

Passed by both Houses



New South Wales

Local Government Amendment (Members of Parliament) Bill 2012

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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.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2012*



New South Wales

Local Government Amendment (Members of Parliament) Bill 2012

Act No , 2012

An Act to amend the *Local Government Act 1993* to prevent a member of Parliament from also holding office as a councillor or mayor.

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

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Local Government Amendment (Members of Parliament) Act 2012*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Local Government Act 1993 No 30

[1] Section 275 Who is disqualified from holding civic office?

Insert after section 275 (1) (a):

- (a1) while a member of the Parliament of New South Wales, except as provided by subsections (5) and (7), or

[2] Section 275 (5)–(7)

Insert after section 275 (4):

- (5) If:
 - (a) on the commencement of this subsection, a member of the Parliament of New South Wales is a councillor or mayor, or
 - (b) after the commencement of this subsection, a councillor or mayor becomes a member of the Parliament of New South Wales,the person is not disqualified from holding civic office because of subsection (1) (a1) for the balance of the person's term of office as a councillor or for the period of 2 years (whichever is the shorter period).
- (6) Subsection (5) does not apply where a councillor or mayor becomes a member of the Parliament of New South Wales after the commencement of that subsection and within 12 months after last ceasing to be a member of that Parliament.
- (7) Despite anything to the contrary in this Chapter, a member of the Parliament of New South Wales is not disqualified because of subsection (1) (a1) from being nominated for election or being elected to a civic office. If elected, the person is disqualified from holding that civic office unless:
 - (a) the person has ceased to be a member of that Parliament before the first meeting of the council concerned after the election, or
 - (b) it is an election as mayor by the councillors during the period that the person is not disqualified by the operation of subsection (5).

Local Government Amendment (Members of Parliament) Bill 2012

Schedule 1 Amendment of Local Government Act 1993 No 30

[3] Schedule 8 Savings, transitional and other provisions consequent on the enactment of other Acts

Insert at the end of clause 1 (1):

*Local Government Amendment (Members of Parliament) Act
2012*