

New South Wales.



ANNO SEXTO

GEORGI VI REGIS.

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Act No. 11, 1942.

An Act to make provision for the exercise by the Municipal Council of Sydney and by the councils of municipalities and shires of certain powers in relation to matters connected with or arising out of the existence of a state of war; to make further provision in relation to the preparation of rolls of citizens in the City of Sydney, and of rolls of electors in municipalities and shires; to amend the Local Government Act, 1919, the Sydney Corporation Act, 1932-1941, and the Local Government (Electoral Provisions) Act, 1941; to repeal the Local Government (Patriotic Purposes) Act, 1941; to validate certain matters; and for purposes connected therewith. [Assented to, 19th June, 1942.]

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*Local Government (Amendment).*

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**B**E 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 the same, as follows :—

PART I.

PRELIMINARY.

Short title  
and divi-  
sion into  
Parts.

**1.** (1) This Act may be cited as the "Local Government (Amendment) Act, 1942."

(2) This Act is divided into Parts as follows:—

PART I.—PRELIMINARY.

PART II.—AMENDMENT OF THE LOCAL GOVERNMENT (ELECTORAL PROVISIONS) ACT, 1941.

PART III.—AMENDMENT OF THE SYDNEY CORPORATION ACT, 1932-1941.

PART IV.—AMENDMENT OF THE LOCAL GOVERNMENT ACT, 1919, AS AMENDED BY SUBSEQUENT ACTS.

PART V.—CONSEQUENTIAL REPEAL.

PART VI.—VALIDATIONS.

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PART II.

AMENDMENT OF THE LOCAL GOVERNMENT (ELECTORAL PROVISIONS) ACT, 1941.

Amendment  
of Act No.  
32, 1941.

**2.** (1) The Local Government (Electoral Provisions) Act, 1941, is amended—

Sec. 5.  
(Prepara-  
tion of  
original  
roll.)

(a) by inserting at the end of subsection one of section five the following words: "It shall be a sufficient compliance with the requirements of this subsection if the preparation of such rolls is completed on or before the seventh day of October, one thousand nine hundred and forty-three";

(b)

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*Local Government (Amendment).*


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- (b) by omitting from subsection one of section ten the words "one thousand nine hundred and forty-two" and by inserting in lieu thereof the words "one thousand nine hundred and forty-three";

Sec. 10.  
(Extension  
of fran-  
chise.)

- (c) by omitting section eleven and by inserting in lieu thereof the following new section:—

Sec. 11.  
(Commence-  
ment  
of s. 12.)  
Commence-  
ment  
of s. 12.

11. (1) The council of each area shall cause an original roll of electors to be prepared in the year one thousand nine hundred and forty-three.

The preparation of such rolls shall be completed on or before the seventh day of October, one thousand nine hundred and forty-three.

(2) Such original rolls shall be prepared under and in accordance with the provisions of the Principal Act as amended by this Division of this Part of this Act.

(3) For the purposes only of the preparation of such original rolls and of matters necessary for or incidental to such preparation section twelve of this Act shall be deemed to have commenced upon the first Saturday in December, one thousand nine hundred and forty-one.

(4) Upon the eighth day of October, one thousand nine hundred and forty-three, section twelve of this Act shall come into operation for all purposes.

- (2) It shall not be necessary for the council of an area to cause an original roll of electors or a supplementary roll of electors to be prepared in the year one thousand nine hundred and forty-two.

Rolls  
need not be  
prepared  
in 1942.

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*Local Government (Amendment).*

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PART III.

AMENDMENT OF THE SYDNEY CORPORATION ACT, 1932-1941.

DIVISION 1.—*Construction and citation.*

Construction and citation.

3. (1) This Part shall be read and construed with the Sydney Corporation Act, 1932-1941, as amended by subsequent Acts.

(2) The Sydney Corporation Act, 1932-1941, as so amended, is in this Part referred to as the Principal Act.

(3) The Principal Act as amended by this Part of this Act may be cited as the Sydney Corporation Act, 1932-1942.

DIVISION 2.—*Miscellaneous amendments of Sydney Corporation Act, 1932-1941.*

Amendment of Act No. 58, 1932.  
Sec. 262E.  
(Polls as to loans.)

4. (1) The Principal Act is amended—

(a) by inserting after paragraph (f1) in subsection eleven of section 262E the following new paragraph:—

(f2) the protection of persons and property from injury or damage in the event of any warlike attack; and for the purposes of this paragraph “warlike attack” has the meaning given to that expression in the National Emergency Act, 1941.

New secs.  
293A-293D.

(b) by inserting next after section two hundred and ninety-three the following new sections:—

Charcoal.

293A. The council shall have the power to manufacture, produce or purchase and supply charcoal within or outside the city.

Air raid shelters, trenches.

293B. The council shall have and shall be deemed always to have had the power to do all things necessary in the construction of air raid shelters, trenches and other works for the protection of persons and property from injury or damage in the event of any warlike attack.

For the purpose of this section “warlike attack” has the meaning given to that expression in the National Emergency Act, 1941.

293C.

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*Local Government (Amendment).*

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293c. (1) The council may—

War expen-  
diture.

- (a) expend money from the city fund to promote or assist recruiting for war service or to promote or contribute towards the cost of promoting the training of persons for National Emergency Services;
- (b) keep open the positions of officers or servants engaged on war service;
- (c) pay to any officer or servant—
  - (i) who is engaged on war service;  
or
  - (ii) who is engaged upon training as a member of any National Emergency Service; or
  - (iii) who is engaged on service with such National Emergency Service;

the difference between the pay received by such officer or servant for such service or training and the salary, wages or other remuneration of such officer or servant in respect of his office or employment with the council (or alternatively make provision for the dependants of any such officer or servant);

- (d) make available out of the city fund such moneys as it thinks fit—
  - (i) by way of gift to the Commonwealth of Australia for war purposes, or to any patriotic fund within the meaning of the National Security (Patriotic Funds) Regulations made under the National Security Act 1939-1940 of the Parliament of the Commonwealth of Australia and in force for the time being;
  - (ii)

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*Local Government (Amendment).*

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- (ii) by way of loan to the Commonwealth of Australia for war purposes on such terms as it may decide;
- (e) organise and contribute towards various funds for war purposes and for the relief of suffering caused by war;
- (f) write off rates and interest due by any person who is or has been engaged on war service or who is or has been employed or engaged in time of war in any capacity in a sea-going ship if the land on which the rates and interest are due is or has been unproductive by reason of his being so engaged or employed or if the enforcement of the payment of such rates and interest would cause hardship to such person;
- (g) expend a portion of its funds in the celebration of the signing of peace;
- (h) supply any service, product or commodity free or at less than cost to the army, navy or air force; or
- (i) supply any service, product or commodity free or at less than cost for any purpose of or relating to the meeting of any emergency arising out of a warlike attack or the fear or expectation thereof, or the protection of the persons and property of the civil population in case of emergency.

(2) For the purposes of this section "war service" shall have the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and a person who is a member of and who is performing or has performed continuous full time service with any of the following organisations, namely—

- (i) the Australian Army Nursing Service;
- (ii)

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*Local Government (Amendment).*


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- (ii) the Royal Australian Air Force Nursing Service;
- (iii) the Australian Navy Nursing Service;
- (iv) the Australian Women's Army Service;
- (v) the Women's Royal Australian Naval Service;
- (vi) the Women's Auxiliary Australian Air Force;
- (vii) a Voluntary Aid Detachment attached to the defence force or to any of the naval, military or air forces of the United Kingdom or of any other part of His Majesty's Dominions (other than the Commonwealth) or of any foreign power allied or associated with His Majesty in any war in which His Majesty is engaged, or of any foreign authority recognised by His Majesty as competent to maintain naval, military or air forces for service in association with His Majesty's forces; or
- (viii) any other organisation which the Governor declares by proclamation published in the Gazette to be an organisation engaged upon war service,

shall be deemed to be a person engaged on or to have been engaged on war service, and "National Emergency Service" means service in connection with the National Emergency Act, 1941.

293d. The Governor may from time to time by proclamation authorise the council for such time and on such conditions as he may decide to expend its funds within or outside the city for such purposes in connection with a war as are specified in the proclamation although such expenditure is not authorised by or under this or any other Act or any Act of the Parliament of the Commonwealth of Australia.

War expenditure—  
additional purposes.

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*Local Government (Amendment).*

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Further amendment of Act No. 58, 1932.

Sec. 61B.  
(National Services expenditure.)

Sec. 1.  
(Division into Parts.)

(2) The Principal Act is further amended—

(a) by omitting section 61B;

(b) by omitting from section one the figures “293” and by inserting in lieu thereof the figures and letter “293D.”

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PART IV.

AMENDMENT OF LOCAL GOVERNMENT ACT, 1919, AS  
AMENDED BY SUBSEQUENT ACTS.

DIVISION 1.—*Construction.*

Construction and citation.

**5.** (1) This Part shall be read and construed with the Local Government Act, 1919, as amended by subsequent Acts.

(2) The Local Government Act, 1919, as so amended, is in this Part referred to as the Principal Act.

DIVISION 2.—*Miscellaneous amendments of Local Government Act, 1919, as amended by subsequent Acts.*

**6.** The Principal Act is amended—

(a) by omitting from section four the words—

“Soldier” or “sailor” means a person who is or has been a member of the Commonwealth Naval or Military Forces (including member of the Imperial Reserve residing in New South Wales before 1915) who enlisted or was appointed for active service outside Australia in connection with naval or military preparations or operations or in connection with the army, medical or nursing service,” and by inserting in lieu

Amendment of Act No. 41, 1919.

Sec. 4.  
(Definition “soldier” or “sailor.”)



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*Local Government (Amendment).*


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lieu thereof the following definition: "Soldier" or "sailor" means a person who is or has been on war service within the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and includes a person deemed to be engaged on or to have been engaged on war service for the purposes of section five hundred and three of this Act;

- (b) by inserting after paragraph (g5) of subsection one of section one hundred and seventy-seven the following new paragraph:—

Sec. 177.  
(Purpose of ordinary loans.)

(g6) the protection of persons and property from injury or damage in the event of any warlike attack; and for the purposes of this paragraph "warlike attack" has the meaning given to that expression in the National Emergency Act, 1941.

- (c) by inserting after section two hundred and seventy-nine the following new section:—

New sec. 279A.

279A. The council shall have and shall be deemed always to have had the power to do all things necessary in the construction of air raid shelters, trenches and other works for the protection of persons and property from injury or damage in the event of any warlike attack.

Air raid shelters, trenches.

For the purposes of this section "warlike attack" has the meaning given to that expression in the National Emergency Act, 1941.

- (d) by inserting after section four hundred and seventy-eight the following new section:—

New sec. 478A.

478A. The council shall have and shall be deemed always to have had the power to manufacture, produce or purchase and supply charcoal within or outside the area.

Charcoal.

(e)

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*Local Government (Amendment).*

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Substituted  
secs. 503  
and 503A.

(e) by omitting section five hundred and three and section 503A and by inserting in lieu thereof the following new sections:—

War expen-  
diture.

503. (1) The council may—

(a) expend its funds to promote or assist recruiting for war service or to promote or contribute towards the cost of promoting the training of persons for National Emergency Services;

(b) keep open the positions of servants engaged on war service;

(c) pay to any servant—

(i) who is engaged on war service;  
or

(ii) who is engaged upon training as a member of any National Emergency Service; or

(iii) who is engaged on service with such National Emergency Service;

the difference between the pay received by such servant for such service or training and the salary or pay of such servant in the service of the council (or alternatively make provision for the dependants of such servant);

(d) make available out of its funds such moneys as it thinks fit—

(i) by way of gift to the Commonwealth of Australia for war purposes, or to any patriotic fund within the meaning of the National Security (Patriotic Funds) Regulations made under the National Security Act 1939-1940 of the Parliament of the Commonwealth of Australia and in force for the time being;

(ii)

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*Local Government (Amendment).*

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- (ii) by way of loan to the Commonwealth of Australia for war purposes on such terms as it may decide;
- (e) organise and contribute towards various funds for war purposes, and for the relief of suffering caused by war;
- (f) write off rates and extra charges (on overdue rates) due by any person who is or has been engaged on war service or who is or has been employed or engaged in time of war in any capacity in a sea-going ship if the land on which the rates and extra charges are due is or has been unproductive by reason of his being so engaged or employed or if the enforcement of the payment of such rates and extra charges would cause hardship to such person;
- (g) expend a portion of its funds in the celebration of the signing of peace;
- (h) supply any service, product or commodity free or at less than cost to the army, navy or air force; or
- (i) supply any service, product or commodity free or at less than cost for any purpose of or relating to the meeting of any emergency arising out of a warlike attack or the fear or expectation thereof, or the protection of the persons and property of the civil population in case of emergency.

(2) For the purposes of this section "war service" shall have the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and a person who is a member of and who is performing or has performed continuous full  
time

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*Local Government (Amendment).*

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time service with any of the following organisations, namely—

- (i) the Australian Army Nursing Service;
- (ii) the Royal Australian Air Force Nursing Service;
- (iii) the Australian Navy Nursing Service;
- (iv) the Australian Women's Army Service;
- (v) the Women's Royal Australian Naval Service;
- (vi) the Women's Auxiliary Australian Air Force;
- (vii) a Voluntary Aid Detachment attached to the Defence Force or to any of the naval, military or air forces of the United Kingdom or of any other part of His Majesty's Dominions (other than the Commonwealth) or of any foreign power allied or associated with His Majesty in any war in which His Majesty is engaged, or of any foreign authority recognised by His Majesty as competent to maintain naval, military or air forces for service in association with His Majesty's Forces; or
- (viii) any other organisation which the Governor declares by proclamation published in the Gazette to be an organisation engaged upon war service,

shall be deemed to be a person engaged on or to have been engaged on war service, and "National Emergency Service" means service in connection with the National Emergency Act, 1941.

(3) For the purposes of this section "council" includes a county council and a county council may exercise the powers given by this section in all respects as if such powers had been

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*Local Government (Amendment).*

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been delegated to the county council by proclamation issued in pursuance of section five hundred and sixty-four of this Act.

503A. The Governor may from time to time by proclamation authorise the council (including a county council) for such time and on such conditions as he may decide to expend its funds within or outside the area for such purposes in connection with the war as are specified in the proclamation although such expenditure is not authorised by or under this or any other Act or any Act of the Parliament of the Commonwealth of Australia.

War expenditure—  
additional  
purposes.

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PART V.

CONSEQUENTIAL REPEAL.

7. The Local Government (Patriotic Purposes) Act, 1941, is repealed.

Consequential  
repeal of Act  
No. 5, 1941.

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PART VI.

VALIDATIONS.

8. (1) Any act, matter or thing done or payment of any sum of money made by the Municipal Council of Sydney before the commencement of this Act which, if done or made after such commencement, would be authorised or permitted by section 293c of the Sydney Corporation Act, 1932-1942, inserted by this Act, is hereby validated.

Validation  
of certain  
acts of  
Municipal  
Council of  
Sydney.

(2) Any act, matter or thing done or payment of any sum of money made by the council of any area within the meaning of the Local Government Act, 1919, or by any county council within the meaning of that Act, before the commencement of this Act and which, if done or made after such commencement, would be authorised or permitted by section five hundred and three of the said Act as substituted by this Act, is hereby validated.

Validation  
of certain  
acts of  
councils.

(3)

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*Local Government (Amendment).*

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Validation  
of certain  
levy of  
rates by  
Yass  
Council.

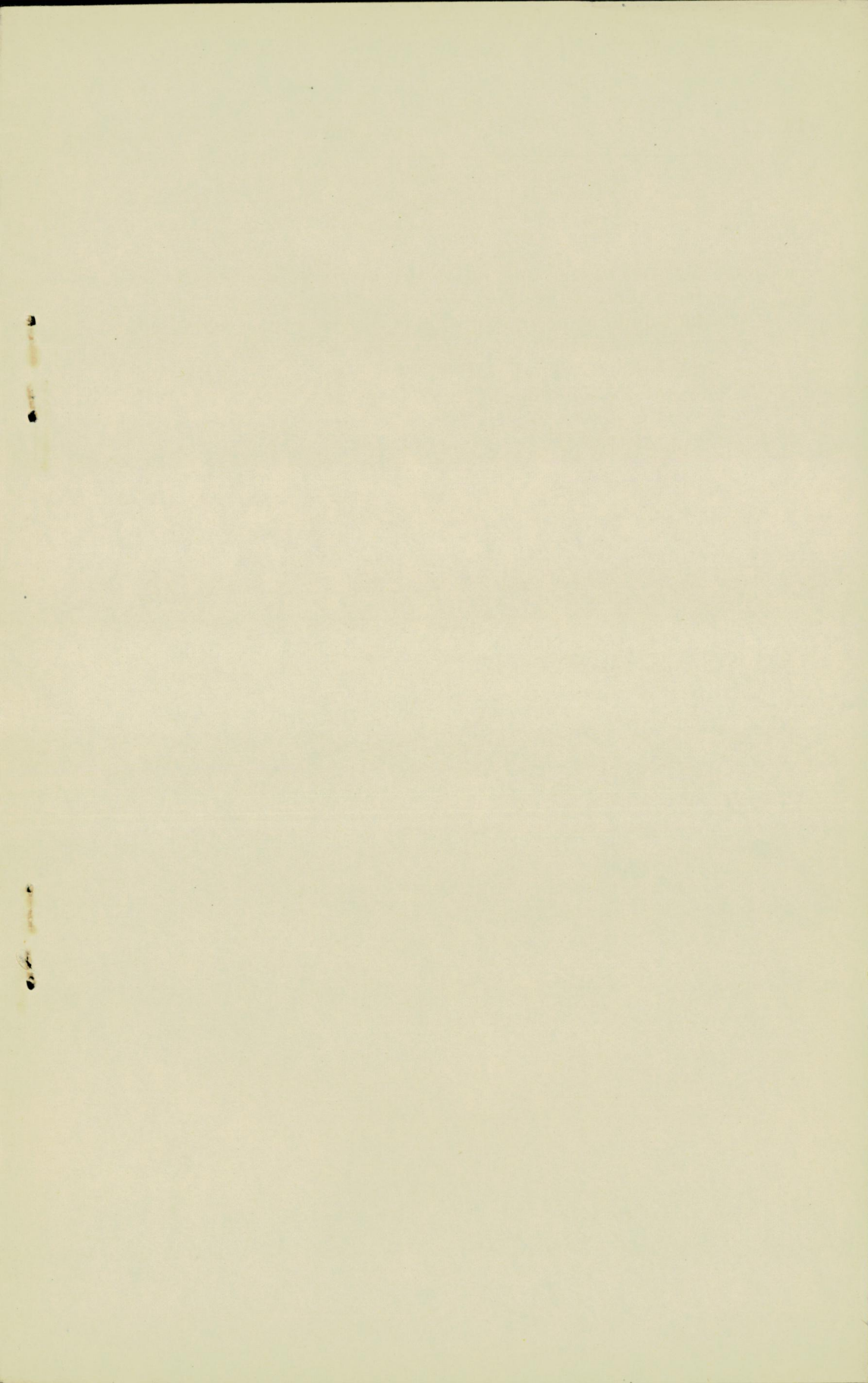
(3) The levy by the council of the Municipality of Yass of rates during the year one thousand nine hundred and forty-two shall not be invalid by reason only of the facts that at the time of service the rate notices bore a fac-simile of a signature of a person then deceased and were not signed by or did not have stamped or printed thereon a fac-simile of the signature of the town clerk or any person duly acting as town clerk.

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By Authority:

ALFRED HENRY PETTIFER, Acting Government Printer, Sydney, 1942. 1

[67.]







*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 10 June, 1942.*

## New South Wales.



ANNO SEXTO

## GEORGI II VI REGIS.

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### Act No. 11, 1942.

An Act to make provision for the exercise by the Municipal Council of Sydney and by the councils of municipalities and shires of certain powers in relation to matters connected with or arising out of the existence of a state of war; to make further provision in relation to the preparation of rolls of citizens in the City of Sydney, and of rolls of electors in municipalities and shires; to amend the Local Government Act, 1919, the Sydney Corporation Act, 1932-1941, and the Local Government (Electoral Provisions) Act, 1941; to repeal the Local Government (Patriotic Purposes) Act, 1941; to validate certain matters; and for purposes connected therewith. [Assented to, 19th June, 1942.]

BE

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

G. BOOTH,  
*Chairman of Committees of the Legislative Assembly.*

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*Local Government (Amendment).*

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**B**E 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 the same, as follows :—

PART I.

PRELIMINARY.

Short title  
and divi-  
sion into  
Parts.

**1.** (1) This Act may be cited as the "Local Government (Amendment) Act, 1942."

(2) This Act is divided into Parts as follows :—

PART I.—PRELIMINARY.

PART II.—AMENDMENT OF THE LOCAL GOVERNMENT (ELECTORAL PROVISIONS) ACT, 1941.

PART III.—AMENDMENT OF THE SYDNEY CORPORATION ACT, 1932-1941.

PART IV.—AMENDMENT OF THE LOCAL GOVERNMENT ACT, 1919, AS AMENDED BY SUBSEQUENT ACTS.

PART V.—CONSEQUENTIAL REPEAL.

PART VI.—VALIDATIONS.

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PART II.

AMENDMENT OF THE LOCAL GOVERNMENT (ELECTORAL PROVISIONS) ACT, 1941.

Amendment  
of Act No.  
32, 1941.

**2.** (1) The Local Government (Electoral Provisions) Act, 1941, is amended—

Sec. 5.  
(Prepara-  
tion of  
original  
roll.)

(a) by inserting at the end of subsection one of section five the following words: "It shall be a sufficient compliance with the requirements of this subsection if the preparation of such rolls is completed on or before the seventh day of October, one thousand nine hundred and forty-three";

(b)

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*Local Government (Amendment).*

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- (b) by omitting from subsection one of section ten the words "one thousand nine hundred and forty-two" and by inserting in lieu thereof the words "one thousand nine hundred and forty-three";

Sec. 10.  
(Extension  
of fran-  
chise.)

- (c) by omitting section eleven and by inserting in lieu thereof the following new section:—

Sec. 11.  
(Commence-  
ment  
of s. 12.)  
Commence-  
ment  
of s. 12.

11. (1) The council of each area shall cause an original roll of electors to be prepared in the year one thousand nine hundred and forty-three.

The preparation of such rolls shall be completed on or before the seventh day of October, one thousand nine hundred and forty-three.

(2) Such original rolls shall be prepared under and in accordance with the provisions of the Principal Act as amended by this Division of this Part of this Act.

(3) For the purposes only of the preparation of such original rolls and of matters necessary for or incidental to such preparation section twelve of this Act shall be deemed to have commenced upon the first Saturday in December, one thousand nine hundred and forty-one.

(4) Upon the eighth day of October, one thousand nine hundred and forty-three, section twelve of this Act shall come into operation for all purposes.

- (2) It shall not be necessary for the council of an area to cause an original roll of electors or a supplementary roll of electors to be prepared in the year one thousand nine hundred and forty-two.

Rolls  
need not be  
prepared  
in 1942.

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PART

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*Local Government (Amendment).*

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PART III.

AMENDMENT OF THE SYDNEY CORPORATION ACT, 1932-1941.

DIVISION 1.—*Construction and citation.*

Construc-  
tion and  
citation.

**3.** (1) This Part shall be read and construed with the Sydney Corporation Act, 1932-1941, as amended by subsequent Acts.

(2) The Sydney Corporation Act, 1932-1941, as so amended, is in this Part referred to as the Principal Act.

(3) The Principal Act as amended by this Part of this Act may be cited as the Sydney Corporation Act, 1932-1942.

DIVISION 2.—*Miscellaneous amendments of Sydney Corporation Act, 1932-1941.*

Amendment  
of Act No.  
58, 1932.  
Sec. 262E.  
(Polls as  
to loans.)

**4.** (1) The Principal Act is amended—

(a) by inserting after paragraph (f1) in subsection eleven of section 262E the following new paragraph:—

(f2) the protection of persons and property from injury or damage in the event of any warlike attack; and for the purposes of this paragraph “warlike attack” has the meaning given to that expression in the National Emergency Act, 1941.

New secs.  
293A-293D.

(b) by inserting next after section two hundred and ninety-three the following new sections:—

Charcoal.

293A. The council shall have the power to manufacture, produce or purchase and supply charcoal within or outside the city.

Air raid  
shelters,  
trenches.

293B. The council shall have and shall be deemed always to have had the power to do all things necessary in the construction of air raid shelters, trenches and other works for the protection of persons and property from injury or damage in the event of any warlike attack.

For the purpose of this section “warlike attack” has the meaning given to that expression in the National Emergency Act, 1941.

293c.

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*Local Government (Amendment).*

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293c. (1) The council may—

War expen-  
diture.

- (a) expend money from the city fund to promote or assist recruiting for war service or to promote or contribute towards the cost of promoting the training of persons for National Emergency Services;
- (b) keep open the positions of officers or servants engaged on war service;
- (c) pay to any officer or servant—
  - (i) who is engaged on war service; or
  - (ii) who is engaged upon training as a member of any National Emergency Service; or
  - (iii) who is engaged on service with such National Emergency Service;

the difference between the pay received by such officer or servant for such service or training and the salary, wages or other remuneration of such officer or servant in respect of his office or employment with the council (or alternatively make provision for the dependants of any such officer or servant);

- (d) make available out of the city fund such moneys as it thinks fit—
  - (i) by way of gift to the Commonwealth of Australia for war purposes, or to any patriotic fund within the meaning of the National Security (Patriotic Funds) Regulations made under the National Security Act 1939-1940 of the Parliament of the Commonwealth of Australia and in force for the time being;

(ii)

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*Local Government (Amendment).*

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- (ii) by way of loan to the Commonwealth of Australia for war purposes on such terms as it may decide;
- (e) organise and contribute towards various funds for war purposes and for the relief of suffering caused by war;
- (f) write off rates and interest due by any person who is or has been engaged on war service or who is or has been employed or engaged in time of war in any capacity in a sea-going ship if the land on which the rates and interest are due is or has been unproductive by reason of his being so engaged or employed or if the enforcement of the payment of such rates and interest would cause hardship to such person;
- (g) expend a portion of its funds in the celebration of the signing of peace;
- (h) supply any service, product or commodity free or at less than cost to the army, navy or air force; or
- (i) supply any service, product or commodity free or at less than cost for any purpose of or relating to the meeting of any emergency arising out of a warlike attack or the fear or expectation thereof, or the protection of the persons and property of the civil population in case of emergency.

(2) For the purposes of this section "war service" shall have the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and a person who is a member of and who is performing or has performed continuous full time service with any of the following organisations, namely—

- (i) the Australian Army Nursing Service;
- (ii)

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*Local Government (Amendment).*


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- (ii) the Royal Australian Air Force Nursing Service;
- (iii) the Australian Navy Nursing Service;
- (iv) the Australian Women's Army Service;
- (v) the Women's Royal Australian Naval Service;
- (vi) the Women's Auxiliary Australian Air Force;
- (vii) a Voluntary Aid Detachment attached to the defence force or to any of the naval, military or air forces of the United Kingdom or of any other part of His Majesty's Dominions (other than the Commonwealth) or of any foreign power allied or associated with His Majesty in any war in which His Majesty is engaged, or of any foreign authority recognised by His Majesty as competent to maintain naval, military or air forces for service in association with His Majesty's forces; or
- (viii) any other organisation which the Governor declares by proclamation published in the Gazette to be an organisation engaged upon war service,

shall be deemed to be a person engaged on or to have been engaged on war service, and "National Emergency Service" means service in connection with the National Emergency Act, 1941.

293b. The Governor may from time to time by proclamation authorise the council for such time and on such conditions as he may decide to expend its funds within or outside the city for such purposes in connection with a war as are specified in the proclamation although such expenditure is not authorised by or under this or any other Act or any Act of the Parliament of the Commonwealth of Australia.

War expenditure—  
additional  
purposes.

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*Local Government (Amendment).*

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Further amendment of Act No. 58, 1932.

Sec. 61B.  
(National Services expenditure.)

Sec. 1.  
(Division into Parts.)

(2) The Principal Act is further amended—

(a) by omitting section 61B;

(b) by omitting from section one the figures "293" and by inserting in lieu thereof the figures and letter "293D."

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PART IV.

AMENDMENT OF LOCAL GOVERNMENT ACT, 1919, AS  
AMENDED BY SUBSEQUENT ACTS.

DIVISION 1.—*Construction.*

Construction and citation.

**5.** (1) This Part shall be read and construed with the Local Government Act, 1919, as amended by subsequent Acts.

(2) The Local Government Act, 1919, as so amended, is in this Part referred to as the Principal Act.

DIVISION 2.—*Miscellaneous amendments of Local Government Act, 1919, as amended by subsequent Acts.*

Amendment of Act No. 41, 1919.  
Sec. 4.  
(Definition "soldier" or "sailor.")

**6.** The Principal Act is amended—

(a) by omitting from section four the words—

"Soldier" or "sailor" means a person who is or has been a member of the Commonwealth Naval or Military Forces (including member of the Imperial Reserve residing in New South Wales before 1915) who enlisted or was appointed for active service outside Australia in connection with naval or military preparations or operations or in connection with the army, medical or nursing service," and by inserting in lieu



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*Local Government (Amendment).*


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lieu thereof the following definition: "Soldier" or "sailor" means a person who is or has been on war service within the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and includes a person deemed to be engaged on or to have been engaged on war service for the purposes of section five hundred and three of this Act;

- (b) by inserting after paragraph (g5) of subsection one of section one hundred and seventy-seven the following new paragraph:—

Sec. 177.  
(Purpose of ordinary loans.)

(g6) the protection of persons and property from injury or damage in the event of any warlike attack; and for the purposes of this paragraph "warlike attack" has the meaning given to that expression in the National Emergency Act, 1941.

- (c) by inserting after section two hundred and seventy-nine the following new section:—

New sec. 279A.

279A. The council shall have and shall be deemed always to have had the power to do all things necessary in the construction of air raid shelters, trenches and other works for the protection of persons and property from injury or damage in the event of any warlike attack.

Air raid shelters, trenches.

For the purposes of this section "warlike attack" has the meaning given to that expression in the National Emergency Act, 1941.

- (d) by inserting after section four hundred and seventy-eight the following new section:—

New sec. 478A.

478A. The council shall have and shall be deemed always to have had the power to manufacture, produce or purchase and supply charcoal within or outside the area.

Charcoal.

(e)

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*Local Government (Amendment).*

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Substituted  
secs. 503  
and 503A.

War expen-  
diture.

(e) by omitting section five hundred and three and section 503A and by inserting in lieu thereof the following new sections:—

503. (1) The council may—

- (a) expend its funds to promote or assist recruiting for war service or to promote or contribute towards the cost of promoting the training of persons for National Emergency Services;
- (b) keep open the positions of servants engaged on war service;
- (c) pay to any servant—
  - (i) who is engaged on war service; or
  - (ii) who is engaged upon training as a member of any National Emergency Service; or
  - (iii) who is engaged on service with such National Emergency Service;

the difference between the pay received by such servant for such service or training and the salary or pay of such servant in the service of the council (or alternatively make provision for the dependants of such servant);

- (d) make available out of its funds such moneys as it thinks fit—
  - (i) by way of gift to the Commonwealth of Australia for war purposes, or to any patriotic fund within the meaning of the National Security (Patriotic Funds) Regulations made under the National Security Act 1939-1940 of the Parliament of the Commonwealth of Australia and in force for the time being;
  - (ii)

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*Local Government (Amendment).*

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- (ii) by way of loan to the Commonwealth of Australia for war purposes on such terms as it may decide;
- (e) organise and contribute towards various funds for war purposes, and for the relief of suffering caused by war;
- (f) write off rates and extra charges (on overdue rates) due by any person who is or has been engaged on war service or who is or has been employed or engaged in time of war in any capacity in a sea-going ship if the land on which the rates and extra charges are due is or has been unproductive by reason of his being so engaged or employed or if the enforcement of the payment of such rates and extra charges would cause hardship to such person;
- (g) expend a portion of its funds in the celebration of the signing of peace;
- (h) supply any service, product or commodity free or at less than cost to the army, navy or air force; or
- (i) supply any service, product or commodity free or at less than cost for any purpose of or relating to the meeting of any emergency arising out of a warlike attack or the fear or expectation thereof, or the protection of the persons and property of the civil population in case of emergency.

(2) For the purposes of this section "war service" shall have the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and a person who is a member of and who is performing or has performed continuous full  
time

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*Local Government (Amendment).*

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time service with any of the following organisations, namely—

- (i) the Australian Army Nursing Service;
  - (ii) the Royal Australian Air Force Nursing Service;
  - (iii) the Australian Navy Nursing Service;
  - (iv) the Australian Women's Army Service;
  - (v) the Women's Royal Australian Naval Service;
  - (vi) the Women's Auxiliary Australian Air Force;
  - (vii) a Voluntary Aid Detachment attached to the Defence Force or to any of the naval, military or air forces of the United Kingdom or of any other part of His Majesty's Dominions (other than the Commonwealth) or of any foreign power allied or associated with His Majesty in any war in which His Majesty is engaged, or of any foreign authority recognised by His Majesty as competent to maintain naval, military or air forces for service in association with His Majesty's Forces; or
  - (viii) any other organisation which the Governor declares by proclamation published in the Gazette to be an organisation engaged upon war service,
- shall be deemed to be a person engaged on or to have been engaged on war service, and "National Emergency Service" means service in connection with the National Emergency Act, 1941.

(3) For the purposes of this section "council" includes a county council and a county council may exercise the powers given by this section in all respects as if such powers had  
been

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*Local Government (Amendment).*

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been delegated to the county council by proclamation issued in pursuance of section five hundred and sixty-four of this Act.

503A. The Governor may from time to time by proclamation authorise the council (including a county council) for such time and on such conditions as he may decide to expend its funds within or outside the area for such purposes in connection with the war as are specified in the proclamation although such expenditure is not authorised by or under this or any other Act or any Act of the Parliament of the Commonwealth of Australia.

War expenditure—  
additional  
purposes.

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PART V.

CONSEQUENTIAL REPEAL.

7. The Local Government (Patriotic Purposes) Act, 1941, is repealed.

Consequential  
repeal of Act  
No. 5, 1941.

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PART VI.

VALIDATIONS.

8. (1) Any act, matter or thing done or payment of any sum of money made by the Municipal Council of Sydney before the commencement of this Act which, if done or made after such commencement, would be authorised or permitted by section 293c of the Sydney Corporation Act, 1932-1942, inserted by this Act, is hereby validated.

Validation  
of certain  
acts of  
Municipal  
Council of  
Sydney.

(2) Any act, matter or thing done or payment of any sum of money made by the council of any area within the meaning of the Local Government Act, 1919, or by any county council within the meaning of that Act, before the commencement of this Act and which, if done or made after such commencement, would be authorised or permitted by section five hundred and three of the said Act as substituted by this Act, is hereby validated.

Validation  
of certain  
acts of  
councils.

(3)

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*Local Government (Amendment).*

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Validation  
of certain  
levy of  
rates by  
Yass  
Council.

(3) The levy by the council of the Municipality of Yass of rates during the year one thousand nine hundred and forty-two shall not be invalid by reason only of the facts that at the time of service the rate notices bore a fac-simile of a signature of a person then deceased and were not signed by or did not have stamped or printed thereon a fac-simile of the signature of the town clerk or any person duly acting as town clerk.

*In the name and on behalf of His Majesty I assent to  
this Act.*

WAKEHURST,  
Governor.

*Government House,  
Sydney, 19th June, 1942.*







LOCAL GOVERNMENT (AMENDMENT) BILL.

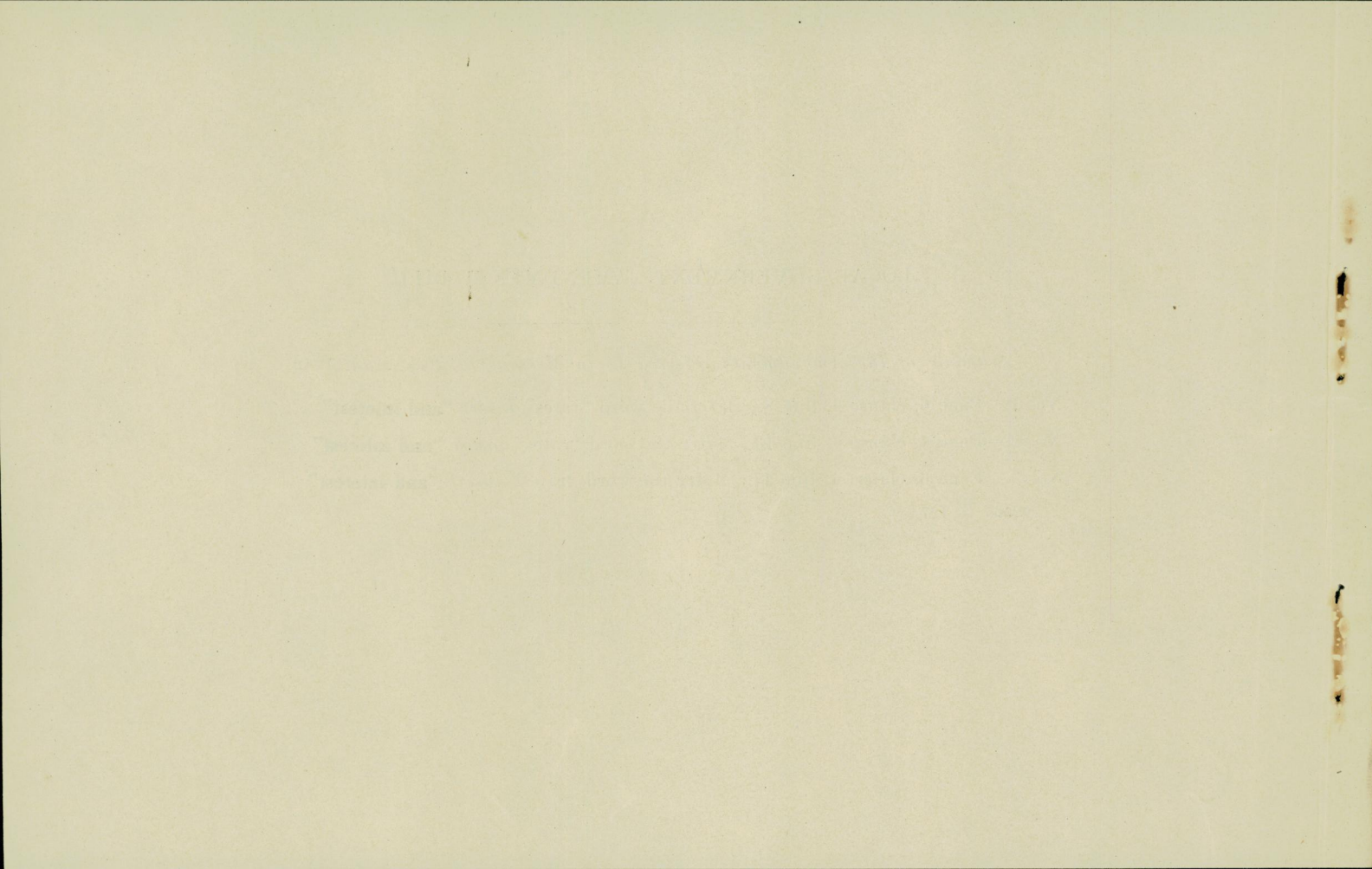
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*Schedule of the Amendments referred to in Message of 20th May, 1942.*

No. 1.—Page 6, clause 4, line 8. *After the word “rates” insert “and interest”*

No. 2.—Page 6, clause 4, line 13. *After the word “rates” insert “and interest”*

No. 3.—Page 6, clause 4, line 17. *After the word “rates” insert “and interest”*



*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. R. McCOURT,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 7 May, 1942.*

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

W. K. CHARLTON,  
*Clerk of the Parliamēnts.*

*Legislative Council Chamber,  
Sydney, 20th May, 1942.*

## New South Wales.



ANNO SEXTO

# GEORGII VI REGIS.

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Act No. , 1942.

An Act to make provision for the exercise by the Municipal Council of Sydney and by the councils of municipalities and shires of certain powers in relation to matters connected with or arising out of the existence of a state of war; to make further provision in relation to the preparation of rolls of citizens in the City of Sydney, and of rolls of electors in municipalities and shires; to amend the Local Government Act, 1919, the Sydney Corporation Act, 1932-1941, and the Local Government (Electoral Provisions) Act, 1941; to repeal the Local Government (Patriotic Purposes) Act, 1941; to validate certain matters; and for purposes connected therewith.

99565

127—

BE

NOTE.—The words to be *inserted* are printed in black letter.

*Local Government (Amendment).*

**B**E 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 the same, as follows :—

PART I.

PRELIMINARY.

**1.** (1) This Act may be cited as the "Local Government (Amendment) Act, 1942."

Short title and division into Parts.

10 (2) This Act is divided into Parts as follows:—

PART I.—PRELIMINARY.

PART II.—AMENDMENT OF THE LOCAL GOVERNMENT (ELECTORAL PROVISIONS) ACT, 1941.

15 PART III.—AMENDMENT OF THE SYDNEY CORPORATION ACT, 1932-1941.

PART IV.—AMENDMENT OF THE LOCAL GOVERNMENT ACT, 1919, AS AMENDED BY SUBSEQUENT ACTS.

PART V.—CONSEQUENTIAL REPEAL.

PART VI.—VALIDATIONS.

20 PART II.

AMENDMENT OF THE LOCAL GOVERNMENT (ELECTORAL PROVISIONS) ACT, 1941.

**2.** (1) The Local Government (Electoral Provisions) Act, 1941, is amended—

Amendment of Act No. 32, 1941.

25 (a) by inserting at the end of subsection one of section five the following words: "It shall be a sufficient compliance with the requirements of this subsection if the preparation of such rolls is completed on or before the seventh day of  
30 October, one thousand nine hundred and forty-three";

Sec. 5. (Preparation of original roll.)

(b)

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*Local Government (Amendment).*

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- 5 (b) by omitting from subsection one of section ten the words "one thousand nine hundred and forty-two" and by inserting in lieu thereof the words "one thousand nine hundred and forty-three";
- 10 (c) by omitting section eleven and by inserting in lieu thereof the following new section:—
11. (1) The council of each area shall cause an original roll of electors to be prepared in the year one thousand nine hundred and forty-three.
- The preparation of such rolls shall be completed on or before the seventh day of October, one thousand nine hundred and forty-three.
- 15 (2) Such original rolls shall be prepared under and in accordance with the provisions of the Principal Act as amended by this Division of this Part of this Act.
- 20 (3) For the purposes only of the preparation of such original rolls and of matters necessary for or incidental to such preparation section twelve of this Act shall be deemed to have commenced upon the first Saturday in December, one thousand nine hundred and forty-one.
- 25 (4) Upon the eighth day of October, one thousand nine hundred and forty-three, section twelve of this Act shall come into operation for all purposes.
- 30 (2) It shall not be necessary for the council of an area to cause an original roll of electors or a supplementary roll of electors to be prepared in the year one thousand nine hundred and forty-two.

Sec. 10.  
(Extension  
of fran-  
chise.)

Sec. 11.  
(Commence-  
ment  
of s. 12.)  
Commence-  
ment  
of s. 12.

Rolls  
need not be  
prepared  
in 1942.

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*Local Government (Amendment).*


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## PART III.

## AMENDMENT OF THE SYDNEY CORPORATION ACT, 1932-1941.

DIVISION 1.—*Construction and citation.*

3. (1) This Part shall be read and construed with the  
 5 Sydney Corporation Act, 1932-1941, as amended by sub-  
 sequent Acts. Construction  
and  
citation.

(2) The Sydney Corporation Act, 1932-1941, as so  
 amended, is in this Part referred to as the Principal Act.

(3) The Principal Act as amended by this Part of  
 10 this Act may be cited as the Sydney Corporation Act,  
 1932-1942.

DIVISION 2.—*Miscellaneous amendments of Sydney  
 Corporation Act, 1932-1941.*

4. (1) The Principal Act is amended—

15 (a) by inserting after paragraph (f1) in subsection  
 eleven of section 262E the following new para-  
 graph:— Amendment  
of Act No.  
58, 1932.  
Sec. 262E.  
(Polls as  
to loans.)

(f2) the protection of persons and property  
 20 from injury or damage in the event of  
 any warlike attack; and for the pur-  
 poses of this paragraph “warlike  
 attack” has the meaning given to that  
 expression in the National Emergency  
 Act, 1941.

25 (b) by inserting next after section two hundred and  
 ninety-three the following new sections:— New secs.  
293A-293D.

293A. The council shall have the power to  
 manufacture, produce or purchase and supply  
 charcoal within or outside the city. Charcoal.

30 293B. The council shall have and shall be  
 deemed always to have had the power to do all  
 things necessary in the construction of air raid  
 shelters, trenches and other works for the  
 protection of persons and property from injury  
 or damage in the event of any warlike attack. Air raid  
shelters,  
trenches.

35 For the purpose of this section “warlike  
 attack” has the meaning given to that expres-  
 sion in the National Emergency Act, 1941.

293c.

*Local Government (Amendment).*

293c. (1) The council may—

War expen-  
diture.

- 5 (a) expend money from the city fund to promote or assist recruiting for war service or to promote or contribute towards the cost of promoting the training of persons for National Emergency Services;
- 10 (b) keep open the positions of officers or servants engaged on war service;
- (c) pay to any officer or servant—
- (i) who is engaged on war service; or
- 15 (ii) who is engaged upon training as a member of any National Emergency Service; or
- (iii) who is engaged on service with such National Emergency Service;
- 20 the difference between the pay received by such officer or servant for such service or training and the salary, wages or other remuneration of such officer or servant in respect of his office or employment with the council (or alternatively make provision for the dependants of any such officer or servant);
- 25 (d) make available out of the city fund such moneys as it thinks fit—
- 30 (i) by way of gift to the Commonwealth of Australia for war purposes, or to any patriotic fund within the meaning of the National Security (Patriotic Funds) Regulations made under the National Security Act 1939-1940 of the Parliament of the Commonwealth of Australia and in force for the time being;
- 35 (ii)

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*Local Government (Amendment).*

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- (ii) by way of loan to the Commonwealth of Australia for war purposes on such terms as it may decide;
- 5 (e) organise and contribute towards various funds for war purposes and for the relief of suffering caused by war;
- 10 (f) write off rates **and interest** due by any person who is or has been engaged on war service or who is or has been employed or engaged in time of war in any capacity in a sea-going ship if the land on which the rates **and interest** are due is or has been unproductive by reason of his being so engaged or employed or if the enforcement of the payment of such rates **and interest** would cause hardship to such person;
- 15 (g) expend a portion of its funds in the celebration of the signing of peace;
- 20 (h) supply any service, product or commodity free or at less than cost to the army, navy or air force; or
- 25 (i) supply any service, product or commodity free or at less than cost for any purpose of or relating to the meeting of any emergency arising out of a warlike attack or the fear or expectation thereof, or the protection of the persons and property of the civil population in case of emergency.
- 30 (2) For the purposes of this section "war service" shall have the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and a person who is a member of and who is performing or has performed continuous full time service with any of the following organisations, namely—
- 35 (i) the Australian Army Nursing Service;
- 40 (ii).



*Local Government (Amendment).*

- 5 (ii) the Royal Australian Air Force Nursing Service;
- (iii) the Australian Navy Nursing Service;
- (iv) the Australian Women's Army Service;
- 5 (v) the Women's Royal Australian Naval Service;
- (vi) the Women's Auxiliary Australian Air Force;
- 10 (vii) a Voluntary Aid Detachment attached to the defence force or to any of the naval, military or air forces of the United Kingdom or of any other part of His Majesty's Dominions (other than the Commonwealth) or of any
- 15 foreign power allied or associated with His Majesty in any war in which His Majesty is engaged, or of any foreign authority recognised by His Majesty as competent to maintain naval, military or air forces for service in association with His Majesty's forces; or
- 20 (viii) any other organisation which the Governor declares by proclamation published in the Gazette to be an organisation engaged upon war service,
- 25 shall be deemed to be a person engaged on or to have been engaged on war service, and "National Emergency Service" means service in connection with the National Emergency Act, 1941.
- 30

35 293d. The Governor may from time to time by proclamation authorise the council for such time and on such conditions as he may decide to expend its funds within or outside the city for such purposes in connection with a war as are specified in the proclamation although such expenditure is not authorised by or under this or any other Act or any Act of the Parliament of the Commonwealth of Australia.

War expenditure—  
additional purposes.

*Local Government (Amendment).*

(2) The Principal Act is further amended—

(a) by omitting section 61B;

(b) by omitting from section one the figures "293" and by inserting in lieu thereof the figures and letter "293D."

Further amendment of Act No. 58, 1932. Sec. 61B. (National Services expenditure.)

Sec. 1. (Division into Parts.)

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PART IV.

AMENDMENT OF LOCAL GOVERNMENT ACT, 1919, AS AMENDED BY SUBSEQUENT ACTS.

DIVISION 1.—*Construction.*

10 5. (1) This Part shall be read and construed with the Local Government Act, 1919, as amended by subsequent Acts.

Construction and citation.

(2) The Local Government Act, 1919, as so amended, is in this Part referred to as the Principal Act.

15 DIVISION 2.—*Miscellaneous amendments of Local Government Act, 1919, as amended by subsequent Acts.*

6. The Principal Act is amended—

(a) by omitting from section four the words—

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"Soldier" or "sailor" means a person who is or has been a member of the Commonwealth Naval or Military Forces (including member of the Imperial Reserve residing in New South Wales before 1915) who enlisted or was appointed for active service outside Australia in connection with naval or military preparations or operations or in connection with the army, medical or nursing service," and by inserting in lieu

Amendment of Act No. 41, 1919. Sec. 4. (Definition "soldier" or "sailor.")

*Local Government (Amendment).*

5 lieu thereof the following definition:  
 "Soldier" or "sailor" means a person  
 who is or has been on war service  
 within the meaning ascribed to that  
 10 expression in the Defence Act 1903-  
 1941 of the Parliament of the Common-  
 wealth of Australia and includes a  
 person deemed to be engaged on or to  
 have been engaged on war service for  
 the purposes of section five hundred  
 and three of this Act;

(b) by inserting after paragraph (g5) of subsection one of section one hundred and seventy-seven the following new paragraph:—

Sec. 177.  
 (Purpose  
 of  
 ordinary  
 loans.)

15 (g6) the protection of persons and property  
 from injury or damage in the event of  
 any warlike attack; and for the pur-  
 poses of this paragraph "warlike  
 20 attack" has the meaning given to that  
 expression in the National Emergency  
 Act, 1941.

(c) by inserting after section two hundred and seventy-nine the following new section:—

New sec.  
 279A.

25 279A. The council shall have and shall be  
 deemed always to have had the power to do all  
 things necessary in the construction of air raid  
 shelters, trenches and other works for the  
 protection of persons and property from  
 injury or damage in the event of any warlike  
 30 attack.

Air raid  
 shelters,  
 trenches.

For the purposes of this section "warlike  
 attack" has the meaning given to that expres-  
 sion in the National Emergency Act, 1941.

(d) by inserting after section four hundred and seventy-eight the following new section:—

New sec.  
 478A.

35 478A. The council shall have and shall be  
 deemed always to have had the power to manu-  
 facture, produce or purchase and supply char-  
 coal within or outside the area.

Charcoal.

(e)

*Local Government (Amendment).*

(e) by omitting section five hundred and three and section 503A and by inserting in lieu thereof the following new sections:—

Substituted  
secs. 503  
and 503A.

503. (1) The council may—

War expen-  
diture.

- 5 (a) expend its funds to promote or assist recruiting for war service or to promote or contribute towards the cost of promoting the training of persons for National Emergency Services;
- 10 (b) keep open the positions of servants engaged on war service;
- (c) pay to any servant—
- 15 (i) who is engaged on war service; or
- (ii) who is engaged upon training as a member of any National Emergency Service; or
- 20 (iii) who is engaged on service with such National Emergency Service;
- the difference between the pay received by such servant for such service or training and the salary or pay of such servant in the service of the council (or alternatively make provision for the dependants of such servant);
- 25 (d) make available out of its funds such moneys as it thinks fit—
- 30 (i) by way of gift to the Commonwealth of Australia for war purposes, or to any patriotic fund within the meaning of the National Security (Patriotic Funds) Regulations made under the National Security Act 1939-1940 of the Parliament of the Commonwealth of Australia and in force for the time being;
- 35 (ii)

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*Local Government (Amendment).*

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- (ii) by way of loan to the Commonwealth of Australia for war purposes on such terms as it may decide;
- 5 (e) organise and contribute towards various funds for war purposes, and for the relief of suffering caused by war;
- 10 (f) write off rates and extra charges (on overdue rates) due by any person who is or has been engaged on war service or who is or has been employed or engaged in time of war in any capacity in a sea-going ship if the land on which the rates and extra charges are due is or has been unproductive by reason of his being so engaged or employed or if the enforcement of the payment of such rates and extra charges would cause hardship to such person;
- 20 (g) expend a portion of its funds in the celebration of the signing of peace;
- (h) supply any service, product or commodity free or at less than cost to the army, navy or air force; or
- 25 (i) supply any service, product or commodity free or at less than cost for any purpose of or relating to the meeting of any emergency arising out of a warlike attack or the fear or expectation thereof, or the protection of the persons and property of the civil population in case of emergency.
- 30 (2) For the purposes of this section "war service" shall have the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and a person who is a member of and who is performing or has performed continuous full
- 35 time

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*Local Government (Amendment).*

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time service with any of the following organisations, namely—

- 5 (i) the Australian Army Nursing Service;  
(ii) the Royal Australian Air Force Nursing Service;  
(iii) the Australian Navy Nursing Service;  
(iv) the Australian Women's Army Service;  
(v) the Women's Royal Australian Naval Service;
- 10 (vi) the Women's Auxiliary Australian Air Force;
- 15 (vii) a Voluntary Aid Detachment attached to the Defence Force or to any of the naval, military or air forces of the United Kingdom or of any other part of His Majesty's Dominions (other than the Commonwealth) or of any foreign power allied or associated with His Majesty in any war in which His Majesty is engaged, or of any foreign authority recognised by His Majesty as competent to maintain naval, military or air forces for service in association with His Majesty's Forces; or
- 20 (viii) any other organisation which the Governor declares by proclamation published in the Gazette to be an organisation engaged upon war service,
- 25 shall be deemed to be a person engaged on or to have been engaged on war service, and "National Emergency Service" means service in connection with the National Emergency Act, 1941.
- 30
- 35 (3) For the purposes of this section "council" includes a county council and a county council may exercise the powers given by this section in all respects as if such powers had been

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*Local Government (Amendment).*

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been delegated to the county council by proclamation issued in pursuance of section five hundred and sixty-four of this Act.

- 5           503A. The Governor may from time to time by proclamation authorise the council (including a county council) for such time and on such conditions as he may decide to expend its funds within or outside the area for such purposes in connection with the war as are specified in the proclamation although such expenditure is not authorised by or under this or any other Act or
- 10           any Act of the Parliament of the Commonwealth of Australia.

War expenditure—  
additional  
purposes.

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PART V.

CONSEQUENTIAL REPEAL.

- 15           7. The Local Government (Patriotic Purposes) Act, 1941, is repealed.

Consequential  
repeal of Act  
No. 5, 1941.

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PART VI.

VALIDATIONS.

- 20           8. (1) Any act, matter or thing done or payment of any sum of money made by the Municipal Council of Sydney before the commencement of this Act which, if done or made after such commencement, would be authorised or permitted by section 293c of the Sydney Corporation Act, 1932-1942, inserted by this Act, is hereby
- 25           validated.
- (2) Any act, matter or thing done or payment of any sum of money made by the council of any area within the meaning of the Local Government Act, 1919, or by any
- 30           county council within the meaning of that Act, before the commencement of this Act and which, if done or made after such commencement, would be authorised or permitted by section five hundred and three of the said Act as substituted by this Act, is hereby validated.

Validation  
of certain  
acts of  
Municipal  
Council of  
Sydney.

Validation  
of certain  
acts of  
councils.

(3)

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*Local Government (Amendment).*

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(3) The levy by the council of the Municipality of Yass of rates during the year one thousand nine hundred and forty-two shall not be invalid by reason only of the facts that at the time of service the rate notices bore a  
5 fac-simile of a signature of a person then deceased and were not signed by or did not have stamped or printed thereon a fac-simile of the signature of the town clerk or any person duly acting as town clerk.

Validation  
of certain  
levy of  
rates by  
Yass  
Council.







*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. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 7 May, 1942.*

## New South Wales.



ANNO SEXTO

## GEORGI II REGIS.

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Act No. , 1942.

An Act to make provision for the exercise by the Municipal Council of Sydney and by the councils of municipalities and shires of certain powers in relation to matters connected with or arising out of the existence of a state of war; to make further provision in relation to the preparation of rolls of citizens in the City of Sydney, and of rolls of electors in municipalities and shires; to amend the Local Government Act, 1919, the Sydney Corporation Act, 1932-1941, and the Local Government (Electoral Provisions) Act, 1941; to repeal the Local Government (Patriotic Purposes) Act, 1941; to validate certain matters; and for purposes connected therewith.

*Local Government (Amendment).*

**B**E 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 the same, as follows:—

PART I.

PRELIMINARY.

1. (1) This Act may be cited as the "Local Government (Amendment) Act, 1942."

Short title and division into Parts.

10 (2) This Act is divided into Parts as follows:—

PART I.—PRELIMINARY.

PART II.—AMENDMENT OF THE LOCAL GOVERNMENT (ELECTORAL PROVISIONS) ACT, 1941.

15 PART III.—AMENDMENT OF THE SYDNEY CORPORATION ACT, 1932-1941.

PART IV.—AMENDMENT OF THE LOCAL GOVERNMENT ACT, 1919, AS AMENDED BY SUBSEQUENT ACTS.

PART V.—CONSEQUENTIAL REPEAL.

PART VI.—VALIDATIONS.

20 PART II.

AMENDMENT OF THE LOCAL GOVERNMENT (ELECTORAL PROVISIONS) ACT, 1941.

2. (1) The Local Government (Electoral Provisions) Act, 1941, is amended—

Amendment of Act No. 32, 1941.

25 (a) by inserting at the end of subsection one of section five the following words: "It shall be a sufficient compliance with the requirements of this subsection if the preparation of such rolls is completed on or before the seventh day of October, one thousand nine hundred and forty-three";

Sec. 5. (Preparation of original roll.)

(b)

*Local Government (Amendment).*

- 5 (b) by omitting from subsection one of section ten the words "one thousand nine hundred and forty-two" and by inserting in lieu thereof the words "one thousand nine hundred and forty-three";
- 10 (c) by omitting section eleven and by inserting in lieu thereof the following new section:—
11. (1) The council of each area shall cause an original roll of electors to be prepared in the year one thousand nine hundred and forty-three.
- The preparation of such rolls shall be completed on or before the seventh day of October, one thousand nine hundred and forty-three.
- 15 (2) Such original rolls shall be prepared under and in accordance with the provisions of the Principal Act as amended by this Division of this Part of this Act.
- 20 (3) For the purposes only of the preparation of such original rolls and of matters necessary for or incidental to such preparation section twelve of this Act shall be deemed to have commenced upon the first Saturday in December, one thousand nine hundred and forty-one.
- 25 (4) Upon the eighth day of October, one thousand nine hundred and forty-three, section twelve of this Act shall come into operation for all purposes.
- 30 (2) It shall not be necessary for the council of an area to cause an original roll of electors or a supplementary roll of electors to be prepared in the year one thousand nine hundred and forty-two.

Sec. 10.  
(Extension of franchise.)

Sec. 11.  
(Commencement of s. 12.)  
Commencement of s. 12.

Rolls need not be prepared in 1942.

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*Local Government (Amendment).*

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PART III.

AMENDMENT OF THE SYDNEY CORPORATION ACT, 1932-1941.

DIVISION 1.—*Construction and citation.*

3. (1) This Part shall be read and construed with the  
5 Sydney Corporation Act, 1932-1941, as amended by sub-  
sequent Acts. Construc-  
tion and  
citation.

(2) The Sydney Corporation Act, 1932-1941, as so  
amended, is in this Part referred to as the Principal Act.

(3) The Principal Act as amended by this Part of  
10 this Act may be cited as the Sydney Corporation Act,  
1932-1942.

DIVISION 2.—*Miscellaneous amendments of Sydney  
Corporation Act, 1932-1941.*

4. (1) The Principal Act is amended—

15 (a) by inserting after paragraph (f1) in subsection  
eleven of section 262E the following new para-  
graph:— Amendment  
of Act No.  
58, 1932.  
Sec. 262E.  
(Polls as  
to loans.)

(f2) the protection of persons and property  
20 from injury or damage in the event of  
any warlike attack; and for the pur-  
poses of this paragraph “warlike  
attack” has the meaning given to that  
expression in the National Emergency  
Act, 1941.

25 (b) by inserting next after section two hundred and  
ninety-three the following new sections:— New secs.  
293A-293D.

293A. The council shall have the power to  
manufacture, produce or purchase and supply  
charcoal within or outside the city. Charcoal.

30 293B. The council shall have and shall be  
deemed always to have had the power to do all  
things necessary in the construction of air raid  
shelters, trenches and other works for the  
protection of persons and property from injury  
or damage in the event of any warlike attack. Air raid  
shelters,  
trenches.

35 For the purpose of this section “warlike  
attack” has the meaning given to that expres-  
sion in the National Emergency Act, 1941.

293C.

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*Local Government (Amendment).*

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293c. (1) The council may—

War expen-  
diture.

- 5 (a) expend money from the city fund to promote or assist recruiting for war service or to promote or contribute towards the cost of promoting the training of persons for National Emergency Services;
- 10 (b) keep open the positions of officers or servants engaged on war service;
- (c) pay to any officer or servant—
- 15 (i) who is engaged on war service; or
- (ii) who is engaged upon training as a member of any National Emergency Service; or
- 20 (iii) who is engaged on service with such National Emergency Service;
- 25 the difference between the pay received by such officer or servant for such service or training and the salary, wages or other remuneration of such officer or servant in respect of his office or employment with the council (or alternatively make provision for the dependants of any such officer or servant);
- 30 (d) make available out of the city fund such moneys as it thinks fit—
- 35 (i) by way of gift to the Commonwealth of Australia for war purposes, or to any patriotic fund within the meaning of the National Security (Patriotic Funds) Regulations made under the National Security Act 1939-1940 of the Parliament of the Commonwealth of Australia and in force for the time being;
- (ii)

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*Local Government (Amendment).*

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- (ii) by way of loan to the Commonwealth of Australia for war purposes on such terms as it may decide;
- 5 (e) organise and contribute towards various funds for war purposes and for the relief of suffering caused by war;
- 10 (f) write off rates due by any person who is or has been engaged on war service or who is or has been employed or engaged in time of war in any capacity in a sea-going ship if the land on which the rates are due is or has been unproductive by reason of his being so engaged or employed or if the enforcement of the payment of such rates would cause hardship to such person;
- 15 (g) expend a portion of its funds in the celebration of the signing of peace;
- 20 (h) supply any service, product or commodity free or at less than cost to the army, navy or air force; or
- 25 (i) supply any service, product or commodity free or at less than cost for any purpose of or relating to the meeting of any emergency arising out of a warlike attack or the fear or expectation thereof, or the protection of the persons and property of the civil population in case of emergency.
- 30

(2) For the purposes of this section "war service" shall have the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and a person who is a member of and who is performing or has performed continuous full time service with any of the following organisations, namely—

35

- (i) the Australian Army Nursing Service;
- (ii)



*Local Government (Amendment).*

- 5 (ii) the Royal Australian Air Force Nursing Service;
- (iii) the Australian Navy Nursing Service;
- (iv) the Australian Women's Army Service;
- 5 (v) the Women's Royal Australian Naval Service;
- (vi) the Women's Auxiliary Australian Air Force;
- 10 (vii) a Voluntary Aid Detachment attached to the defence force or to any of the naval, military or air forces of the United Kingdom or of any other part of His Majesty's Dominions (other than the Commonwealth) or of any foreign power allied or associated with His Majesty in any war in which His Majesty is engaged, or of any foreign authority recognised by His Majesty as competent to maintain naval, military or air forces for service in association with His Majesty's forces; or
- 15 (viii) any other organisation which the Governor declares by proclamation published in the Gazette to be an organisation engaged upon war service,
- 20 shall be deemed to be a person engaged on or to have been engaged on war service, and "National Emergency Service" means service in connection with the National Emergency Act, 1941.
- 25
- 30

35 293b. The Governor may from time to time by proclamation authorise the council for such time and on such conditions as he may decide to expend its funds within or outside the city for such purposes in connection with a war as are specified in the proclamation although such expenditure is not authorised by or under this or any other Act or any Act of the Parliament of the Commonwealth of Australia.

War expenditure—  
additional purposes.

*Local Government (Amendment).*

- (2) The Principal Act is further amended—
- (a) by omitting section 61B;
  - (b) by omitting from section one the figures “293” and by inserting in lieu thereof the figures and letter “293D.”
- 5

Further amendment of Act No. 58, 1932.  
 Sec. 61B.  
 (National Services expenditure.)  
 Sec. 1.  
 (Division into Parts.)

PART IV.

AMENDMENT OF LOCAL GOVERNMENT ACT, 1919, AS AMENDED BY SUBSEQUENT ACTS.

DIVISION 1.—*Construction.*

- 10 5. (1) This Part shall be read and construed with the Local Government Act, 1919, as amended by subsequent Acts.
- (2) The Local Government Act, 1919, as so amended, is in this Part referred to as the Principal Act.

Construction and citation.

15 DIVISION 2.—*Miscellaneous amendments of Local Government Act, 1919, as amended by subsequent Acts.*

6. The Principal Act is amended—

- (a) by omitting from section four the words—
- 20 “Soldier” or “sailor” means a person who is or has been a member of the Commonwealth Naval or Military Forces (including member of the Imperial Reserve residing in New South Wales before 1915) who enlisted or was appointed for active service outside Australia in connection with naval or military preparations or operations or in connection with the army, medical or nursing service,” and by inserting in
- 25 lieu

Amendment of Act No. 41, 1919.  
 Sec. 4.  
 (Definition “soldier” or “sailor.”)

*Local Government (Amendment).*

5 lieu thereof the following definition:  
 “Soldier” or “sailor” means a person  
 who is or has been on war service  
 within the meaning ascribed to that  
 expression in the Defence Act 1903-  
 1941 of the Parliament of the Common-  
 10 wealth of Australia and includes a  
 person deemed to be engaged on or to  
 have been engaged on war service for  
 the purposes of section five hundred  
 and three of this Act;

(b) by inserting after paragraph (g5) of subsection  
 one of section one hundred and seventy-seven  
 the following new paragraph:—

Sec. 177.  
 (Purpose  
 of  
 ordinary  
 loans.)

15 (g6) the protection of persons and property  
 from injury or damage in the event of  
 any warlike attack; and for the pur-  
 poses of this paragraph “warlike  
 attack” has the meaning given to that  
 expression in the National Emergency  
 20 Act, 1941.

(c) by inserting after section two hundred and  
 seventy-nine the following new section:—

New sec.  
 279A.

25 279A. The council shall have and shall be  
 deemed always to have had the power to do all  
 things necessary in the construction of air raid  
 shelters, trenches and other works for the  
 protection of persons and property from  
 injury or damage in the event of any warlike  
 30 attack.

For the purposes of this section “warlike  
 attack” has the meaning given to that expres-  
 sion in the National Emergency Act, 1941.

(d) by inserting after section four hundred and  
 seventy-eight the following new section:—

New sec.  
 478A.

35 478A. The council shall have and shall be  
 deemed always to have had the power to manu-  
 facture, produce or purchase and supply char-  
 coal within or outside the area.

Charcoal.

(e)

*Local Government (Amendment).*

(e) by omitting section five hundred and three and section 503A and by inserting in lieu thereof the following new sections:—

Substituted  
secs. 503  
and 503A.

503. (1) The council may—

War expen-  
diture.

- 5 (a) expend its funds to promote or assist recruiting for war service or to promote or contribute towards the cost of promoting the training of persons for National Emergency Services;
- 10 (b) keep open the positions of servants engaged on war service;
- (c) pay to any servant—
- (i) who is engaged on war service;  
or
- 15 (ii) who is engaged upon training as a member of any National Emergency Service; or
- (iii) who is engaged on service with such National Emergency Service;
- 20 the difference between the pay received by such servant for such service or training and the salary or pay of such servant in the service of the council (or alternatively make provision for the dependants of such servant);
- 25 (d) make available out of its funds such moneys as it thinks fit—
- (i) by way of gift to the Commonwealth of Australia for war purposes, or to any patriotic fund within the meaning of the National Security (Patriotic Funds) Regulations made under the National Security Act 1939-1940 of the Parliament of the Commonwealth of Australia and in force for the time being;
- 30 (ii)
- 35

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*Local Government (Amendment).*

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- (ii) by way of loan to the Commonwealth of Australia for war purposes on such terms as it may decide;
- 5 (e) organise and contribute towards various funds for war purposes, and for the relief of suffering caused by war;
- 10 (f) write off rates and extra charges (on overdue rates) due by any person who is or has been engaged on war service or who is or has been employed or engaged in time of war in any capacity in a sea-going ship if the land on which the rates and extra charges are due is or has been unproductive by reason of his being so engaged or employed or if the enforcement of the payment of such rates and extra charges would cause hardship to such person;
- 15
- 20 (g) expend a portion of its funds in the celebration of the signing of peace;
- (h) supply any service, product or commodity free or at less than cost to the army, navy or air force; or
- 25
- (i) supply any service, product or commodity free or at less than cost for any purpose of or relating to the meeting of any emergency arising out of a warlike attack or the fear or expectation thereof, or the protection of the persons and property of the civil population in case of emergency.
- 30
- 35 (2) For the purposes of this section "war service" shall have the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and a person who is a member of and who is performing or has performed continuous full time

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*Local Government (Amendment).*

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time service with any of the following organisations, namely—

- 5 (i) the Australian Army Nursing Service;
- (ii) the Royal Australian Air Force Nursing Service;
- (iii) the Australian Navy Nursing Service;
- (iv) the Australian Women's Army Service;
- (v) the Women's Royal Australian Naval Service;
- 10 (vi) the Women's Auxiliary Australian Air Force;
- (vii) a Voluntary Aid Detachment attached to the Defence Force or to any of the naval, military or air forces of the United Kingdom or of any other part of His Majesty's Dominions (other than the Commonwealth) or of any foreign power allied or associated with His Majesty in any war in which His Majesty is engaged, or of any foreign authority recognised by His Majesty as competent to maintain naval, military or air forces for service in association with His Majesty's Forces; or
- 15 20 25 (viii) any other organisation which the Governor declares by proclamation published in the Gazette to be an organisation engaged upon war service,
- 30 shall be deemed to be a person engaged on or to have been engaged on war service, and "National Emergency Service" means service in connection with the National Emergency Act, 1941.

35 (3) For the purposes of this section "council" includes a county council and a county council may exercise the powers given by this section in all respects as if such powers had been

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*Local Government (Amendment).*

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been delegated to the county council by proclamation issued in pursuance of section five hundred and sixty-four of this Act.

- 5           503A. The Governor may from time to time by proclamation authorise the council (including a county council) for such time and on such conditions as he may decide to expend its funds within or outside the area for such purposes in connection with the war as are specified in the proclamation although such expenditure is not  
10 authorised by or under this or any other Act or any Act of the Parliament of the Commonwealth of Australia.
- War expenditure—  
additional purposes.

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PART V.

CONSEQUENTIAL REPEAL.

- 15           7. The Local Government (Patriotic Purposes) Act, 1941, is repealed.
- Consequential repeal of Act No. 5, 1941.

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PART VI.

VALIDATIONS.

- 20           8. (1) Any act, matter or thing done or payment of any sum of money made by the Municipal Council of Sydney before the commencement of this Act which, if done or made after such commencement, would be authorised or permitted by section 293c of the Sydney Corporation Act, 1932-1942, inserted by this Act, is hereby  
25 validated.
- Validation of certain acts of Municipal Council of Sydney.
- (2) Any act, matter or thing done or payment of any sum of money made by the council of any area within the meaning of the Local Government Act, 1919, or by any  
30 county council within the meaning of that Act, before the commencement of this Act and which, if done or made after such commencement, would be authorised or permitted by section five hundred and three of the said Act as substituted by this Act, is hereby validated.
- Validation of certain acts of councils.

(3)

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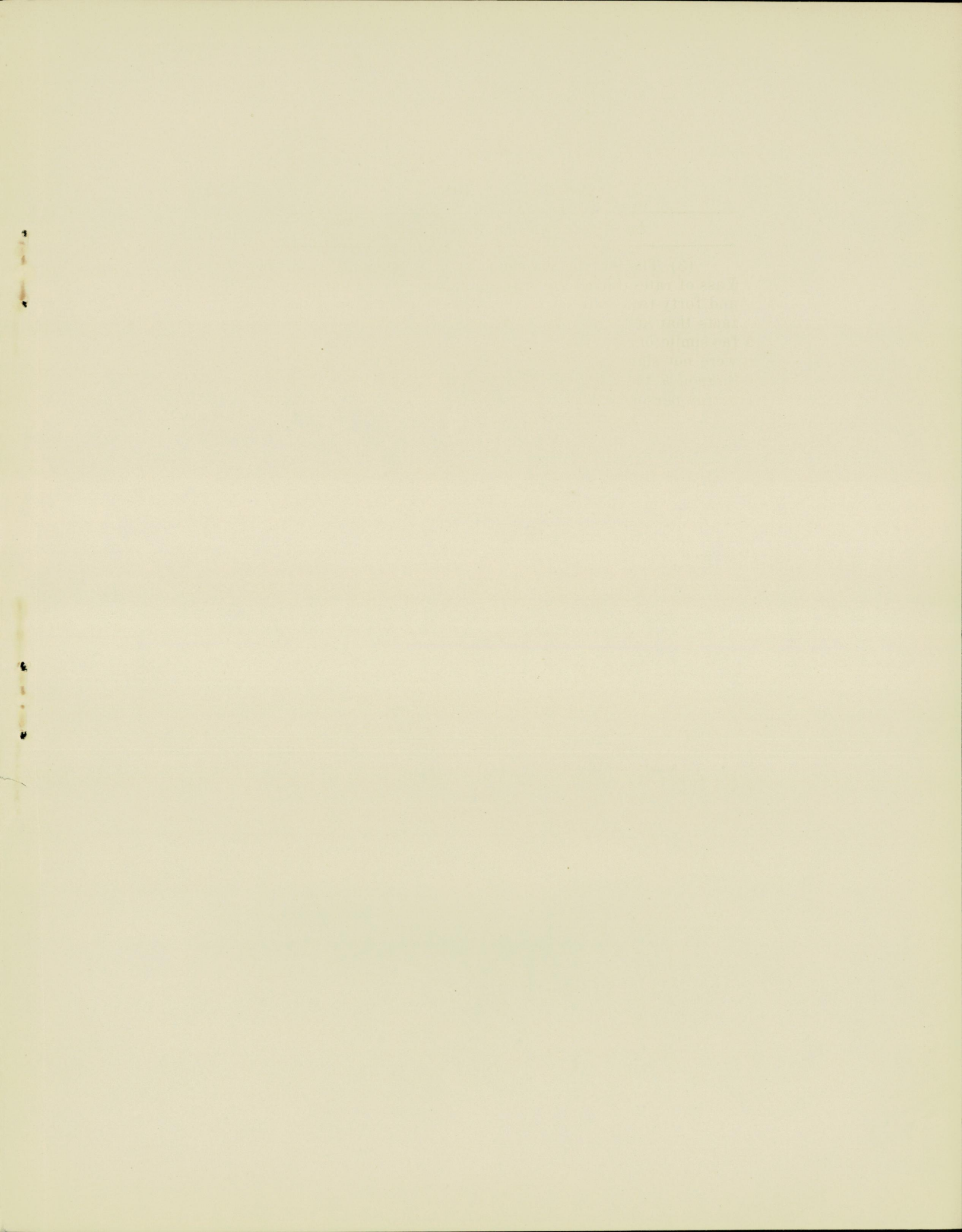
*Local Government (Amendment).*

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(3) The levy by the council of the Municipality of Yass of rates during the year one thousand nine hundred and forty-two shall not be invalid by reason only of the facts that at the time of service the rate notices bore a  
5 fac-simile of a signature of a person then deceased and were not signed by or did not have stamped or printed thereon a fac-simile of the signature of the town clerk or any person duly acting as town clerk.

Validation  
of certain  
levy of  
rates by  
Yass  
Council.







No. , 1942.

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## A BILL

To make provision for the exercise by the Municipal Council of Sydney and by the councils of municipalities and shires of certain powers in relation to matters connected with or arising out of the existence of a state of war; to make further provision in relation to the preparation of rolls of citizens in the City of Sydney, and of rolls of electors in municipalities and shires; to amend the Local Government Act, 1919, the Sydney Corporation Act, 1932-1941, and the Local Government (Electoral Provisions) Act, 1941; to repeal the Local Government (Patriotic Purposes) Act, 1941; to validate certain matters; and for purposes connected therewith.

[MR. JAMES MCGIRR;—22 *April*, 1942.]

*Local Government (Amendment).*

**B**E 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 the same, as follows:—

PART I.

PRELIMINARY.

1. (1) This Act may be cited as the "Local Government (Amendment) Act, 1942."

Short title and division into Parts.

10 (2) This Act is divided into Parts as follows:—

PART I.—PRELIMINARY.

PART II.—AMENDMENT OF THE LOCAL GOVERNMENT (ELECTORAL PROVISIONS) ACT, 1941.

15 PART III.—AMENDMENT OF THE SYDNEY CORPORATION ACT, 1932-1941.

PART IV.—AMENDMENT OF THE LOCAL GOVERNMENT ACT, 1919, AS AMENDED BY SUBSEQUENT ACTS.

PART V.—CONSEQUENTIAL REPEAL.

PART VI.—VALIDATIONS.

20 PART II.

AMENDMENT OF THE LOCAL GOVERNMENT (ELECTORAL PROVISIONS) ACT, 1941.

2. (1) The Local Government (Electoral Provisions) Act, 1941, is amended—

Amendment of Act No. 32, 1941.

25 (a) by inserting at the end of subsection one of section five the following words: "It shall be a sufficient compliance with the requirements of this subsection if the preparation of such rolls is completed on or before the seventh day of October, one thousand nine hundred and forty-three";

Sec. 5. (Preparation of original roll.)

30 (b)

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*Local Government (Amendment).*


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- 5 (b) by omitting from subsection one of section ten the words "one thousand nine hundred and forty-two" and by inserting in lieu thereof the words "one thousand nine hundred and forty-three";
- 10 (c) by omitting section eleven and by inserting in lieu thereof the following new section:—
11. (1) The council of each area shall cause an original roll of electors to be prepared in the year one thousand nine hundred and forty-three.
- The preparation of such rolls shall be completed on or before the seventh day of October, one thousand nine hundred and forty-three.
- 15 (2) Such original rolls shall be prepared under and in accordance with the provisions of the Principal Act as amended by this Division of this Part of this Act.
- 20 (3) For the purposes only of the preparation of such original rolls and of matters necessary for or incidental to such preparation section twelve of this Act shall be deemed to have commenced upon the first Saturday in December, one thousand nine hundred and forty-one.
- 25 (4) Upon the eighth day of October, one thousand nine hundred and forty-three, section twelve of this Act shall come into operation for all purposes.
- 30 (2) It shall not be necessary for the council of an area to cause an original roll of electors or a supplementary roll of electors to be prepared in the year one thousand nine hundred and forty-two.

Sec. 10.  
(Extension  
of fran-  
chise.)

Sec. 11.  
(Commence-  
ment  
of s. 12.)  
Commence-  
ment  
of s. 12.

Rolls  
need not be  
prepared  
in 1942.

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*Local Government (Amendment).*


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## PART III.

## AMENDMENT OF THE SYDNEY CORPORATION ACT, 1932-1941.

DIVISION 1.—*Construction and citation.*

3. (1) This Part shall be read and construed with the  
 5 Sydney Corporation Act, 1932-1941, as amended by sub-  
 sequent Acts. Construc-  
tion and  
citation.

(2) The Sydney Corporation Act, 1932-1941, as so  
 amended, is in this Part referred to as the Principal Act.

(3) The Principal Act as amended by this Part of  
 10 this Act may be cited as the Sydney Corporation Act,  
 1932-1942.

DIVISION 2.—*Miscellaneous amendments of Sydney  
Corporation Act, 1932-1941.*

4. (1) The Principal Act is amended—

15 (a) by inserting after paragraph (f1) in subsection  
 eleven of section 262E the following new para-  
 graph:— Amendment  
of Act No.  
58, 1932.  
Sec. 262E.  
(Polls as  
to loans.)

(f2) the protection of persons and property  
 from injury due to enemy action.

20 (b) by inserting next after section two hundred and  
 ninety-three the following new sections:— New secs.  
293A-293D.

293A. The council shall have the power to Charcoal.  
 manufacture, produce or purchase and supply  
 charcoal within or outside the city.

25 293B. The council shall have and shall be  
 deemed always to have had the power to do all  
 things necessary in time of war in the con-  
 struction of air raid shelters, trenches and other  
 works for the protection of persons and property  
 30 from injury due to enemy action. Air raid  
shelters,  
trenches.

293C. (1) The council may—

(a) expend money from the city fund to War expen-  
diture.  
 promote or assist recruiting for war  
 service or to promote or contribute  
 35 towards the cost of promoting the  
 training of persons for National  
 Emergency Services;

(b)

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*Local Government (Amendment).*

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- (b) keep open the positions of officers or servants engaged on war service;
- (c) pay to any officer or servant—
- 5 (i) who is engaged on war service;  
or
- (ii) who is engaged upon training as a member of any National Emergency Service; or
- 10 (iii) who is engaged on service with such National Emergency Service;
- the difference between the pay received by such officer or servant for such service or training and the salary, wages or other remuneration of such officer or servant in respect of his office or employment with the council (or alternatively make provision for the dependants of any such officer or servant);
- 15
- 20 (d) make available out of the city fund such moneys as it thinks fit—
- (i) by way of gift to the Commonwealth of Australia for war purposes, or to any patriotic fund within the meaning of the National Security (Patriotic Funds) Regulations made under the National Security Act 1939-1940 of the Parliament of the Commonwealth of Australia and in force for the time being;
- 25
- 30 (ii) by way of loan to the Commonwealth of Australia for war purposes on such terms as it may decide;
- 35
- (e) organise and contribute towards various funds for war purposes and for the relief of suffering caused by war;
- (f)

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*Local Government (Amendment).*

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- 5 (f) write off rates due by any person who  
is or has been engaged on war service  
or who is or has been employed or  
engaged in time of war in any capacity  
in a sea-going ship if the land on which  
the rates are due is or has been unpro-  
ductive by reason of his being so  
engaged or employed or if the enforce-  
ment of the payment of such rates  
10 would cause hardship to such person;
- (g) expend a portion of its funds in the  
celebration of the signing of peace; or
- 15 (h) supply any service, product or com-  
modity free or at less than cost to the  
army, navy or air force.

(2) For the purposes of this section  
“war service” shall have the meaning ascribed  
to that expression in the Defence Act 1903-  
1941 of the Parliament of the Commonwealth of  
20 Australia and a person who is a member of and  
who is performing or has performed continuous  
full time service with any of the following  
organisations, namely—

- 25 (i) the Australian Army Nursing Service;
- (ii) the Royal Australian Air Force Nurs-  
ing Service;
- (iii) the Australian Navy Nursing Service;
- (iv) the Australian Women’s Army Service;
- 30 (v) the Women’s Royal Australian Naval  
Service;
- (vi) the Women’s Auxiliary Australian Air  
Force;
- 35 (vii) a Voluntary Aid Detachment attached  
to the defence force or to any of the  
naval, military or air forces of the  
United



*Local Government (Amendment).*

5 United Kingdom or of any other part  
of His Majesty's Dominions (other  
than the Commonwealth) or of any  
foreign power allied or associated with  
His Majesty in any war in which His  
Majesty is engaged, or of any foreign  
authority recognised by His Majesty as  
competent to maintain naval, military  
10 or air forces for service in association  
with His Majesty's forces; or

(viii) any other organisation which the  
Governor declares by proclamation  
published in the Gazette to be an organi-  
sation engaged upon war service,

15 shall be deemed to be a person engaged on or to  
have been engaged on war service, and  
"National Emergency Service" means service  
in connection with the National Emergency Act,  
1941.

20 293d. The Governor may from time to time by  
proclamation authorise the council for such  
time and on such conditions as he may decide to  
expend its funds within or outside the city for  
such purposes in connection with a war as are  
25 specified in the proclamation although such  
expenditure is not authorised by or under this  
or any other Act or any Act of the Parliament of  
the Commonwealth of Australia.

War expend-  
iture—  
additional  
purposes.

(2) The Principal Act is further amended—

30 (a) by omitting section 61b;

(b) by omitting from section one the figures "293"  
and by inserting in lieu thereof the figures and  
letter "293d."

Further  
amendment of  
Act No. 58,  
1932.  
Sec. 61b.  
(National  
Services  
expenditure.)  
Sec. 1.  
(Division into  
Parts.)

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PART

*Local Government (Amendment).*

## PART IV.

AMENDMENT OF LOCAL GOVERNMENT ACT, 1919, AS  
AMENDED BY SUBSEQUENT ACTS.DIVISION 1.—*Construction.*

5 **5.** (1) This Part shall be read and construed with the Local Government Act, 1919, as amended by subsequent Acts. Construction and citation.

(2) The Local Government Act, 1919, as so amended, is in this Part referred to as the Principal Act.

10 DIVISION 2.—*Miscellaneous amendments of Local Government Act, 1919, as amended by subsequent Acts.*

**6.** (1) The Principal Act is amended—

(a) by omitting from section four the words—

15 “Soldier” or “sailor” means a person who is or has been a member of the Commonwealth Naval or Military Forces (including member of the Imperial Reserve residing in New South Wales before 1915) who enlisted or was appointed for active service outside Australia in connection with naval or military preparations or operations or in connection with the army, medical or nursing service,” and by inserting in lieu thereof the following definition: “Soldier” or “sailor” means a person who is or has been on war service within the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and includes a person deemed to be engaged on or to have been engaged on war service for the purposes of section five hundred and three of this Act;

35 (b) by inserting after paragraph (g5) of subsection one of section one hundred and seventy-seven the following new paragraph:—

40 (g6) the protection of persons and property from injury due to enemy action;

(c)

Amendment of Act No. 41, 1919. Sec. 4.

(Definition “soldier” or “sailor.”)

Sec. 177. (Purpose of ordinary loans.)

*Local Government (Amendment).*

- (c) by inserting after section two hundred and seventy-nine the following new section:— New sec.  
279A.
- 5           279A. The council shall have and shall be deemed always to have had the power to do all things necessary in time of war in the construction of air raid shelters, trenches and other works for the protection of persons and property from injury due to enemy action. Air raid  
shelters,  
trenches.
- 10           (d) by inserting after section four hundred and seventy-eight the following new section:— New sec.  
478A.
- 478A. The council shall have and shall be deemed always to have had the power to manufacture, produce or purchase and supply charcoal within or outside the area. Charcoal.
- 15           (e) by omitting section five hundred and three and section 503A and by inserting in lieu thereof the following new sections:— Substituted  
secs. 503  
and 503A.
503. (1) The council may— War expen-  
diture.
- 20           (a) expend its funds to promote or assist recruiting for war service or to promote or contribute towards the cost of promoting the training of persons for National Emergency Services;
- 25           (b) keep open the positions of servants engaged on war service;
- (c) pay to any servant—
- (i) who is engaged on war service;  
                                  or
- 30           (ii) who is engaged upon training as a member of any National Emergency Service; or
- (iii) who is engaged on service with such National Emergency Service;
- 35           the difference between the pay received by such servant for such service or training

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*Local Government (Amendment).*

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training and the salary or pay of such servant in the service of the council (or alternatively make provision for the dependants of such servant);

- 5 (d) make available out of its funds such moneys as it thinks fit—
- (i) by way of gift to the Commonwealth of Australia for war purposes, or to any patriotic fund within the meaning of the National Security (Patriotic Funds) Regulations made under the National Security Act 1939-1940 of the Parliament of the Commonwealth of Australia and in force for the time being;
- 10
- 15
- (ii) by way of loan to the Commonwealth of Australia for war purposes on such terms as it may decide;
- 20
- (e) organise and contribute towards various funds for war purposes, and for the relief of suffering caused by war;
- 25
- (f) write off rates and extra charges (on overdue rates) due by any person who is or has been engaged on war service or who is or has been employed or engaged in time of war in any capacity in a sea-going ship if the land on which the rates and extra charges are due is or has been unproductive by reason of his being so engaged or employed or if the enforcement of the payment of such rates and extra charges would cause hardship to such person;
- 30
- 35
- (g) expend a portion of its funds in the celebration of the signing of peace; or
- (h)

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*Local Government (Amendment).*

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(h) supply any service, product or commodity free or at less than cost to the army, navy or air force.

5 (2) For the purposes of this section "war service" shall have the meaning ascribed to that expression in the Defence Act 1903-1941 of the Parliament of the Commonwealth of Australia and a person who is a member of and who is performing or has performed continuous full  
10 time service with any of the following organisations, namely—

(i) the Australian Army Nursing Service;  
(ii) the Royal Australian Air Force Nursing Service;

15 (iii) the Australian Navy Nursing Service;  
(iv) the Australian Women's Army Service;  
(v) the Women's Royal Australian Naval Service;

20 (vi) the Women's Auxiliary Australian Air Force;

(vii) a Voluntary Aid Detachment attached to the Defence Force or to any of the naval, military or air forces of the United Kingdom or of any other part of His Majesty's Dominions (other than the Commonwealth) or of any foreign power allied or associated with His Majesty in any war in which His Majesty is engaged, or of any foreign authority recognised by His Majesty as competent to maintain naval, military or air forces for service in association with His Majesty's Forces; or

25  
30  
35 (viii) any other organisation which the Governor declares by proclamation published in the Gazette to be an organisation engaged upon war service, shall be deemed to be a person engaged on or to have been engaged on war service, and  
"National

*Local Government (Amendment).*

“National Emergency Service” means service in connection with the National Emergency Act, 1941.

5 (3) For the purposes of this section  
“council” includes a county council and a  
county council may exercise the powers given by  
this section in all respects as if such powers had  
been delegated to the county council by procla-  
10 mation issued in pursuance of section five hun-  
dred and sixty-four of this Act.

15 503A. The Governor may from time to time  
by proclamation authorise the council (including  
a county council) for such time and on such con-  
ditions as he may decide to expend its funds  
within or outside the area for such purposes in  
connection with the war as are specified in the  
proclamation although such expenditure is not  
authorised by or under this or any other Act or  
20 any Act of the Parliament of the Commonwealth  
of Australia.

War expen-  
diture—  
additional  
purposes.

PART V.

CONSEQUENTIAL REPEAL.

7. The Local Government (Patriotic Purposes) Act,  
1941, is repealed.

Consequential  
repeal of Act  
No. 5, 1941.

25

PART VI.

VALIDATIONS.

30 8. (1) Any act, matter or thing done or payment of  
any sum of money made by the Municipal Council of  
Sydney before the commencement of this Act which, if  
done or made after such commencement, would be author-  
ised or permitted by section 293c of the Sydney Corpora-  
tion Act, 1932-1942, inserted by this Act, is hereby  
validated.

Validation  
of certain  
acts of  
Municipal  
Council of  
Sydney.

(2)

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*Local Government (Amendment).*

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(2) Any act, matter or thing done or payment of any sum of money made by the council of any area within the meaning of the Local Government Act, 1919, or by any county council within the meaning of that Act, before  
 5 the commencement of this Act and which, if done or made after such commencement, would be authorised or permitted by section five hundred and three of the said Act as substituted by this Act, is hereby validated.

Validation  
of certain  
acts of  
councils.

(3) The levy by the council of the Municipality of  
 10 Yass of rates during the year one thousand nine hundred and forty-two shall not be invalid by reason only of the facts that at the time of service the rate notices bore a fac-simile of a signature of a person then deceased and were not signed by or did not have stamped or printed  
 15 thereon a fac-simile of the signature of the town clerk or any person duly acting as town clerk.

Validation  
of certain  
levy of  
rates by  
Yass  
Council.





