

LOCAL GOVERNMENT (ELECTIONS) ACT.

Act No. 22, 1947.

George VI.
No. 22, 1947.

An Act to provide for the postponement of certain elections of aldermen and councillors of certain municipalities and shires and of aldermen of the City of Sydney; for this and certain other purposes to amend the Local Government Act, 1919, the Sydney Corporation Act, 1932, and certain other Acts; and for purposes connected therewith. [Assented to, 28th November, 1947.]

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 divi-
sion into
Parts.

1. (1) This Act may be cited as the "Local Government (Elections) Act, 1947."

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

PART I—PRELIMINARY.

PART II—AMENDMENTS OF LOCAL GOVERNMENT ACT, 1919.

PART III—AMENDMENTS OF SYDNEY CORPORATION ACT, 1932-1942.

PART

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 triennial ordinary election of aldermen and councillors of all areas wholly within the County of Cumberland (other than the Municipality of Strathfield) and of aldermen of the Municipality of Camden directed by that Act to be held on the sixth day of December, one thousand nine hundred and forty-seven, and the first election of aldermen of the Municipality of Strathfield directed by or under that Act to be held on the sixth day of December, one thousand nine hundred and forty-seven, are hereby postponed until the first Saturday in December, one thousand nine hundred and forty-eight. Postponement of election of aldermen and councillors for areas within County of Cumberland.
cf. Act No. 39, 1940, s. 3.

(2) The Principal Act is amended by inserting at the end of section thirty-nine the following provisos: Consequential amendment of Act No. 41, 1919, s. 39.

Provided that the appointed day for—

(i) the first ordinary election after the commencement of the Local Government (Elections) Act, 1947, of aldermen or councillors of all areas wholly within the County of Cumberland (other than the Municipality of Strathfield) and of aldermen of the Municipality of Camden; and (Appointed day for election of aldermen or councillors.)

(ii) the first election of aldermen of the Municipality of Strathfield;

shall be the first Saturday in December, one thousand nine hundred and forty-eight:

Provided further that the appointed day for the ordinary election of aldermen or councillors of the areas wholly within the County of Cumberland and of the Municipality of Camden after the year one thousand

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thousand nine hundred and forty-eight shall be the first Saturday in December, one thousand nine hundred and fifty, and the same day in every third year thereafter.

(3) In respect of the ordinary elections of aldermen and councillors of all areas wholly within the County of Cumberland and the ordinary election of aldermen of the Municipality of Camden and the first election of aldermen of the Municipality of Strathfield which but for the operation of this Part of this Act would be held on the sixth day of December, one thousand nine hundred and forty-seven—

- (a) all nominations of persons as candidates; and
- (b) all elections of candidates pursuant to section seventy-two of the Principal Act,

are hereby cancelled and shall cease to have force and effect.

(4) All orders made by the Minister in pursuance of subsection four of section thirty-eight of the Principal Act that an election shall not be held to fill any extraordinary vacancy in the office of alderman or councillor of the council of any area wholly within the County of Cumberland are hereby cancelled and an election to fill any such vacancy shall be held on a day appointed therefor by the Minister.

Time for
election of
mayor or
president.

(5) Notwithstanding the postponement by this Part of this Act of the ordinary election of aldermen and councillors of all areas wholly within the County of Cumberland and of aldermen of the Municipality of Camden, the ordinary election of mayor or president shall be held in each such area during the month of December, one thousand nine hundred and forty-seven.

(6) Notwithstanding the provisions of subsection one of section sixty-four of the Principal Act it shall not be necessary for the council of any area wholly within the County of Cumberland or of the Municipality of Camden to prepare in the year one thousand nine hundred and forty-eight an original roll of electors.

(7)

(7) The general election of the Cumberland County Council required by or under the Principal Act to be held within a period of two months after the sixth day of December, one thousand nine hundred and forty-seven, is hereby postponed and shall be held within the prescribed time after the ordinary elections of aldermen and councillors of the areas wholly within the County of Cumberland to be held pursuant to this Part of this Act in December, one thousand nine hundred and forty-eight.

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County
Council.

PART III.

AMENDMENTS OF SYDNEY CORPORATION ACT, 1932-1942.

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

Construction.

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

5. (1) Notwithstanding anything contained in the Principal Act, the election of aldermen of the City directed by section nineteen of that Act to be held on the first Saturday in December, one thousand nine hundred and forty-seven, is hereby postponed until the first Saturday in December, one thousand nine hundred and forty-eight.

Postpone-
ment of
election of
aldermen.
cf. Act No.
39, 1940,
s. 5.

(2) The Principal Act is amended by omitting from subsection one of section nineteen the word "forty-one" and by inserting in lieu thereof the words "forty-eight, and on the first Saturday in December, one thousand nine hundred and fifty."

Amendment
of Act No.
58, 1932,
s. 19.

(Retirement
and election
of alder-
men.)

(3) The aldermen in office at the commencement of this Act may, subject to the provisions of the Principal Act, as amended by this Part of this Act, remain in office until the election of aldermen postponed pursuant to subsection one of this section is held.

Aldermen
may remain
in office.

(4)

Moratorium (Amendment) Act.

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(4) In respect of the election of aldermen of the City which but for the operation of this Part of this Act would be held on the sixth day of December, one thousand nine hundred and forty-seven--

(a) all nominations of persons as candidates; and

(b) all elections of persons pursuant to section twenty-nine of the Principal Act,

are hereby cancelled and shall cease to have force and effect.

(5) Notwithstanding anything contained in subsection one of section seventeen of the Principal Act it shall not be necessary for the Municipal Council of Sydney to prepare in the year one thousand nine hundred and forty-eight an original roll of citizens.
