

LOCAL GOVERNMENT (ELECTIONS) ACT.

Act No. 39, 1940.

George VI.
No. 39, 1940.

An Act to provide for the postponement of certain elections of aldermen and councillors of municipalities and shires and of aldermen of the City of Sydney; to validate certain matters; to amend the Local Government Act, 1919, the Sydney Corporation Act, 1932-1940, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 29th November, 1940.]

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

PART I.

PRELIMINARY.

Short title
and division
into Parts.

1. (1) This Act may be cited as the "Local Government (Elections) Act, 1940."

(2)

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

No. 39, 1940.

PART I.—PRELIMINARY.

PART II.—AMENDMENTS OF LOCAL GOVERNMENT ACT, 1919.

PART III.—AMENDMENTS OF SYDNEY CORPORATION ACT, 1932-1940.

PART II.

AMENDMENTS OF LOCAL GOVERNMENT ACT, 1919.

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

Construction.

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

3. (1) Notwithstanding anything contained in the Principal Act the ordinary election of aldermen and councillors directed by section thirty-eight and paragraph (b) of section thirty-nine of that Act to be held on the first Saturday in December, one thousand nine hundred and forty, is hereby postponed until the first Saturday in December, one thousand nine hundred and forty-one.

Postponement of election of aldermen and councillors.

(2) The Principal Act is amended by omitting paragraphs (a) and (b) of section thirty-nine and by inserting in lieu thereof the following paragraphs—

Consequential amendment of Act No. 41, 1919, s. 39.

(a) for the ordinary election in the year one thousand nine hundred and forty-one—the first Saturday in December;

(Appointed day for election of aldermen and councillors.)

(b) for ordinary elections after the year one thousand nine hundred and forty-one—the first Saturday in December one thousand nine hundred and forty-four and the same day in every third year thereafter.

(3)

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Time for
election of
mayor or
president.

(3) Notwithstanding the postponement by this Part of this Act of the ordinary election of aldermen and councillors, an ordinary election of mayor or president shall be held in each area during the month of December, one thousand nine hundred and forty.

Non-prep-
aration of
rolls.

(4) (a) Notwithstanding the provisions of section sixty-four of the Principal Act it shall not be necessary for a council to prepare in the year one thousand nine hundred and forty an original or a supplementary roll of electors.

(b) This subsection shall be deemed to have commenced on the first day of July, one thousand nine hundred and forty.

 PART III.

AMENDMENTS OF SYDNEY CORPORATION ACT, 1932-1940.

Construc-
tion.

4. This Part shall be read and construed with the Sydney Corporation Act, 1932-1940.

Postpone-
ment of
election of
aldermen.

5. (1) Notwithstanding anything contained in the Sydney Corporation Act, 1932-1940, the election of aldermen of the city directed by section nineteen of that Act to be held on the first Monday in December, one thousand nine hundred and forty, is hereby postponed until the first Monday in December, one thousand nine hundred and forty-one.

Amendment
of Act No.
58, 1932,
s. 19.
(Retirement
and elec-
tion of
aldermen.)

(2) The Sydney Corporation Act, 1932-1940, is amended by omitting from subsection one of section nineteen the word "thirty-four" and by inserting in lieu thereof the word "forty-one."

Aldermen
may remain
in office.

(3) The aldermen in office at the commencement of this Act may, subject to the provisions of the Sydney Corporation Act, 1932-1940, as amended by this Part of this Act, remain in office until the election of aldermen on the first Monday in December one thousand nine hundred and forty-one is held.

(4)

Appropriation Act.

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(4) (a) The operation of Part IV of the Sydney Corporation Act, 1932-1940, is suspended during the year one thousand nine hundred and forty.

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—
Suspension
of Part IV.

(b) This subsection shall be deemed to have commenced upon the thirtieth day of April, one thousand nine hundred and forty.

(5) The Gas and Electricity Act, 1935-1936 as amended by subsequent Acts is amended by omitting from subsection two of section forty-five the figures "1932-1934" and by inserting in lieu thereof the figures and words "1932-1940 or any Act amending or replacing that Act."

Conse-
quential
amendment
of Act No.
42, 1935,
s. 45 (2).
(Election
of
councillors.)

