as may be fixed by the returning officer, who shall give notice of the day so fixed in the Gazette and in one newspaper.

10 (3) Any such election may be held on the same day as an election to fill any other extraordinary vacancy.

18. The following new sections are inserted in the Principal Act next after section forty-one as inserted by this Act:—

15 41A. If an extraordinary vacancy in the office of alderman for any ward occurs within four months before the date fixed by this Act for the next following triennial election, such extraordinary vacancy shall not be filled up, and no election shall be held in respect of such extraordinary vacancy.

20 41B. (1) If an extraordinary vacancy in the office of mayor occurs within twelve months of the date fixed by this Act for the holding of the next following triennial election, no such election by the citizens as provided for in section forty-one of this Act shall be held.

25 (2) In order to fill such extraordinary vacancy as is described in the last preceding subsection, the aldermen in office at the date of the occurrence of such vacancy shall, at a special meeting to be called by the town clerk forthwith, appoint one from among their number to fill such vacancy, and such alderman when so appointed shall, subject to this Act, hold office as mayor for the residue of the regular term of office of his predecessor, and shall then be eligible for re-election if still qualified.

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40 (3) If within thirty days after the occurrence of such extraordinary vacancy the aldermen of the city fail to appoint a mayor in any case to which this section applies, then the Governor may appoint an alderman to be mayor, and such alderman

when

Amendment of Principal Act—new sections.

Extraordinary vacancy of alderman.

Extraordinary vacancy of mayor within twelve months of triennial election.

Sydney Corporation (Amendment).

when so appointed shall, subject to this Act, hold office as mayor for the residue of the regular term of office of his predecessor, and shall then be eligible for re-election if still qualified.

5 (4) Upon the appointment of an alderman to fill an extraordinary vacancy in the office of mayor, in pursuance of subsection two or of subsection three of this section, such alderman shall forthwith be deemed to have vacated his office as 10 alderman for the ward for which he was originally elected by the citizens, and an extraordinary vacancy in the office of alderman for that ward shall be deemed to have occurred.

15 **19.** Section forty-two of the Principal Act is amended by omitting the words "of aldermen." Amendment of s. 42 of Principal Act.

20. Section forty-three of the Principal Act is amended by omitting the words "of an alderman." Amendment of s. 43 Ibid.

20 **21.** Section forty-four of the Principal Act is amended by inserting the following words at the end of the section:—"Except as provided in this section the returning officer shall not vote at any election held under the provisions of this Act." Amendment of s. 44 Ibid.

25 **22.** Section fifty-four of the Principal Act is amended by inserting after the word "alderman" the words "or for the mayor." Amendment of s. 54 Ibid.

23. The following new section is inserted in the Principal Act, next after section fifty-seven thereof:— Amendment of Principal Act—new section.

30 57A. (1) The council may at its discretion, for its information and guidance on any matter under this or any other Act, direct the returning officer to take a referendum of the citizens of the city, or of the citizens of such ward or wards of the city as the council considers to be interested. Power to take referendum.

35 (2) The provisions of this Act relating to all matters incidental to the holding of elections under this Act shall, as far as the same are applicable, apply mutatis mutandis to the taking of such referendum.

Sydney Corporation (Amendment).

24. Section seventy-one of the Principal Act is omitted and the following section is inserted in lieu thereof :—

Amendment of Principal Act—new section.

5 **71.** All questions of whatever kind at any meeting shall be decided by a majority of the votes of those members (not including the chairman) who are present at the meeting. In the case of an equality of votes the chairman shall have a casting vote, but shall not otherwise vote on any question.

Decision on questions.

10 **25.** The Acts mentioned in the Second Schedule to this Act are, to the extent therein expressed, hereby repealed.

Acts repealed.

26. The Third, Fourth, Fifth, and Sixth Schedules of the Principal Act are omitted.

Repeal of 3rd, 4th, 5th, and 6th Schedules of Principal Act.

15 **27.** The Seventh Schedule to the Principal Act is amended by inserting after the word "ward" the words in brackets "*(or as mayor).*"

Amendment of 7th Schedule *Ibid.*

28. The Eighth Schedule to the Principal Act is amended by the addition of the following form :—

Amendment of 8th Schedule *Ibid.*

20

Ballot paper

ELECTION of Mayor on the _____ day of _____ 19 _____

List of candidates for election

Names

Addresses.

25 **29.** The Ninth Schedule to the Principal Act is amended—

Amendment of 9th Schedule *Ibid.*

(1) by omitting the word "roll" and inserting in lieu thereof the words "citizens' roll";

(2) by omitting the words "in this ward."

General.

30 **30. 2.** (1) The council may establish within the city, prophylactic depots for the early treatment by such medical officers or other skilled attendants as the council may appoint, of persons suffering from venereal disease.

Prophylactic depots.

35 (2) The council may make by-laws regulating and controlling the establishment and maintenance of such prophylactic depots.

Sydney Corporation (Amendment).

31- **3.** Section eighty-one of the Principal Act is omitted and the following section is substituted therefor :— Amendment of s. 81 of Principal Act.

5 81. (1) Notwithstanding anything to the contrary in this or any other Act contained, it shall be lawful for the council, when and as it shall deem expedient, with the approval of the Governor to be notified as hereinafter provided, to take over any way whether such way be formed or not, and from the date of such notification as aforesaid such way shall be vested in the council as a public way, and shall thenceforth be under the control, management, and direction of the council for all the purposes of this said Act and of any by-law made thereunder. Control of lanes and ways.

15 (2) Such approval of the Governor shall be notified in the Gazette, and a copy of such Gazette, purporting to be printed by the Government Printer, shall be conclusive evidence of such approval and of the fact that the way therein mentioned is a way within the meaning of this Act. 02

25 (3) For the purposes of this section the expression "way" means way, court, square, alley, or portion thereof within the city, whether used as a thoroughfare or as a means of access to any properties within the city. 02

30 (4) (a) Where any way which the council proposes to take over has not been levelled, paved, macadamised, drained, or otherwise fully completed to the satisfaction of the council, the council may, either before or within one year after taking over the said way, level, pave, macadamise, drain, or otherwise fully complete the same, and all the expenses incurred in so doing shall be paid by the owner of the premises fronting, adjoining, or abutting on the way, or if there is more than one such owner, by the respective owners of the said premises in such proportions as the council may determine. 06

(b)

Sydney Corporation (Amendment).

(b) In determining the proportion of such expenses to be paid by the respective owners as aforesaid, the council may have regard to the following considerations, that is to say—

- 5 (a) the benefit to be derived by any premises from such works ;
 (b) the amount and value of any work on such way already done by the owners or occupiers of any such premises.

10 (5) If within fourteen days after the service upon such owner in the manner prescribed by section two hundred and sixteen of this Act of notice of the amount of such expenses so incurred or determined as aforesaid, such amount is not paid
 15 to the City Treasurer, the council shall have the like remedies for recovering the same as in the case of any city rate.

20 (6) Premises shall be deemed to be fronting, adjoining, or abutting on a way, notwithstanding that the said premises have no beneficial use of the levelling, paving, macadamising, draining, or completing of the said way.

32. **4.** Subsection two of section eighty-four of the Principal Act is omitted and the following subsection
 25 is substituted therefor:—

Amendment
of s. 84 (2)
of Principal
Act.

(2) If such owner or tenant does not comply with the requirements of such notice within the time therein specified, to the satisfaction of the said surveyor, the said surveyor may cause all or so
 30 much of such required works, as he may deem necessary, to be done, and all the expenses thereof shall be paid by the owner or tenant to the council. For the purposes of this section or for any of the other purposes of this Act, or whenever otherwise
 35 he deems it necessary, the city surveyor may close any street or portion of a street in the city for such time as he thinks fit.

Demolition of
dangerous
walls.

33. **5.** Section one hundred and ten of the Principal Act is amended by inserting in subsection five immediately
 40 after the words "Public Instruction Act of 1880," the words "or any playground used in connection with any such school."

Amendment
of s. 110 (5)
of Principal
Act.

Sydney Corporation (Amendment).

34. 6. Section one hundred and ninety-two of the Principal Act is amended by the addition of the following new subsection :—

Amendment
of s. 192 of
Principal
Act—new
subsection.

5 (4) The council shall each year pay into the Treasury such sum, not exceeding seven hundred pounds, as is fixed by the Colonial Treasurer, towards the amount payable by the Crown in respect of the salaries of the Treasury inspectors above referred to.

10 35. 7. Subsection one of section twelve of the Sydney Corporation Amendment Act, 1905, as amended by section twelve of the Sydney Corporation Amendment Act, 1906, is further amended by the addition of the following paragraphs :—

Amendment
of Sydney
Corporation
Amendment
Act, 1905,
s. 12 (1).

- 15** (n) requiring and regulating the provision and maintenance of baths in dwelling-houses in the city ;
- (o) regulating and prohibiting the use for habitation of rooms built below the level of the footways of public ways in the city ;
- 20** (p) regulating, controlling, and prohibiting the stacking or storing of timber, firewood, casks, barrels, and other inflammable material ;
- (q) regulating and prohibiting private tips or dumps for spoil or refuse ;
- 25** (r) requiring and regulating the removal of spoil or other waste material by owners, lessees, or occupiers ;
- (s) requiring and regulating the fencing of vacant lands to prevent unsightly or insanitary conditions arising by the dumping of spoil and refuse thereon ;
- 30** (t) requiring and regulating the cleansing of facades of buildings fronting a public way in the city ;
- 35** (u) regulating the floor space and size of rooms in flats in the city ;
- (v) regulating and controlling the use and enjoyment of playgrounds in the city which are vested in the council or are otherwise under the care and control of the council ;
- 40**

Sydney Corporation (Amendment).

- (w) regulating and controlling the construction, maintenance, and repair of awnings in the city; and in particular and without limiting the general power in that behalf herein conferred—
- 5 (i) prescribing the type or types of awnings and the materials to be used therein;
- (ii) regulating the position of awnings;
- 10 (iii) permitting, regulating, or prohibiting the display of advertisements on awnings;
- (iv) providing for the display of public notices on awnings;
- 15 (v) prohibiting persons from erecting awnings without first obtaining the approval in writing of the city building surveyor and the city surveyor;
- (vi) requiring the removal of awnings, prescribing the circumstances in which the council may require the removal of awnings, and providing for removal of such awnings by the council at the expense of any person failing to comply with any such requirement;
- 20
- 25 (x) regulating and controlling the display of bills, placards, and advertisements in the city, and prohibiting persons from displaying or causing to be displayed in the city any bills, placards, or advertisements in places not appointed by
- 30 the council for the purpose.

36. **8.** Section sixteen of the Sydney Corporation Amendment Act, 1905, is amended by inserting after the words "and any land required" the words "for the purpose of children's playgrounds, or."

Amendment of
s. 16 of Sydney
Corporation
Amendment
Act, 1905.

35 37. **9.** Section twenty of the Sydney Corporation Amendment Act, 1905, is amended by omitting paragraph (e).

Amendment
of s. 20 *Ibid.*

Sydney Corporation (Amendment).

38. **10.** The Sydney Corporation Amendment Act, 1905, is amended by the insertion after section twenty of the following new section :—

Amendment of Sydney Corporation Amendment Act, 1905—new section.

5 20A. With respect to any land now or hereafter to be vested in the council under the authority of this Act, or of any Act amending the same, the following provisions shall apply :—

Registrar-General to grant certificates of title in respect of resumed properties.

10 (1) In case of resumption, a copy of the Gazette notification declaring such land to be so resumed, certified under the seal of the council, shall be lodged with the Registrar-General, who shall, upon the application of the council, thereupon issue to the council a certificate of title under the Real Property Act, 1900, to the land described in the notification, without causing any examination or report to be made as to the title to such land and without considering such title. No contribution to the assurance fund shall be payable under the Nineteenth Schedule to the said Act, upon the issue of any such certificate.

15
20
25 (2) In dealing with such application it shall not be necessary to locate the boundaries of the Crown grants (if any) of any such land, but it shall be sufficient if the Registrar-General is satisfied with respect to any certificate of title proposed to be issued by him under this Act in respect of any such land that the said land is included in the land vested as aforesaid. The land may in such certificate of title be described in the terms of or by reference to the notice of resumption.

30
35 39. **11.** Section twenty-two of the Sydney Corporation Amendment Act, 1905, is amended as follows :—

Amendment of Sydney Corporation Amendment Act, 1905, s. 22.

(1) In subsection one, by the insertion of the following new paragraph :—

40 (i) exchange the whole or any portion of any such land for any other land, upon such term and conditions as the council may deem fit, including the payment or receipt

Power to exchange lands.

Sydney Corporation (Amendment).

receipt of money for equality of exchange: Provided that no such exchange as aforesaid may be made by the council unless the Governor's approval of the proposed exchange and of the terms and conditions thereof has been first obtained.

(2) In subsection two, by the insertion immediately after the word "sold" of the words "or exchanged."

40. **12.** (1) The land described in the First Schedule to this Act shall be included within and form part of the city, and shall be subject to any Acts, by-laws, and regulations affecting the city. Certain land included within the city.

(2) The land so included in the city as aforesaid shall form part of Camperdown ward of the city.

41. **13.** (1) The Governor shall, by proclamation published in the Gazette, set forth— Boundaries of the city.

(a) in Schedule I to such proclamation the extended boundaries of the city so as to include therein the land described in the First Schedule to this Act, and such boundaries shall take the place of the boundaries set out in Schedule A to the proclamation made in pursuance of section fourteen of the Sydney Corporation (Amendment) Act, 1908, and published in the Government Gazette number one hundred and twenty, of the eighth day of September, one thousand nine hundred and nine;

(b) in Schedule II to such proclamation the extended boundaries of Camperdown ward so as to include therein the land described in the First Schedule to this Act, and such boundaries shall take the place of the boundaries set out in Schedule B to the proclamation made in pursuance of section fourteen of the Sydney Corporation (Amendment) Act, 1908, and published in the Government Gazette number one hundred and twenty, of the eighth day of September, one thousand nine hundred and nine.

The

Sydney Corporation (Amendment).

The proclamation to be made in pursuance of this section may be made and published at any time after the passing of this Act.

(2) The boundaries set forth in Schedule I to
 5 the proclamation to be made in pursuance of this section shall be the boundaries of the city, and where reference is made to the city in this Act, or in any Act, by-law, or regulation in force at the commencement of this Act, the same shall be deemed to refer and shall apply to
 10 and have operation within the city as bounded in manner set forth in such Schedule.

(3) The boundaries set forth in Schedule II to the proclamation to be made in pursuance of this section shall be the boundaries of Camperdown ward.

15 ~~42.~~ **14.** The council may set apart any part of any public way vested in it, or under its control, for the purpose of laying out, constructing, and maintaining thereon gardens, lawns, plantations, or other ornamental features, and for those purposes may enclose any such part or
 20 indicate the boundaries thereof with boundary erections or otherwise.

Power to lay out plantations, &c., on public ways.

~~43.~~ **15.** (1) In addition to the powers conferred by the
 Principal Act the council may make by-laws—

By-laws.

25 (a) for the regulation and control of all gardens, lawns, plantations, and ornamental features, laid out, constructed, or maintained by it, in any public way vested in it or under its control;

30 (b) for the prevention of trespass upon or damage to any part of such gardens, lawns, plantations, or ornamental features, or any trees, flowers, shrubs, or other plants growing thereon.

(2) In any prosecution for the breach of any such by-law, proof that any part of any public way
 35 (upon which is laid out, constructed, or maintained a garden, lawn, plantation, or other ornamental feature) has been set apart by the council for any of the purposes abovementioned shall not be necessary.

Sydney Corporation (Amendment).

44. **16.** (1) In addition to the powers conferred by the Principal Act and the Acts amending the same, the council may make by-laws—

- 5 (a) regulating the use of streets, roads, and public places by street hawkers and itinerant traders dealing in foodstuffs or flowers, with power to prohibit any such persons during particular hours from using any streets, roads, or public places for such purposes;
- 10 (b) appointing stands in streets, roads, and public places for such street hawkers and itinerant traders, with power to abolish, enlarge, or diminish any such stands; and limiting the space to be occupied by each person on any such stands and the time during which each
- 15 such person may remain on any such stand, and the number of persons who may occupy any particular stand;
- 20 (c) prescribing the charges to be paid for the right to use such stands, with power to vary the charges according to the stand used, and to increase or decrease such charges; and prescribing the conditions upon which, and the time during which, such stands may be
- 25 occupied;
- (d) fixing by priority of application, or by lot, tender, or otherwise, the positions on any such stand which persons are to occupy;
- 30 (e) prescribing rules to be observed by persons occupying such stands (including rules for securing the cleanliness of carts, trucks, barrows, baskets, boxes, and crates used by such persons, and the wholesomeness and cleanliness of the commodities sold or offered or exposed for sale), and with respect to the
- 35 conduct of such persons;
- (f) prescribing the nature and size of hand-trucks, barrows, or other vehicles to be used on such stands, and prohibiting any animal, whether
- 40 attached to any truck, barrow, or vehicle, or not,

Sydney Corporation (Amendment).

not, from standing on any such stand during the time fixed for occupation thereof by street hawkers and itinerant traders; and

- 5 (g) providing the form of authority to be issued for occupying such stands, the conditions upon which such authorities are issued and under which they will be permitted to be transferred, and the fee to be paid for a transfer of any such authority; and prohibiting any person
10 who is not named in such an authority or is not a transferee of such an authority duly permitted under the said by-laws from occupying any such stand.

- (2) In case of conflict between the provisions of
15 any by-law made under the powers conferred by this section and the provisions of any regulation on the same matter made in pursuance of the Metropolitan Traffic Act, 1900, or the Metropolitan Traffic (Amendment) Act, 1913, the latter shall prevail.

- 20 (3) The Colonial Secretary may, notwithstanding any such by-law, in writing, direct the removal of any stand which in his opinion interferes with vehicular or pedestrian traffic.

- Any person who fails to comply with any such
25 direction shall be liable to a penalty not exceeding ten pounds.

45. **17.** The council may establish and maintain a system of municipal cartage from and to the council's markets, and may defray the cost thereof out of the city
30 fund. which service shall be subject to charges determined by the City Council.

46. **18.** (1) The council may construct and maintain dressing-rooms and refreshment-rooms in the parks in the city of which the council is trustee.

- 35 (2) The council may make by-laws regulating and controlling such dressing-rooms and refreshment-rooms and prescribing the conditions under which they may be used or enjoyed.

47. **19.** The council may, by its officers, employees, or workmen enter upon any lands, whether public or private, in the city for purposes connected with the construction, maintenance, or renewal of stormwater drains:
40 Provided

Municipal cartage.

Dressing-rooms and refreshment-rooms in parks.

Power of entry on private lands to construct stormwater drains.

Sydney Corporation (Amendment).

Provided that in the exercise of the powers conferred by this section the council shall cause as little detriment and inconvenience and do as little damage as possible, and shall make full compensation to persons for damage sustained by them by reason or in consequence of the exercise of such powers. The amount of such compensation shall, in case of disagreement, be determined by arbitration or by action at law at the election of the party aggrieved :

10 Provided further that the council may in all cases set up by way of defence or in mitigation of damages, as the case may be, that the person claiming compensation has by his own act, neglect, or default caused or contributed to the damage in respect of which he claims to be
15 compensated.

48. **20.** (1) The council may enter into agreements with the councils of any areas constituted under the Local Government Act, 1919, and adjoining the city for the carrying out jointly of works or undertakings
20 authorised by any Act, or for the joint performance of duties or exercise of powers under any Act for the mutual benefit of the city and such area.

Joint action by council with councils of other areas.
cf. Local Government Act, 1919, s. 521.

(2) Such agreements may provide for the control, regulation, maintenance, and management of
25 such works and undertakings, or for the control, regulation, and management of the performance of such duties, or exercise of such powers either by the councils themselves jointly or by a joint committee composed of members of the councils.

30 (3) The council may in such agreements delegate to such committee such of its powers as are specifically mentioned therein.

49. **21.** Except under statutory authority, no person other than an employee of the council shall take up,
35 relay, or otherwise interfere with any of the footways or crossings of any public way in the city.

Footways and crossings.

50. **22.** (1) The council may, in any by-laws made under the powers conferred by this Act, fix the maximum penalty for every offence against such by-
40 laws, or any of them, not exceeding the penalty (if any) fixed

Penalty for breach of by-laws.

Sydney Corporation (Amendment).

fixed for the same offence by the Principal Act or by any Act amending the same, and in any other case not exceeding ten pounds.

(2) The provisions of the Principal Act relating to by-laws made under the authority of that Act shall be applicable to by-laws made under the authority of this Act.

~~51.~~ **23.** Section twenty-two of the City of Sydney Improvement Act, 1879, is amended by the omission of the words "the surveyor" and the insertion in lieu thereof of the words "by the surveyor, he or any officer authorised to act on his behalf for this purpose."

Application
of Principal
Act.

Amendment of
City of Sydney
Improvement
Act, 1879, s. 22.
Collection of
building fees.

SCHEDULES.

FIRST SCHEDULE

15

Land included in the city

ALL that piece or parcel of land situate in the parish of Petersham, county of Cumberland, and State of New South Wales, being part of City-road (late Newtown-road): Commencing at the intersection of the centre of George-street West with the centre of Bay-street; and bounded thence westerly by part of the southern boundary of the municipality of Glebe to its intersection with the centre of City-road (late Newtown-road); thence south-westerly by the centre of that road to its intersection with the centre of Cleveland-street; thence easterly by part of the northern boundary of the municipality of Darlington along the centre of that street to its intersection with the prolongation southerly of the south-eastern building-line of City-road aforesaid; thence north-easterly by that prolongation and that building-line of City-road to the southern building-line of George-street West aforesaid; and thence again north-easterly by a line to the point of commencement.

Sydney Corporation (Amendment).

SECOND SCHEDULE.

Number of Act.	Title.	Extent of repeal.
No. 86 of 1902...	Sydney Corporation (Amendment) Act, 1902.	The whole.
5		
No. 39 of 1905...	Sydney Corporation Amendment Act, 1905.	Section 3.
No. 16 of 1906...	Sydney Corporation Amendment Act, 1906.	Section 14.
10		
No. 27 of 1908...	Sydney Corporation (Amendment) Act, 1908.	Section 38.
No. 61 of 1915...	Sydney Corporation (Election of Mayor) Act, 1915.	The whole.
No. 22 of 1917...	Sydney Corporation (Amendment) Act, 1917.	Section 2.
15		

Sydney · William Applegate Gullick, Government Printer—1921

[1s. 9d.]

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY,
and, having this day passed, is now ready for presentation to the
LEGISLATIVE COUNCIL for its concurrence.*

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 10 November, 1921.*

New South Wales.



ANNO DUODECIMO

GEORGII V REGIS.

Act No. , 1921.

An Act to provide for the qualifications of citizens voting at elections of the Municipal Council of Sydney ; to provide for the election of the Mayor of the City of Sydney by the citizens ; to amend the Sydney Corporation Act, 1902, and certain other Acts ; and for purposes connected therewith.

Sydney Corporation (Amendment).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. This Act may be cited as the "Sydney Corpora- Short title.
tion (Amendment) Act, 1921," and shall be construed with the Sydney Corporation Act, 1902, and any Acts amending the same. The Sydney Corporation Act, 1902,
10 as so amended, is hereinafter called the Principal Act.

2. Section one of the Principal Act is amended— Amendment
of s. 1 of
Principal
Act.

(1) by omitting after the words "Part III" the words and figures "The qualification of citizens—s. 9" and inserting in lieu thereof
15 the words and figures "The qualification of citizens and preparation of citizens' rolls—ss. 9-17";

(2) by omitting the words and figures "Part IV—Lists and rolls of citizens—ss. 10-17."

3. Section three of the Principal Act is amended— Amendment
of s. 3 *Ibid.*

(1) in the definition of "citizen" by omitting the words "the roll of citizens" and inserting in lieu thereof the words "a citizens' roll";

(2) by inserting after the definition of the word
25 "citizen" the following new definition:—
"Citizens' rolls"—The rolls of citizens for the various wards duly prepared as hereinafter provided;

(3) by inserting after the definition of the word
30 "corporation" the following new definition:—
"Electoral rolls"—The electoral rolls compiled in pursuance of the Parliamentary Electorates and Elections Act, 1912, as amended;

(4) by inserting after the definition of the word
35 "owner" the following new definition:—
"Principal Electoral Registrar"—The Principal Electoral Registrar appointed in pursuance of the Parliamentary Elec-
40 torates and Elections Act, 1912, as amended;

(5) by omitting the definition of the word "rolls."
Qualification

Sydney Corporation (Amendment).

Qualification of citizens and preparation of citizens' rolls.

4. Parts III and IV, comprising sections nine to seventeen, each inclusive, of the Principal Act, are omitted and the following new Part is inserted after Part II:—

Omission of Parts III and IV of Principal Act.

PART III.

The qualification of citizens and preparation of citizens' rolls.

9. (1) Subject to the provisions of this Act all persons who are enrolled upon the electoral rolls, and whose place of residence as described in any such roll is within the boundaries of a ward of the city, shall be entitled to be enrolled on the citizens' roll for that ward.

Qualifications of persons entitled to be enrolled on citizens' roll.

(2) No person shall be entitled to be enrolled on more than one citizens' roll.

10. (1) As soon as is practicable after the first day of October in every year in which a triennial election is to be held as hereinafter provided in this Act, and not later than the fifteenth day of November next following, the Principal Electoral Registrar shall cause to be prepared, printed, and delivered to the returning officer, a citizens' roll for each ward of the city.

Preparation of citizens' rolls by Principal Electoral Registrar.

Each such citizens' roll shall contain the names alphabetically arranged and numbered in regular arithmetical order, of all persons who are enrolled upon the last print of the electoral rolls, and who are entitled, as provided in section nine of this Act, to be enrolled on such citizens' roll.

(2) On or before the twenty-first day of November in every such year the Principal Electoral Registrar shall, in addition, cause to be prepared and delivered to the returning officer a supplemental citizens' roll for each ward. Such supplemental citizens' roll shall set out all additions to

Supplemental citizens' roll.

the

Sydney Corporation (Amendment).

the electoral rolls referred to in the last preceding subsection, which—

- 5 (a) have been made prior to four o'clock in the afternoon of the fifteenth day of November in that year; and
- 10 (b) are, in the opinion of the Principal Electoral Registrar, relevant and necessary to be made to the citizens' roll for that ward, having regard to the qualifications of persons entitled to be enrolled on such citizens' roll, as provided in section nine of this Act.

11. For the purposes of the preparation, printing, and delivery to the returning officer of citizens' rolls and supplemental rolls for the election to be held under the provisions of this Act in January, one thousand nine hundred and twenty-two, the provisions of the last preceding section shall, subject to the following amendments, apply :—

Preparation
of citizens'
rolls for first
election.

- 15 (1) In subsection one—
- 20 (a) omit the words "first day of October in every year in which a triennial election is to be held as hereinafter provided in this Act" and insert in lieu thereof the words "first day of December, one thousand
- 25 nine hundred and twenty-one";
- (b) omit the words "fifteenth day of November next following" and insert in lieu thereof the words "eleventh day of January, one thousand nine hundred and twenty-two."
- 30 (2) In subsection two—
- (a) omit the words "twenty-first day of November in every such year" and insert in lieu thereof the words "seventeenth day of January, one thousand nine
- 35 hundred and twenty-two";
- (b) omit the words "fifteenth day of November in that year" and insert in lieu thereof the words "eleventh day of January, one thousand nine hundred and twenty-two."

Sydney Corporation (Amendment).

12. As soon as is practicable after the twelfth day and before the twenty-fifth day next after the occurrence of an extraordinary vacancy in the office of mayor or alderman, the Principal Electoral Registrar shall cause to be prepared and delivered to the returning officer a supplemental citizens' roll or rolls, as the case may require, for the ward or wards in which an election to supply such vacancy is to take place.

Preparation
of citizens'
rolls for
extraordinary
elections.

Each such supplemental citizens' roll shall set out all additions to the electoral rolls which—

(a) have been made since the preparation of the citizens' roll for that ward; and

(b) have been made prior to four o'clock in the afternoon of the eleventh day following the occurrence of the vacancy; and

(c) are, in the opinion of the Principal Electoral Registrar, relevant and necessary to be made to the citizens' roll for that ward, having regard to the qualifications of persons entitled to be enrolled on such citizens' rolls as provided in section nine of this Act.

13. Supplemental citizens' rolls prepared in pursuance of the provisions of this Act shall be deemed to be part of the citizens' rolls for the wards to which they relate.

Supplemental
citizens' roll
to be part of
citizens' roll.

14. The citizens' rolls prepared in pursuance of the provisions of this Act shall be the citizens' rolls to be used at the election next following such preparation.

Citizens' rolls
at elections.

14A. The council shall each year pay into the Treasury a sum fixed by the Colonial Treasurer as the cost of the preparation of citizens' rolls by the Principal Electoral Registrar. Such sum shall be carried to the Consolidated Revenue Fund.

Cost of
preparation
of citizens'
rolls.

Sydney Corporation (Amendment).

15. The citizens' rolls shall be in the following form :— Form of citizens' rolls.

SYDNEY CORPORATION ACT, 1902.

Citizens' Roll.

5 Ward [here insert name of ward].

Roll of citizens who are entitled to vote in [here insert name of ward] ward.

No.	Surname of each Citizen.	Christian name of each citizen at full length.	Residence.	Occupation.	Sex.
-----	--------------------------	--	------------	-------------	------

10 The sex may be indicated by letter, viz., " M " for male, and " F " for female.

16. Copies of the citizens' rolls as prepared and printed in pursuance of the provisions of this Act shall be obtainable at the office of the Government Printer, who shall furnish such copies to any person requiring them, on payment of a sum not exceeding one shilling for each copy thereof. Copies of rolls may be purchased.

17. (1) Subject to the provisions of this Act, at any election held within a ward only those persons— Persons qualified to vote.

20 (a) who are enrolled upon the citizens' roll for that ward; and

(b) whose qualification for enrolment on such citizens' roll, and on the electoral rolls, still continues,

shall be entitled to vote.

25 (2) A citizen who has changed his residence from the ward for which he is enrolled to another ward, shall not on that account be debarred from voting at an election held within the ward for which he is enrolled, until a period of one month has elapsed from such change of residence : Citizen who has moved to a new ward may vote for his old ward for a period of one month

30 Provided that where, by reason of the closing of the citizens' rolls prior to an election, as provided in this Act, a citizen is prevented from getting his name placed on the citizens' roll for the new ward, his right to record his vote in the old ward shall hold good until after such election.

35 (3) At any election held in pursuance of this Act, each citizen shall be entitled to vote once only.

Election

*Sydney Corporation (Amendment).**Election and retirement of mayor and aldermen.*

5. Sections eighteen and nineteen of the Principal Act are omitted, and the following sections are inserted in lieu thereof:—

Amendment of ss. 18 and 19 of Principal Act.

5 18. (1) From and after the holding of the first election under this Act, as hereinafter provided, the mayor and aldermen of the city shall be elected by the citizens, and shall, subject to this Act, hold office respectively by virtue of such election.

Election of mayor and aldermen by citizens.

10 (2) On the last Saturday in January, one thousand nine hundred and twenty-two, the first election of the mayor and aldermen of the city shall be held. The mayor and aldermen who are in office on the first day of November, one thousand

15 nine hundred and twenty-one, shall retain office until the conclusion of such first election.

(3) On the first Saturday in December, one thousand nine hundred and twenty-four, and on the first Saturday in December in every third year thereafter, there shall be an election of the mayor and aldermen of the city.

20 (4) Upon an election being held in pursuance of the provisions of subsection two, or of subsection three, of this section, the mayor and aldermen then in office shall retire, but may at such election be re-elected, if otherwise qualified.

25 (5) Any person who is enrolled upon any of the electoral rolls, and who continues to be qualified for such enrolment shall, subject to the provisions of this Act, and unless disqualified as hereinafter provided, be qualified to be elected as mayor or as alderman.

Qualifications.

30 19. Subject to the provisions of this Act the mayor and each alderman shall hold office for three years.

Tenure of office.

Such office shall—

- 35 (a) commence upon the day of his election thereto; and
- 40 (b) continue until vacated in accordance with the provisions of this Act.

6.

Sydney Corporation (Amendment).

6. Section twenty-one of the Principal Act is omitted, and the following section is inserted in lieu thereof:—

Amendment
of s. 21 of
Principal Act.

21. (1) There shall be two aldermen for each ward, who shall be elected by the persons whose names appear upon the citizens' roll for such ward.

Mayor and
aldermen.

(2) The mayor shall not be assigned to any ward. He shall be an alderman by virtue of his office, and shall be elected by the persons whose names appear upon the citizens' rolls for the various wards of the city.

7. The Principal Act is amended by the insertion, next after section twenty-one as inserted by this Act, of the following new section:—

Amendment
of Principal
Act—new
section.

21A. At any election held under the provisions of this Act, no person shall be qualified to be a candidate for the office of mayor and also for the office of alderman for any ward; and no person shall be qualified to be a candidate for the office of mayor at any election held for the purpose of filling an extraordinary vacancy in that office if and so long as he holds office as an alderman for any ward, nor in the case of a person who on the occurrence of such vacancy was an alderman unless he has resigned such office of alderman within three clear days after the day on which such vacancy occurred.

Person not to
be candidate
for office as
mayor and as
alderman.

8. Subsection one of section twenty-three of the Principal Act is amended—

Amendment
of s. 23 of
Principal Act.

(1) by inserting after the words "office of" the words "mayor or";

(2) by inserting immediately after paragraph (c) thereof the following proviso:—

Provided that no person shall be deemed to be disqualified under this paragraph from being elected to hold the office of alderman for any ward by reason only that he holds any office of profit in the public service of New South Wales, including the public service of any department or branch of the Government of the said State.

9.

Sydney Corporation (Amendment).

9. Subsection one of section twenty-six of the Principal Act is amended by inserting after the words "election of" the words "the mayor and." Amendment of s. 26 of Principal Act.

10. Section twenty-seven of the Principal Act Amendment of s. 27 Ibid. is omitted, and the following section is inserted in lieu thereof :—

27. (1) On and after the tenth day, and until Nominations. noon of the fifth day next before any election of the mayor or aldermen, nominations of candidates for any such election may be made to the returning officer in the manner and subject to the conditions following, that is to say :—

- (a) every nomination shall be made in writing ;
 (b) in the case of a candidate for election as alderman of any ward, any two citizens qualified to vote in that ward may nominate any person qualified to be so elected, or two such persons if two aldermen are to be elected, and no more ;
 (c) in the case of a candidate for election as mayor, any two citizens may nominate any person qualified to be so elected :

Provided that no nomination shall be received, and no proceedings in respect of the same shall be taken, unless it be accompanied by a consent to such nomination, signed by each person nominated.

(2) On the two days next before the election, and on the day of election, there shall be published under the hand of the returning officer in two newspapers, the names and residences of all persons so nominated, specifying the names and residences of two at least of their nominators.

11. Section twenty-eight of the Principal Act is omitted and the following section is inserted in lieu thereof :— Amendment of Principal Act—new section.

(1) If, at any election of the mayor, one person only is duly nominated, the returning officer shall declare, in manner hereinafter provided, such person so nominated to be duly elected. Election when no opposition.

(2) If at any election of aldermen no greater number of persons in any ward are nominated for election

Sydney Corporation (Amendment).

election than the number then to be elected, the returning officer shall declare, in manner hereinafter provided, each person nominated to be duly elected.

12. Section thirty of the Principal Act is amended Amendment of s. 30 of Principal Act. by inserting after the words "election of" the words "the mayor or."

13. Subsection one of section thirty-one of the Amendment of s. 31 Ibid. Principal Act is amended—

- 10 (1) by omitting the word "roll" and inserting in lieu thereof the words "citizens' rolls";
- (2) by omitting the word "form" and inserting in lieu thereof the word "forms."

14. Section thirty-four of the Principal Act is Amendment of s. 34 Ibid. amended as follows:—

- 15 (1) In subsection one, by omitting the word "roll" wherever appearing therein and inserting in lieu thereof the words "citizens' rolls."
- (2) In subsection four, by inserting immediately after the word "shall" where first occurring, the words "at an election of aldermen."
- 20 (3) By the addition of the following new subsection:—
- (5) Every voter shall, at an election of the mayor, vote for one candidate only and no more, otherwise the vote shall be rejected as
- 25 informal.

15. Section thirty-eight of the Principal Act is Amendment of s. 38 Ibid. amended as follows:—

- 30 (1) In subsection one, by the omission of the words "and shall be reported to the mayor by the returning officer."
- (2) In subsection two—
- 35 (a) by omitting the word "mayor" and inserting in lieu thereof the words "returning officer";
- (b) by inserting after the word "wards" the words "and of the mayor so elected for the city";
- (c) by inserting after the words "such alderman" the words "and to such mayor."

16.

Sydney Corporation (Amendment).

16. Section forty of the Principal Act is omitted and the following section is inserted in lieu thereof:—

Amendment of
Principal Act—
new section.

5 40. (1) Before any person claiming to vote shall be permitted to vote he shall make and subscribe before the presiding officer a declaration in the form contained in the Ninth Schedule to this Act.

Declaration
by voter.

10 (2) The presiding officer may, and at the request of any scrutineer shall, put to any person claiming to vote all or any of the following questions:—

(a) Are you the person whose name appears as number on the citizens' roll for this ward?

15 (b) Are you of the full age of twenty-one years?

(c) Have you already voted either here or elsewhere at this election?

(d) Are you disqualified from voting?

20 (e) Have you left the ward for which you are enrolled for a longer period than one month prior to the day of one thousand nine hundred and ?

25 (3) Every person wilfully making a false answer to any such question, or wilfully making a false declaration under this section, shall be deemed guilty of a misdemeanour.

(4) No person shall be allowed to vote unless he makes such declaration, and (if asked) answers such questions satisfactorily.

30 (5) If any person refuses to answer fully any question put to him by the presiding officer, or by his answer shows that he is not entitled to vote, his claim to vote shall be rejected.

17. Section forty-one of the Principal Act is omitted and the following section is inserted in lieu thereof:—

Amendment
of Principal
Act—new
section.

35 41. (1) Save as hereinafter provided, when any extraordinary vacancy occurs in the office of mayor or of alderman, the citizens entitled to vote shall elect a person qualified to be so elected to fill such vacancy, who shall thereupon hold such office for the residue of the regular term of office of his predecessor, but he shall then be eligible for re-election if still qualified.

40 (2)

Extra-
ordinary
vacancies

Sydney Corporation (Amendment).

(2) The election to fill any such extraordinary vacancy shall be held on such Saturday, being not less than thirty and not more than fifty clear days after the occurrence of such vacancy, as may be fixed by the returning officer, who shall give notice of the day so fixed in the Gazette and in one newspaper.

(3) Any such election may be held on the same day as an election to fill any other extraordinary vacancy.

18. The following new sections are inserted in the Principal Act next after section forty-one as inserted by this Act:—

Amendment
of Principal
Act—new
sections.

41A. If an extraordinary vacancy in the office of alderman for any ward occurs within four months before the date fixed by this Act for the next following triennial election, such extraordinary vacancy shall not be filled up, and no election shall be held in respect of such extraordinary vacancy.

Extra-
ordinary
vacancy of
alderman.

41B. (1) If an extraordinary vacancy in the office of mayor occurs within twelve months of the date fixed by this Act for the holding of the next following triennial election, no such election by the citizens as provided for in section forty-one of this Act shall be held.

Extra-
ordinary
vacancy of
mayor within
twelve
months of
triennial
election.

(2) In order to fill such extraordinary vacancy as is described in the last preceding subsection, the aldermen in office at the date of the occurrence of such vacancy shall, at a special meeting to be called by the town clerk forthwith, appoint one from among their number to fill such vacancy, and such alderman when so appointed shall, subject to this Act, hold office as mayor for the residue of the regular term of office of his predecessor, and shall then be eligible for re-election if still qualified.

(3) If within thirty days after the occurrence of such extraordinary vacancy the aldermen of the city fail to appoint a mayor in any case to which this section applies, then the Governor may appoint an alderman to be mayor, and such alderman

when

Sydney Corporation (Amendment).

when so appointed shall, subject to this Act, hold office as mayor for the residue of the regular term of office of his predecessor, and shall then be eligible for re-election if still qualified.

5 (4) Upon the appointment of an alderman to fill an extraordinary vacancy in the office of mayor, in pursuance of subsection two or of subsection three of this section, such alderman shall
10 forthwith be deemed to have vacated his office as alderman for the ward for which he was originally elected by the citizens, and an extraordinary vacancy in the office of alderman for that ward shall be deemed to have occurred.

19. Section forty-two of the Principal Act is
15 amended by omitting the words "of aldermen." Amendment of s. 42 of Principal Act

20. Section forty-three of the Principal Act is
amended by omitting the words "of an alderman." Amendment of s. 43 *Ibid.*

21. Section forty-four of the Principal Act is
20 amended by inserting the following words at the end of the section:—"Except as provided in this section the returning officer shall not vote at any election held under the provisions of this Act." Amendment of s. 44 *Ibid.*

22. Section fifty-four of the Principal Act is amended
25 by inserting after the word "alderman" the words "or for the mayor." Amendment of s. 54 *Ibid.*

23. The following new section is inserted in the
Principal Act, next after section fifty-seven thereof:— Amendment of Principal Act—new section.

30 **57A.** (1) The council may at its discretion, for its information and guidance on any matter under this or any other Act, direct the returning officer to take a referendum of the citizens of the city, or of the citizens of such ward or wards of the city as the council considers to be interested. Power to take referendum.

35 (2) The provisions of this Act relating to all matters incidental to the holding of elections under this Act shall, as far as the same are applicable, apply *mutatis mutandis* to the taking of such referendum.

24.

Sydney Corporation (Amendment).

- 24.** Section seventy-one of the Principal Act is omitted and the following section is inserted in lieu thereof :— Amendment of Principal Act—new section.
- 5 **71.** All questions of whatever kind at any meeting shall be decided by a majority of the votes of those members (not including the chairman) who are present at the meeting. In the case of an equality of votes the chairman shall have a casting vote, but shall not otherwise vote on any question. Decision of questions.
- 10 **25.** The Acts mentioned in the Second Schedule to this Act are, to the extent therein expressed, hereby repealed. Acts repealed.
- 26.** The Third, Fourth, Fifth, and Sixth Schedules of the Principal Act are omitted. Repeal of 3rd, 4th, 5th, and 6th Schedules of Principal Act.
- 15 **27.** The Seventh Schedule to the Principal Act is amended by inserting after the word "ward" the words in brackets "(or as mayor)." Amendment of 7th Schedule Ibid.
- 28.** The Eighth Schedule to the Principal Act is amended by the addition of the following form :— Amendment of 8th Schedule Ibid.
- 20 *Ballot-paper*
ELECTION of Mayor on the day of 19 .
List of candidates for election
Names. Addresses.
- 25 **29.** The Ninth Schedule to the Principal Act is amended— Amendment of 9th Schedule Ibid.
- (1) by omitting the word "roll" and inserting in lieu thereof the words "citizens' roll";
- (2) by omitting the words "in this ward."
- General.*
- 30 **30.** (1) The council may establish within the city, prophylactic depots for the early treatment by such medical officers or other skilled attendants as the council may appoint, of persons suffering from venereal disease. Prophylactic depots.
- 35 (2) The council may make by-laws regulating and controlling the establishment and maintenance of such prophylactic depots.

Sydney Corporation (Amendment).

31. Section eighty-one of the Principal Act is omitted and the following section is substituted therefor :—

Amendment of
s. 81 of Principal
Act.

5 81. (1) Notwithstanding anything to the con-
trary in this or any other Act contained, it shall be
lawful for the council, when and as it shall deem
expedient, with the approval of the Governor to be
notified as hereinafter provided, to take over any
way whether such way be formed or not, and from
10 the date of such notification as aforesaid such way
shall be vested in the council as a public way, and
shall thenceforth be under the control, manage-
ment, and direction of the council for all the
purposes of this said Act and of any by-law made
thereunder.

Control of
lanes and
ways.

15 (2) Such approval of the Governor shall be
notified in the Gazette, and a copy of such Gazette,
purporting to be printed by the Government Printer,
shall be conclusive evidence of such approval and
of the fact that the way therein mentioned is a way
20 within the meaning of this Act.

 (3) For the purposes of this section the
expression "way" means way, court, square, alley,
or portion thereof within the city, whether used as
a thoroughfare or as a means of access to any pro-
25 perties within the city.

 (4) (a) Where any way which the council
proposes to take over has not been levelled, paved,
macadamised, drained, or otherwise fully completed
to the satisfaction of the council, the council may,
30 either before or within one year after taking over
the said way, level, pave, macadamise, drain, or
otherwise fully complete the same, and all the
expenses incurred in so doing shall be paid by the
owner of the premises fronting, adjoining, or
35 abutting on the way, or if there is more than one
such owner, by the respective owners of the said
premises in such proportions as the council may
determine.

(b)

Sydney Corporation (Amendment).

(b) In determining the proportion of such expenses to be paid by the respective owners as aforesaid, the council may have regard to the following considerations, that is to say—

- 5 (a) the benefit to be derived by any premises from such works;
- (b) the amount and value of any work on such way already done by the owners or occupiers of any such premises.

10 (5) If within fourteen days after the service upon such owner in the manner prescribed by section two hundred and sixteen of this Act of notice of the amount of such expenses so incurred or determined as aforesaid, such amount is not paid

15 to the City Treasurer, the council shall have the like remedies for recovering the same as in the case of any city rate.

(6) Premises shall be deemed to be fronting, adjoining, or abutting on a way, notwithstanding

20 that the said premises have no beneficial use of the levelling, paving, macadamising, draining, or completing of the said way.

32. Subsection two of section eighty-four of the Principal Act is omitted and the following subsection

25 is substituted therefor:—

(2) If such owner or tenant does not comply with the requirements of such notice within the time therein specified, to the satisfaction of the said surveyor, the said surveyor may cause all or so

30 much of such required works, as he may deem necessary, to be done, and all the expenses thereof shall be paid by the owner or tenant to the council. For the purposes of this section or for any of the

35 other purposes of this Act, or whenever otherwise he deems it necessary, the city surveyor may close any street or portion of a street in the city for such time as he thinks fit.

33. Section one hundred and ten of the Principal Act is amended by inserting in subsection five immediately

40 after the words "Public Instruction Act of 1880," the words "or any playground used in connection with any such school."

Amendment
of s. 110 (5)
of Principal
Act.

34.

Sydney Corporation (Amendment).

34. Section one hundred and ninety-two of the Principal Act is amended by the addition of the following new subsection :—

Amendment
of s. 192 of
Principal
Act—new
subsection.

5 (4) The council shall each year pay into the Treasury such sum, not exceeding seven hundred pounds, as is fixed by the Colonial Treasurer, towards the amount payable by the Crown in respect of the salaries of the Treasury inspectors above referred to.

10 **35.** Subsection one of section twelve of the Sydney Corporation Amendment Act, 1905, as amended by section twelve of the Sydney Corporation Amendment Act, 1906, is further amended by the addition of the following paragraphs :—

Amendment
of Sydney
Corporation
Amendment
Act, 1905,
s. 12 (1).

- 15 (n) requiring and regulating the provision and maintenance of baths in dwelling-houses in the city ;
- (o) regulating and prohibiting the use for habitation of rooms built below the level of the footways of public ways in the city ;
- 20 (p) regulating, controlling, and prohibiting the stacking or storing of timber, firewood, casks, barrels, and other inflammable material ;
- (q) regulating and prohibiting private tips or dumps for spoil or refuse ;
- 25 (r) requiring and regulating the removal of spoil or other waste material by owners, lessees, or occupiers ;
- (s) requiring and regulating the fencing of vacant lands to prevent unsightly or insanitary conditions arising by the dumping of spoil and refuse thereon ;
- 30 (t) requiring and regulating the cleansing of facades of buildings fronting a public way in the city ;
- 35 (u) regulating the floor space and size of rooms in flats in the city ;
- (v) regulating and controlling the use and enjoyment of playgrounds in the city which are vested in the council or are otherwise under
- 40 the care and control of the council ;

Sydney Corporation (Amendment).

- 5 (w) regulating and controlling the construction, maintenance, and repair of awnings in the city; and in particular and without limiting the general power in that behalf herein conferred—
- (i) prescribing the type or types of awnings and the materials to be used therein;
- 10 (ii) regulating the position of awnings;
- (ii) permitting, regulating, or prohibiting the display of advertisements on awnings;
- (iv) providing for the display of public notices on awnings;
- 15 (v) prohibiting persons from erecting awnings without first obtaining the approval in writing of the city building surveyor and the city surveyor;
- 20 (vi) requiring the removal of awnings, prescribing the circumstances in which the council may require the removal of awnings, and providing for removal of such awnings by the council at the expense of any person failing to comply with any such requirement;
- 25 (x) regulating and controlling the display of bills, placards, and advertisements in the city, and prohibiting persons from displaying or causing to be displayed in the city any bills, placards, or advertisements in places not appointed by
- 30 the council for the purpose.

36. Section sixteen of the Sydney Corporation Amendment Act, 1905, is amended by inserting after the words "and any land required" the words "for the purpose of children's playgrounds, or." Amendment of s. 16 of Sydney Corporation Amendment Act, 1905.

37. Section twenty of the Sydney Corporation Amendment Act, 1905, is amended by omitting paragraph (e). Amendment of s 20 *Ibid.*

38.

Sydney Corporation (Amendment).

38. The Sydney Corporation Amendment Act, 1905, is amended by the insertion after section twenty of the following new section :—

Amendment of Sydney Corporation Amendment Act, 1905—new section.

5 20A. With respect to any land now or hereafter to be vested in the council under the authority of this Act, or of any Act amending the same, the following provisions shall apply :—

Registrar-General to grant certificates of title in respect of resumed properties.

10 (1) In case of resumption, a copy of the Gazette notification declaring such land to be so resumed, certified under the seal of the council, shall be lodged with the Registrar-General, who shall, upon the application of the council, thereupon issue to the council a certificate of title under the Real Property Act, 1900, to the land described in the notification, without causing any examination or report to be made as to the title to such land and without considering such title. No contribution to the assurance fund shall be payable under the Nineteenth Schedule to the said Act, upon the issue of any such certificate.

20 (2) In dealing with such application it shall not be necessary to locate the boundaries of the Crown grants (if any) of any such land, but it shall be sufficient if the Registrar-General is satisfied with respect to any certificate of title proposed to be issued by him under this Act in respect of any such land that the said land is included in the land vested as aforesaid. The land may in such certificate of title be described in the terms of or by reference to the notice of resumption.

35 **39.** Section twenty-two of the Sydney Corporation Amendment Act, 1905, is amended as follows :—

Amendment of Sydney Corporation Amendment Act, 1905, s. 22.

(1) In subsection one, by the insertion of the following new paragraph :—

40 (i) exchange the whole or any portion of any such land for any other land, upon such term and conditions as the council may deem fit, including the payment or receipt

Power to exchange lands.

Sydney Corporation (Amendment).

receipt of money for equality of exchange: Provided that no such exchange as aforesaid may be made by the council unless the Governor's approval of the proposed exchange and of the terms and conditions thereof has been first obtained.

5

(2) In subsection two, by the insertion immediately after the word "sold" of the words "or exchanged."

10

40. (1) The land described in the First Schedule to this Act shall be included within and form part of the city, and shall be subject to any Acts, by-laws, and regulations affecting the city.

Certain land included within the city.

15

(2) The land so included in the city as aforesaid shall form part of Camperdown ward of the city.

41. (1) The Governor shall, by proclamation published in the Gazette, set forth—

Boundaries of the city.

20

(a) in Schedule I to such proclamation the extended boundaries of the city so as to include therein the land described in the First Schedule to this Act, and such boundaries shall take the place of the boundaries set out in Schedule A to the proclamation made in pursuance of section fourteen of the Sydney Corporation (Amendment) Act, 1908, and published in the Government Gazette number one hundred and twenty, of the eighth day of September, one thousand nine hundred and nine;

25

30

(b) in Schedule II to such proclamation the extended boundaries of Camperdown ward so as to include therein the land described in the First Schedule to this Act, and such boundaries shall take the place of the boundaries set out in Schedule B to the proclamation made in pursuance of section fourteen of the Sydney Corporation (Amendment) Act, 1908, and published in the Government Gazette number one hundred and twenty, of the eighth day of September, one thousand nine hundred and nine.

35

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The

Sydney Corporation (Amendment).

The proclamation to be made in pursuance of this section may be made and published at any time after the passing of this Act.

(2) The boundaries set forth in Schedule I to
 5 the proclamation to be made in pursuance of this section shall be the boundaries of the city, and where reference is made to the city in this Act, or in any Act, by-law, or regulation in force at the commencement of this Act, the same shall be deemed to refer and shall apply to
 10 and have operation within the city as bounded in manner set forth in such Schedule.

(3) The boundaries set forth in Schedule II to the proclamation to be made in pursuance of this section shall be the boundaries of Camperdown ward.

15 **42.** The council may set apart any part of any public way vested in it, or under its control, for the purpose of laying out, constructing, and maintaining thereon gardens, lawns, plantations, or other ornamental features, and for those purposes may enclose any such part or
 20 indicate the boundaries thereof with boundary erections or otherwise.

Power to lay out plantations, &c., on public ways.

43. (1) In addition to the powers conferred by the
 Principal Act the council may make by-laws—

By-laws.

25 (a) for the regulation and control of all gardens, lawns, plantations, and ornamental features, laid out, constructed, or maintained by it, in any public way vested in it or under its control;

30 (b) for the prevention of trespass upon or damage to any part of such gardens, lawns, plantations, or ornamental features, or any trees, flowers, shrubs, or other plants growing thereon.

(2) In any prosecution for the breach of any such by-law, proof that any part of any public way
 35 (upon which is laid out, constructed, or maintained a garden, lawn, plantation, or other ornamental feature) has been set apart by the council for any of the purposes abovementioned shall not be necessary.

44.

Sydney Corporation (Amendment).

44. (1) In addition to the powers conferred by the ^{By-laws.} Principal Act and the Acts amending the same, the council may make by-laws—

- 5 (a) regulating the use of streets, roads, and public places by street hawkers and itinerant traders dealing in foodstuffs or flowers, with power to prohibit any such persons during particular hours from using any streets, roads, or public places for such purposes ;
- 10 (b) appointing stands in streets, roads, and public places for such street hawkers and itinerant traders, with power to abolish, enlarge, or diminish any such stands ; and limiting the space to be occupied by each person on any
- 15 such stands and the time during which each such person may remain on any such stand, and the number of persons who may occupy any particular stand ;
- 20 (c) prescribing the charges to be paid for the right to use such stands, with power to vary the charges according to the stand used, and to increase or decrease such charges ; and prescribing the conditions upon which, and the time during which, such stands may be
- 25 occupied ;
- (d) fixing by priority of application, or by lot, tender, or otherwise, the positions on any such stand which persons are to occupy ;
- 30 (e) prescribing rules to be observed by persons occupying such stands (including rules for securing the cleanliness of carts, trucks, barrows, baskets, boxes, and crates used by such persons, and the wholesomeness and cleanliness of the commodities sold or offered
- 35 or exposed for sale), and with respect to the conduct of such persons ;
- (f) prescribing the nature and size of hand-trucks, barrows, or other vehicles to be used on such stands, and prohibiting any animal, whether
- 40 attached to any truck, barrow, or vehicle, or not,

Sydney Corporation (Amendment).

not, from standing on any such stand during the time fixed for occupation thereof by street hawkers and itinerant traders ; and

5 (g) providing the form of authority to be issued for occupying such stands, the conditions upon which such authorities are issued and under which they will be permitted to be transferred, and the fee to be paid for a transfer of any such authority ; and prohibiting any person

10 who is not named in such an authority or is not a transferee of such an authority duly permitted under the said by-laws from occupying any such stand.

(2) In case of conflict between the provisions of

15 any by-law made under the powers conferred by this section and the provisions of any regulation on the same matter made in pursuance of the Metropolitan Traffic Act, 1900, or the Metropolitan Traffic (Amendment) Act, 1913, the latter shall prevail.

20 (3) The Colonial Secretary may, notwithstanding any such by-law, in writing, direct the removal of any stand which in his opinion interferes with vehicular or pedestrian traffic.

Any person who fails to comply with any such

25 direction shall be liable to a penalty not exceeding ten pounds.

45. The council may establish and maintain a system of municipal cartage from and to the council's markets, and may defray the cost thereof out of the

30 city fund.

Municipal cartage.

46. (1) The council may construct and maintain dressing-rooms and refreshment-rooms in the parks in the city of which the council is trustee.

Dressing-rooms and refreshment-rooms in parks.

(2) The council may make by-laws regulating

35 and controlling such dressing-rooms and refreshment-rooms and prescribing the conditions under which they may be used or enjoyed.

47. The council may, by its officers, employees, or workmen enter upon any lands, whether public or

40 private, in the city for purposes connected with the construction, maintenance, or renewal of stormwater drains :

Provided

Power of entry on private lands to construct stormwater drains.

Sydney Corporation (Amendment).

Provided that in the exercise of the powers conferred by this section the council shall cause as little detriment and inconvenience and do as little damage as possible, and shall make full compensation to persons for damage
 5 sustained by them by reason or in consequence of the exercise of such powers. The amount of such compensation shall, in case of disagreement, be determined by arbitration or by action at law at the election of the party aggrieved :

10 Provided further that the council may in all cases set up by way of defence or in mitigation of damages, as the case may be, that the person claiming compensation has by his own act, neglect, or default caused or contributed to the damage in respect of which he claims to be
 15 compensated.

48. (1) The council may enter into agreements with the councils of any areas constituted under the Local Government Act, 1919, and adjoining the city for the carrying out jointly of works or undertakings
 20 authorised by any Act, or for the joint performance of duties or exercise of powers under any Act for the mutual benefit of the city and such area.

Joint action by council with councils of other areas.
 cf. Local Government Act, 1919, s. 521.

(2) Such agreements may provide for the control, regulation, maintenance, and management of
 25 such works and undertakings, or for the control, regulation, and management of the performance of such duties, or exercise of such powers either by the councils themselves jointly or by a joint committee composed of members of the councils.

30 (3) The council may in such agreements delegate to such committee such of its powers as are specifically mentioned therein.

49. Except under statutory authority, no person other than an employee of the council shall take up,
 35 relay, or otherwise interfere with any of the footways or crossings of any public way in the city.

Footways and crossings.

50. (1) The council may, in any by-laws made under the powers conferred by this Act, fix the maximum penalty for every offence against such by-
 40 laws, or any of them, not exceeding the penalty (if any) fixed

Penalty for breach of by-laws.

Sydney Corporation (Amendment).

fixed for the same offence by the Principal Act or by any Act amending the same, and in any other case not exceeding ten pounds.

(2) The provisions of the Principal Act relating to by-laws made under the authority of that Act shall be applicable to by-laws made under the authority of this Act.

51. Section twenty-two of the City of Sydney Improvement Act, 1879, is amended by the omission of the words "the surveyor" and the insertion in lieu thereof of the words "by the surveyor, he or any officer authorised to act on his behalf for this purpose."

Application
of Principal
Act.

Amendment of
City of Sydney
Improvement
Act, 1879, s. 22.

Collection of
building fees.

SCHEDULES.

FIRST SCHEDULE.

15

Land included in the city.

ALL that piece or parcel of land situate in the parish of Petersham, county of Cumberland, and State of New South Wales, being part of City-road (late Newtown-road): Commencing at the intersection of the centre of George-street West with the centre of Bay-street; and bounded thence westerly by part of the southern boundary of the municipality of Glebe to its intersection with the centre of City-road (late Newtown-road); thence south-westerly by the centre of that road to its intersection with the centre of Cleveland-street; thence easterly by part of the northern boundary of the municipality of Darlington along the centre of that street to its intersection with the prolongation southerly of the south-eastern building-line of City-road aforesaid; thence north-easterly by that prolongation and that building-line of City-road to the southern building-line of George-street West aforesaid; and thence again north-easterly by a line to the point of commencement.

20

25

SECOND

Sydney Corporation (Amendment).

SECOND SCHEDULE.

Number of Act.	Title.	Extent of repeal.
5	No. 86 of 1902... Sydney Corporation (Amendment) Act, 1902.	The whole.
	No. 39 of 1905... Sydney Corporation Amendment Act, 1905.	Section 3.
	No. 16 of 1906... Sydney Corporation Amendment Act, 1906.	Section 14.
10	No. 27 of 1908... Sydney Corporation (Amendment) Act, 1908.	Section 38.
	No. 61 of 1915... Sydney Corporation (Election of Mayor) Act, 1915.	The whole.
15	No. 22 of 1917... Sydney Corporation (Amendment) Act, 1917.	Section 2.