

# LOCAL GOVERNMENT (ELECTIONS) AMENDMENT BILL, 1968

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## EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to provide for the ordinary triennial election of aldermen and councillors to be held on the third Saturday in September in lieu of the first Saturday in December;
- (b) to postpone the council elections which would normally be held in December, 1968, until September, 1969;
- (c) to provide that the aldermen and councillors holding office in December, 1968, will, subject to the Local Government Act, 1919, as amended, remain in office until the ordinary elections are held in September, 1969;
- (d) to provide that mayors or presidents who were elected by popular vote at the last ordinary election will remain in office until the postponed election is held;
- (e) to provide that where the mayor or president was elected by the council, the annual election for those positions will take place in December, 1968, the persons then elected as mayor or president to hold office until the ordinary election is held in September, 1969;
- (f) to make amendments to the Local Government Act of a minor or consequential nature.

LOCAL GOVERNMENT (ELECTIONS) AMENDMENT BILL,  
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PROOF

No. , 1968.

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# A BILL

To provide for the postponement of the ordinary elections of aldermen and councillors and of the triennial election of the Lord Mayor of Newcastle and certain other mayors and presidents; for this and other purposes to amend the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith.

[MR MORTON—27 March, 1968.]

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BE

*Local Government (Elections) Amendment.*

**B**E it enacted by the Queen'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 :—

1. (1) This Act may be cited as the "Local Government (Elections) Amendment Act, 1968".

Short title  
and con-  
struction.

(2) This Act shall be read and construed with the Local Government Act, 1919, as subsequently amended, which Act, as so amended, is in this Act referred to as the Principal Act.

2. (1) The ordinary election of aldermen and councillors directed by the Principal Act to be held on the first Saturday in December, one thousand nine hundred and sixty-eight, is hereby postponed until the third Saturday in September, one thousand nine hundred and sixty-nine, and the aldermen or councillors holding office on the first Saturday in December, one thousand nine hundred and sixty-eight, shall, subject to the Principal Act, continue to hold office until the day appointed by that Act for the next ordinary election of aldermen and councillors, as the case may be, after the day on which the assent of Her Majesty to this Act is signified.

Postpone-  
ment of  
election of  
aldermen  
and  
councillors.

(2) Notwithstanding the postponement, pursuant to subsection one of this section, of the ordinary election of aldermen and councillors, the council of each area, not being the council of any area to which section 25A of the Principal Act applies, shall, during the month of December, one thousand nine hundred and sixty-eight, elect a mayor or president, as the case may be, to hold office, subject to the Principal Act, until the day of the election or appointment of his successor or if he is not re-elected as an alderman or councillor at the next ordinary election of aldermen or councillors, as the case may be, after the day on which the assent of Her Majesty to this Act is signified, until the day of that ordinary election.

3.

*Local Government (Elections) Amendment.*

3. The election of the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong and the mayor or president of any area to which section 25A of the Principal Act applies, directed by subsection two of section 5 thirty-nine of the Principal Act to be held on the first Saturday in December, one thousand nine hundred and sixty-eight, is hereby postponed until the third Saturday in September, one thousand nine hundred and sixty-nine, and a person who on the first Saturday in December, one thousand nine hundred 10 and sixty-eight, holds office as Lord Mayor, mayor or president of any of those areas shall, subject to the Principal Act, continue to hold office until the day appointed by that Act for the next ordinary election of aldermen and councillors, as the case may be, after the day on which the assent of Her 15 Majesty to this Act is signified.

Postpone-  
ment of  
election of  
the Lord  
Mayor of  
the City of  
Newcastle  
and of cer-  
tain other  
mayors and  
presidents.

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

Amendment  
of Act No.  
41, 1919.

- (a) by inserting in subsection seven of section twenty-three after the word "paragraph" the letter and symbols "(a),";
- 20 (b) by inserting in subsection seven of section twenty-four after the word "paragraph" the letter and symbols "(a),";
- (c) by omitting from paragraph (d) of subsection one of section twenty-seven the word "December" and 25 by inserting in lieu thereof the word "September";
- (d) (i) by omitting from subsection six of section twenty-nine the word "year" where firstly occurring and by inserting in lieu thereof the words "period of twelve months";
- 30 (ii) by omitting from the same subsection the words "for any other year shall be fixed at the first meeting of the council held in such year" and by inserting in lieu thereof the words "for

Sec. 23.  
(Composi-  
tion of city  
and  
municipal  
councils.)

Sec. 24.  
(Composi-  
tion of  
shire  
councils.)

Sec. 27.  
(Time for  
election of  
mayor or  
president.)

Sec. 29.  
(Mayors  
and presi-  
dents.)

*Local Government (Elections) Amendment.*

“for any subsequent period of twelve months commencing on the anniversary of any such election shall be fixed at the first meeting of the council held after that anniversary”;

- 5 (e) by inserting at the end of subsection two of section 29A the following new paragraph :— Sec. 29A.  
(Payment of fees to members.)

A reference in this subsection to a year shall be construed as a reference to a period of twelve months that commences on the third Saturday in September in any year.

10

- (f) by omitting subsection one of section thirty-nine and by inserting in lieu thereof the following subsection :— Sec. 39. 21  
(Appointed day for election of aldermen or councillors.)

15 (1) The appointed day for an election of aldermen or councillors shall be—

(a) for the ordinary election in the year one thousand nine hundred and sixty-nine—the third Saturday in September;

20 (b) for ordinary elections after the year one thousand nine hundred and sixty-nine—the third Saturday in September, one thousand nine hundred and seventy-two, and the same day in every third year thereafter;

25 (c) for the first election after the constitution of an area or for an election in respect of a defaulting area—a Saturday to be proclaimed by the Governor;

30 (d) for an extraordinary election—a Saturday fixed and advertised by the returning officer, being within three months after the occurrence of an extraordinary vacancy.

(g)

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*Local Government (Elections) Amendment.*

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(g) by omitting paragraph (a) of subsection three of Sec. 563.  
section five hundred and sixty-three and by inserting (Corporate  
in lieu thereof the following paragraph : — body.)

5 (a) at the first meeting of the county council  
after the general elections of the constituent  
councils, and annually, at the first meeting  
of the county council after the anniversary  
of those general elections.

10 (2) The amendments made by paragraphs (d), (e)  
and (g) of subsection one of this section shall commence upon  
the twentieth day of September, one thousand nine hundred  
and sixty-nine.

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968

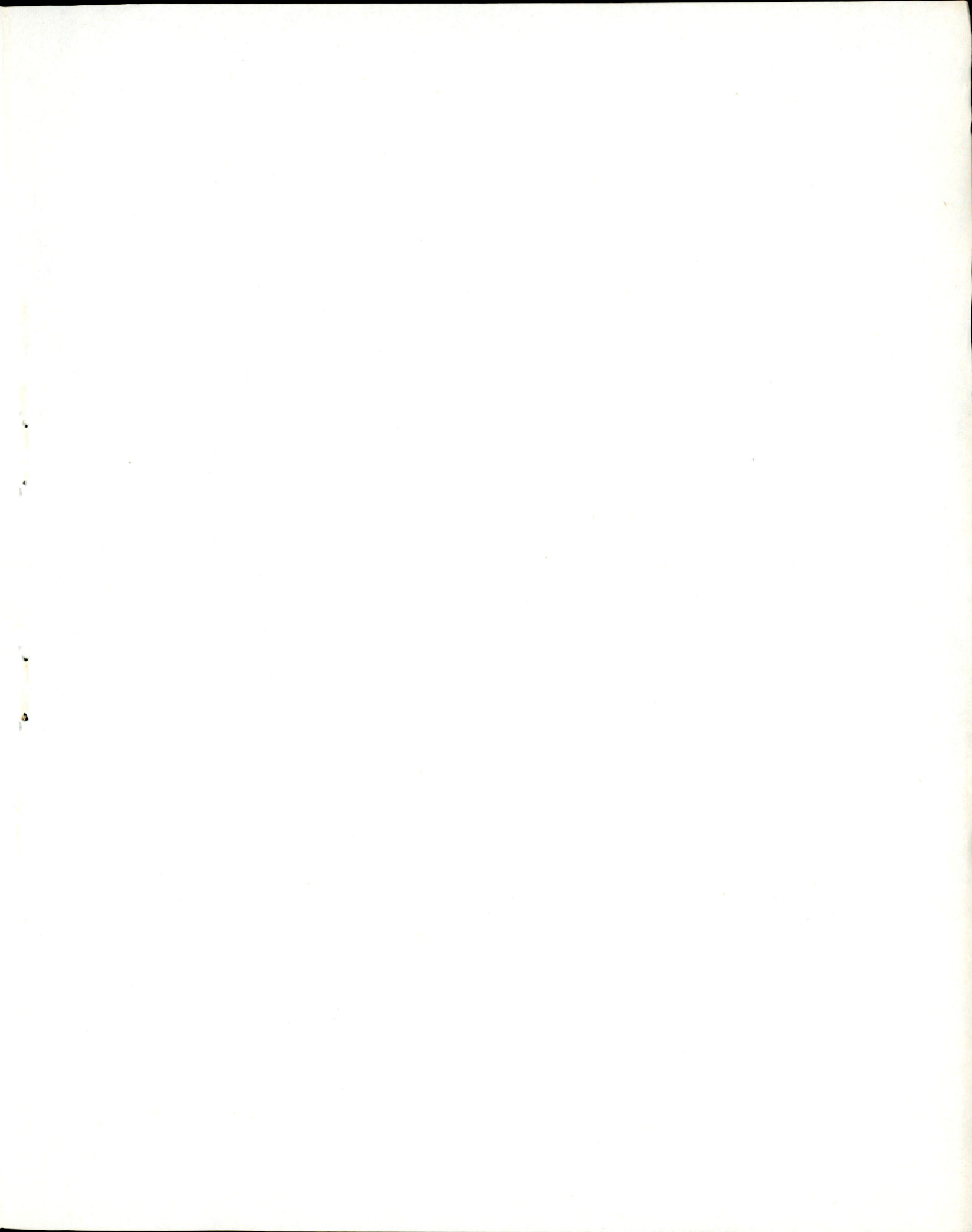
Local Government (Elections) Amendment.

(g) by omitting paragraph (a) of subsection three of section five hundred and sixty-three and by inserting (a) in lieu thereof the following paragraph: -

(a) at the first meeting of the county council after the general elections of the constituent councils and annually at the first meeting of the council after the anniversary of those general elections.

(2) The amendments made by paragraphs (b), (c) and (g) of subsection one of this section shall commence upon the twentieth day of September, one thousand nine hundred and sixty-nine.







No. , 1968.

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Short title and construction.

(2) This Act shall be read and construed with the Local Government Act, 1919, as subsequently amended, which Act, as so amended, is in this Act referred to as the Principal Act.

2. (1) The ordinary election of aldermen and councillors directed by the Principal Act to be held on the first Saturday in December, one thousand nine hundred and sixty-eight, is hereby postponed until the third Saturday in September, one thousand nine hundred and sixty-nine, and the aldermen or councillors holding office on the first Saturday in December, one thousand nine hundred and sixty-eight, shall, subject to the Principal Act, continue to hold office until the day appointed by that Act for the next ordinary election of aldermen and councillors, as the case may be, after the day on which the assent of Her Majesty to this Act is signified.

Postponement of election of aldermen and councillors.

(2) Notwithstanding the postponement, pursuant to subsection one of this section, of the ordinary election of aldermen and councillors, the council of each area, not being the council of any area to which section 25A of the Principal Act applies, shall, during the month of December, one thousand nine hundred and sixty-eight, elect a mayor or president, as the case may be, to hold office, subject to the Principal Act, until the day of the election or appointment of his successor or if he is not re-elected as an alderman or councillor at the next ordinary election of aldermen or councillors, as the case may be, after the day on which the assent of Her Majesty to this Act is signified, until the day of that ordinary election.

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3. The election of the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong and the mayor or president of any area to which section 25A of the Principal Act applies, directed by subsection two of section 5 thirty-nine of the Principal Act to be held on the first Saturday in December, one thousand nine hundred and sixty-eight, is hereby postponed until the third Saturday in September, one thousand nine hundred and sixty-nine, and a person who on the first Saturday in December, one thousand nine hundred 10 and sixty-eight, holds office as Lord Mayor, mayor or president of any of those areas shall, subject to the Principal Act, continue to hold office until the day appointed by that Act for the next ordinary election of aldermen and councillors, as the case may be, after the day on which the assent of Her 15 Majesty to this Act is signified.

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- (c) by omitting from paragraph (d) of subsection one of section twenty-seven the word "December" and 25 by inserting in lieu thereof the word "September";
- (d) (i) by omitting from subsection six of section twenty-nine the word "year" where firstly occurring and by inserting in lieu thereof the words "period of twelve months";
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- 5 (e) by inserting at the end of subsection two of section 29A the following new paragraph :— Sec. 29A.  
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(g) by omitting paragraph (a) of subsection three of section five hundred and sixty-three and by inserting in lieu thereof the following paragraph : —

Sec. 563.  
(Corporate  
body.)

5 (a) at the first meeting of the county council after the general elections of the constituent councils, and annually, at the first meeting of the county council after the anniversary of those general elections.

10 (2) The amendments made by paragraphs (d), (e) and (g) of subsection one of this section shall commence upon the twentieth day of September, one thousand nine hundred and sixty-nine.

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968  
[5c]

Section 101

(a) In carrying out its functions, the Commission shall have the authority to request and receive from any person, and to examine and use for the purposes of this Act, any information, documents, records, or other data in the possession, custody, or control of such person.

(b) The Commission shall have the authority to require any person to produce any information, documents, records, or other data in the possession, custody, or control of such person, and to examine and use for the purposes of this Act, any information, documents, records, or other data so produced.

(c) The Commission shall have the authority to require any person to appear before it to give testimony and to produce any information, documents, records, or other data in the possession, custody, or control of such person, and to examine and use for the purposes of this Act, any information, documents, records, or other data so produced.

BY APPOINTMENT

SECRETARY OF THE COMMISSION ON GOVERNMENT PROCUREMENT

1981



