

LOCAL GOVERNMENT ORDINANCE (NO. 2) 1964.

No. 59 of 1964.

An Ordinance to amend the *Local Government Ordinance* 1954-1963, as amended by the *Local Government Ordinance* 1964.

[Assented to 31st October, 1964.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act* 1910-1962, as follows:—

Short title
and citation.

1.—(1.) This Ordinance may be cited as the *Local Government Ordinance (No. 2)* 1964.

(2.) The *Local Government Ordinance* 1954-1963, as amended by the *Local Government Ordinance* 1964, is in this Ordinance referred to as the Principal Ordinance.

(3.) Section one of the *Local Government Ordinance* 1964 is amended by omitting sub-section (3.).

(4.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Local Government Ordinance* 1954-1964.

Commence-
ment.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.*

Certain
Commonwealth
land not
subject to
local or loan
rate unless
Administrator
approves.

3. Section one hundred and sixty-five of the Principal Ordinance is amended—

(a) by omitting paragraphs (a) and (b) of sub-section (1.) and inserting in their stead the following paragraphs:—

“ (a) which is the property of the Commonwealth; and

(b) which is leased by the Minister or the Administrator to a person for residential purposes;” and

*The date fixed was 2nd December, 1964 (see *Government Gazette* No. 48A of 2nd December, 1964, p. 188A).

(b) by adding at the end thereof the following sub-section:—

“ (3.) For the purposes of this section—

(a) a dwelling house shall be deemed to be leased to a person if the land on which the dwelling house is situated is deemed to be leased to the person by virtue of section six A of the *Crown Lands Ordinance* 1931-1964; and

(b) ‘dwelling house’ includes a flat and any other portion of a building that constitutes a residential unit.”

4 Section one hundred and seventy-eight of the Principal Ordinance is amended—

Liability
for rates of
lessee from
Crown or
Commonwealth.

(a) by omitting paragraphs (a) and (b) of sub-section (2.) and inserting in their stead the following paragraphs:—

“ (a) which is the property of the Commonwealth; and

“ (b) which is leased by the Minister or the Administrator to a person for residential purposes;” and

(b) by adding at the end thereof the following sub-section:—

“ (4.) For the purposes of this section—

(a) a dwelling house shall be deemed to be leased to a person if the land on which the dwelling house is situated is deemed to be leased to the person by virtue of section six A of the *Crown Lands Ordinance* 1931-1964; and

(b) ‘dwelling house’ includes a flat and any other portion of a building that constitutes a residential unit.”

5. Section three hundred and twenty-seven of the Principal Ordinance is repealed and the following section inserted in its stead:—

“ 327.—(1.) Subject to this section, where a council provides a service for the removal of night soil or garbage, the

Liability
for payment
of charge
for service.

following persons are liable for payment of charges made by the council in respect of the service:—

- (a) where the service is provided in respect of ratable land—the person who is liable for payment of rates in respect of that land;
- (b) where the service is provided in respect of Crown land which is not ratable—the Commonwealth;
- (c) where the service is provided in respect of land (not being Crown land) which is not ratable—the person at whose request the service is supplied.

“(2.) Where there is on ratable land a dwelling house—

- (a) which is the property of the Commonwealth; and
- (b) which is leased by the Minister or the Administrator to a person for residential purposes,

the person to whom the dwelling house is leased is liable for payment of any charge made under this Ordinance by a council in respect of a service of removing night soil or garbage from that dwelling house provided after the commencement of the *Local Government Ordinance (No. 2) 1964*.

“(3.) For the purposes of this section—

- (a) a dwelling house shall be deemed to be leased to a person if the land on which the dwelling house is situated is deemed to be leased to the person by virtue of section six A of the *Crown Lands Ordinance 1931-1964*; and
- (b) ‘dwelling house’ includes a flat and any other portion of a building that constitutes a residential unit.”.

6. Section four hundred and sixteen A of the Principal Ordinance is repealed and the following section inserted in its stead:—

“416A. In any proceedings under this Ordinance, a certificate in writing, signed by a person authorized by the Administrator to do so, certifying that a dwelling house is the property of the Commonwealth shall be evidence that the dwelling house is the property of the Commonwealth.”.