

Local Government Amendment (Members of Parliament) Act 2012 No 22

[2012-22]



New South Wales

Status Information

Currency of version

Repealed version for 11 April 2012 to 11 April 2012 (accessed 26 November 2024 at 16:42)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 12.4.2012.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 12 April 2012

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Local Government Amendment (Members of Parliament) Act 2012 No 22



New South Wales

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

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).

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

Insert at the end of clause 1 (1):

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