

LOCAL GOVERNMENT ORDINANCE (No. 4)
1966

373

No. 44 of 1966

An Ordinance to amend the *Local Government Ordinance 1954-1965*, as amended by the *Local Government Ordinance 1966*, the *Local Government Ordinance (No. 2) 1966* and the *Local Government Ordinance (No. 3) 1966*

[Reserved 14th September, 1966.]
[Assented to 20th October, 1966.]*

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 1910-1965*, as follows:—

1.—(1.) This Ordinance may be cited as the *Local Government Ordinance (No. 4) 1966*. Short title
and citation.

(2.) The *Local Government Ordinance 1954-1965*, as amended by the *Local Government Ordinance 1966*, the *Local Government Ordinance (No. 2) 1966* and the *Local Government Ordinance (No. 3) 1966*, is in this Ordinance referred to as the Principal Ordinance.

(3.) Section one of the *Local Government Ordinance (No. 3) 1966* is amended by omitting sub-section (4.).

(4.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Local Government Ordinance 1954-1966*.

2 Section three of the Principal Ordinance is amended by omitting the words— Parts.

“Division 1.—General Powers of Minister (Sections 8-10)” and inserting in their stead the words—

“Division 1.—General Powers of Administrator in Council (Sections 8-10)”.

3 Sections eight and eight A of the Principal Ordinance are repealed and the following section is inserted in their stead:—

* Notified in *Northern Territory Government Gazette* dated 2 November 1966.

Administrator
in Council
may
constitute, &c.,
a municipality.

“8.—(1.) Subject to the provisions of this Ordinance, the Administrator in Council may, by notice in the *Gazette*—

- (a) constitute a town, area or place in the Territory to be a municipality;
- (b) determine or alter the boundaries of a municipality;
- (c) annex a portion of the Territory to a municipality;
- (d) sever a portion of a municipality from a municipality and declare that the portion so severed—
 - (i) ceases to be a part of a municipality;
 - (ii) is annexed to and forms part of a municipality which is contiguous to that portion;
or
 - (iii) either alone or with a town, area or other place, which is contiguous to that portion, is a new municipality;
- (e) divide or re-divide a municipality into wards;
- (f) determine or alter the boundaries of a ward;
- (g) give a name to, or alter the name of, a municipality or ward;
- (h) abolish all wards;
- (i) subject to section thirty-two of this Ordinance, determine or alter the number of aldermen to be elected for a municipality; and
- (j) dissolve a municipality.

“(2.) The Administrator in Council shall not, pursuant to sub-paragraph (iii) of paragraph (d) of the last preceding subsection, declare that the severed portion of a municipality constitutes a new municipality unless, in his opinion, the revenue of the new municipality will be sufficient for its purposes.”

Administrator in
Council to
settle matters
requiring
adjustment
following
exercise of
his powers.

4. Section nine of the Principal Ordinance is amended by omitting the word “Minister” and inserting in its stead the words “Administrator in Council”.

5. Section eleven of the Principal Ordinance is repealed and the following section inserted in its stead:—

Notice
constituting
new
municipality.

“11. Where the Administrator in Council, pursuant to section eight of this Ordinance, constitutes a town, area or place to be a municipality, he shall—

- (a) assign a name to the municipality;
- (b) determine and describe the boundaries of the municipality;

- (c) appoint a date for the election of the first mayor and aldermen;
- (d) state the number of aldermen to be elected for the municipality; and
- (e) if the municipality is to be divided into wards—
 - (i) determine and describe the boundaries of the wards; and
 - (ii) assign a name to each of the wards.”.

6 Section twelve of the Principal Ordinance is amended by omitting the word “Minister” and inserting in its stead the words “Administrator in Council”.

Adjustment of rights, &c., on inclusion of severed portion in new municipality.

7 Section thirteen of the Principal Ordinance is amended by omitting the word “Minister” and inserting in its stead the words “Administrator in Council”.

Adjustment of wards on annexation of new area.

8 Section fourteen of the Principal Ordinance is amended by omitting the word “Minister” and inserting in its stead the words “Administrator in Council”.

Adjustment of boundaries following annexation of new area.

9. Section fifteen of the Principal Ordinance is amended—

- (a) by omitting the words “The Minister or the Administrator in Council, as the case may be,” and inserting in their stead the words “The Administrator in Council”; and
- (b) by omitting the words “or eight A”.

Administrator in Council may receive petitions and counter petitions.

10. Section sixteen of the Principal Ordinance is amended by omitting from sub-section (1.) the words “When the Minister or the Administrator in Council, as the case may be,” and inserting in their stead the words “When the Administrator in Council”.

Administrator in Council to give public notice of substance of petition, &c.

11. Section seventeen of the Principal Ordinance is amended by omitting the words “The Minister or the Administrator in Council, as the case may be,” and inserting in their stead the words “The Administrator in Council”.

Administrator in Council may grant or refuse petition.

12. Section twenty-three of the Principal Ordinance is amended by omitting the word “Minister” and inserting in its stead the words “Administrator in Council”.

Counter petition may be presented to Administrator in Council.

13. Section twenty-four of the Principal Ordinance is repealed and the following section inserted in its stead:—

Presentation
of
petition, &c.

“24. Subject to the next succeeding section a petition or counter-petition shall be addressed to the Administrator in Council and shall be deemed to be duly presented if it is left with or served on the Administrator.”

Signature to
petition to
be verified.

14. Section twenty-five of the Principal Ordinance is amended by omitting from sub-section (3.) the words “the Minister or”.

Form, &c.,
of petitions.

15. Section twenty-six of the Principal Ordinance is amended by omitting paragraph (a) and inserting in its stead the following paragraph:—

“(a) shall state precisely which of the powers contained in section eight of this Ordinance the Administrator in Council is prayed to exercise;”.

Operation of
notice given
by
Administrator
in Council.

16. Section twenty-seven of the Principal Ordinance is amended by omitting the words “the Minister or”.

Errors, &c.,
may be rectified.

17. Section twenty-eight of the Principal Ordinance is amended—

(a) by omitting the words “the Minister or” (first occurring); and

(b) by omitting the words “the Minister or the Administrator in Council, as the case may be,” and inserting in their stead the words “the Administrator in Council”.

Proceedings
preliminary
to first
election.

18. Section forty-five of the Principal Ordinance is amended by omitting the words “the Minister” and inserting in their stead the words “the Administrator in Council”.

19. Section one hundred and fifty-five of the Principal Ordinance is repealed and the following section inserted in its stead:—

Estimates
to be
published
before rates
declared.

“155.—(1.) Before a council declares a rate it shall—

(a) cause detailed estimates to be prepared of the income and expenditure of the fund to which the rate relates; and

(b) cause to be published twice in a newspaper printed and published in the Northern Territory and available within the municipality—

- (i) a summary of the detailed estimates; and
- (ii) a notice stating the place where the detailed estimates will be made available for inspection by electors during the hours referred to in the next succeeding sub-section.”.

(2.) The detailed estimates of income and expenditure prepared in accordance with paragraph (a) of the last preceding sub-section shall be made available for inspection by electors during the normal business hours of the corporation for ten days after the last publication of the notice referred to in sub-paragraph (ii) of paragraph (b) of the last preceding sub-section.

(3.) A council shall not declare a rate before the expiry of the period of ten days referred to in the last preceding sub-section.

(4.) A council shall declare a rate within thirty days of the last publication of the notice referred to in sub-paragraph (ii) of paragraph (b) of sub-section (1.) of this section.

(5.) The declaration of a rate under this section is effective notwithstanding that the provisions of this section have not been strictly observed.

20. Section one hundred and fifty-eight of the Principal Ordinance is amended by omitting the words “the thirty-first day of August” and inserting in their stead the words “the thirtieth day of September”.

Council to declare general rate.

21. Section one hundred and sixty-six of the Principal Ordinance is amended by omitting the words “a council may levy” and inserting in their stead the words “may be levied”.

Minimum amount of a rate.

22. Section one hundred and sixty-seven of the Principal Ordinance is amended by omitting the words “to levy more than one rate” and inserting in their stead the words “that more than one rate shall be levied”.

Rates may be levied separately or as combined rate.

23. Section one hundred and eighty-two of the Principal Ordinance is repealed.

Repeal of Sec. 182.

24. The Principal Ordinance is amended by inserting after section one hundred and eighty-eight the following section:—

“188A. Notwithstanding anything contained in this Ordinance a council, in respect of any parcel of land, may not receive payment of a rate from more than one person.”.

Council not to receive rates twice.

Rates a charge on land, &c.

25. Section one hundred and ninety-four of the Principal Ordinance is amended by omitting paragraph (a) and inserting in its stead the following paragraph:—

“(a) in the case of a rate levied in respect of land leased from the Crown or the Commonwealth, a first charge on the interest in the land of the person who owes the rates or costs; and”.

Separate ward accounts not to be kept unless Administrator in Council directs.

26. Section two hundred and one of the Principal Ordinance is amended by omitting the words “The Minister” (twice occurring) and inserting in their stead the words “The Administrator in Council”.

Purposes for which revenue may be expended.

27. Section two hundred and ten of the Principal Ordinance is amended by omitting paragraphs (r) and (s) and inserting in their stead the following paragraph and sub-section:—

“; and (r) in the exercise of its powers and the performance of its functions under this Ordinance or under any other law in force in the Territory.

“(2.) Except with the prior approval of the Administrator in Council, a council shall not in any year so expend its revenue that—

(a) the estimate of expenditure in respect of an item of expenditure included in the detailed estimates of expenditure prepared for that year in accordance with sub-section (1.) of section one hundred and fifty-five of this Ordinance is exceeded by the amount spent in respect of that item; or

(b) any amount is spent in respect of an item of expenditure not included in the detailed estimates of expenditure so prepared for that year.”.

Powers and duties of inspectors.

28. Section two hundred and ninety of the Principal Ordinance is amended—

(a) by omitting from paragraph (b) the word “and” (second occurring); and

(b) by adding at the end thereof the following word and paragraph:—
” ; and

(d) shall inquire into and report on any matter which the Administrator has required him to investigate.”.

General powers of council

29. Section three hundred and five of the Principal Ordinance is amended by omitting from paragraph (s) of sub-section

(1.) the words "Minister approves" and inserting in their stead the words "Administrator in Council, by notice published in the *Gazette*, approves councils doing or the council doing".

30. After section three hundred and thirty of the Principal Ordinance the following section is inserted:—

"330A.—(1.) A pensioner who is liable for payment of a charge in respect of a service for the removal of night-soil or garbage may apply to the council that has supplied or is supplying the service to be relieved from his liability for payment of the charge on the ground that the payment of the charge would cause him hardship.

Concessions
to pensioners.

"(2.) An application under the last preceding sub-section shall be in writing addressed to the clerk and shall set out full information as to the circumstances relied on to support the application.

"(3.) If the council is satisfied that payment of the charge would cause hardship to the applicant the council may, if it thinks fit, relieve him from his liability for payment of the charge and, if it does so, the applicant is not liable for payment of the charge and the amount of the charge shall be deemed to be a debt that is irrecoverable.

"(4.) In this section 'pensioner' means a person who is in receipt of—

- (a) an age pension, invalid pension or widow's pension under the *Social Services Act 1947-1964*; or
- (b) a service pension under Division 5 of Part III of the *Repatriation Act 1920-1964*."

31 Section three hundred and thirty-three of the Principal Ordinance is amended by omitting the words "Fifty Pounds" and inserting in their stead the words "Five hundred dollars".

Tenders to
be called
for contracts
over \$500

32. Section three hundred and forty-nine of the Principal Ordinance is repealed and the following section inserted in its stead:—

"349. A council may make by-laws not inconsistent with this Ordinance and the regulations—

By-laws.

- (1) regulating the calling of meetings of the council and of committees of the council and of meetings of electors;

By-laws
relating to
administration
and
finance.

- (2) regulating proceedings and voting at meetings of the council, committees of the council and meetings of electors;
- (3) regulating the form of notices published by the council and the places at which and the manner in which the notices shall be published;
- (4) regulating the appropriation and expenditure of the revenue of the council;
- (5) regulating matters not provided for in this Ordinance in relation to declaring, levying and notifying rates;
- (6) prescribing the manner in which applications may be made for permits, licences and authorities to be granted by the council and for the renewal of those permits, licences or authorities;
- (7) prescribing fees to be paid to the council for permits, licences or authorities granted or renewed by the council or permitted by a council to be transferred;
- (8) regulating the appointment, control, tenure of office and duties of officers and employees of the council and prescribing their salaries and fees and the time for and the mode of payment of those salaries and fees;
- (9) regulating the management of lands or other real or personal property vested in or held in trust or under the control and management of the council;
- (10) prescribing the fees to be paid by persons in connexion with any matter or thing required or permitted to be done or supplied under this Ordinance;
- (11) regulating or determining the conditions upon which it will grant permits, licences, authorities and registrations or supply a service, product, commodity or an item of information;
- (12) regulating any matter in connexion with the conduct of elections and polls which is not provided for by this Ordinance and the regulations;
- (13) regulating the management of electricity and water supply undertakings controlled by the council and for prescribing the terms and conditions of supply of electricity or water by those undertakings and the charges to be paid for any such supply;
- (14) regulating the use and the manner of use, and prohibiting the waste, of water or electricity supplied by an undertaking controlled by the council

and prohibiting damage or injury to mains, cables, wires, pipes, meters and other apparatus used for the purpose of water or electricity supply;

- (15) regulating the management of markets and the use of markets;
- (16) regulating or prohibiting the manner of performance of any duty or function which is authorized by this Ordinance or by the Administrator in Council by notice in the *Gazette*;
- (17) regulating the construction of drains across foot-ways and drains for the drainage of water from roofs; **Building.**
- (18) regulating or prohibiting, except under licence granted by the council, the making or excavating of holes or pits for the purpose of removing or using soil;
- (19) regulating the method of construction and the erection and maintenance of fences abutting on roads and public places, and prescribing the materials from which those fences may be constructed;
- (20) regulating or prohibiting, except under licence granted by the council, the erection of lamps, signs, devices, signboards, advertisements, hoardings or other erections used for advertising purposes situated within twelve feet of a road or public place;
- (21) prohibiting the use of petrol pumps on roads or in public places, except under licence granted by the council;
- (22) regulating the erection, position and maintenance of petrol pumps and of any apparatus, tanks and appliances connected with petrol pumps on roads or footpaths or in places adjacent to roads or footpaths;
- (23) regulating or prohibiting, except under licence granted by the council, the erection of tents and other structures of calico, canvas or inflammable material;
- (24) prohibiting, except under licence granted by the council, the painting, stencilling or marking of signs or advertisements on buildings, verandahs,

- balconies, walls, fences and structures of any description over or within twelve feet of a road or public place;
- (25) regulating the enclosing of quarries, clay pits, sand-pits, dams and water holes;
 - (26) prohibiting the placing of obstructions on roads or footpaths or in channels and water courses;
 - (27) regulating the paving, repair and cleaning of roads and footpaths;
 - (28) prescribing the conditions subject to which buildings may be erected in the municipality;
 - (29) prescribing the purposes for which, and the conditions upon which, licences may be issued;
 - (30) prescribing the types, standards, minimum sizes and maximum spacing of materials to be used in buildings of different types, or put or to be put to different uses, in the municipality or part of the municipality;
 - (31) providing for the use of fire-resistant and fire-retarding materials and the lessening of fire hazards in buildings;
 - (32) providing the minimum and maximum distances of buildings from the boundary lines of the land upon which they are situated;
 - (33) prescribing the powers of the council with respect to the repair and maintenance of buildings and the condemnation of buildings which are unsafe or unfit or unsuitable for any purpose;
 - (34) prescribing the minimum standards required in the presentation of plans and drawings for the consideration of the council;
 - (35) prescribing penalties not exceeding One hundred dollars or imprisonment for three months for a failure to comply with or contravention of the by-laws relating to building and in addition penalties not exceeding Ten dollars for each day during which the offence or contravention continues;
 - (36) prohibiting the depositing on land of material likely to cause a public nuisance, to give rise to a condition dangerous to public health, to attract

vermin to that land or to form a harbourage for vermin;

- (37) regulating night soil and garbage services;
- (38) requiring persons to provide and maintain specified types of receptacles for use in connexion with night soil and garbage services and to place those receptacles in specified places for collection;
- (39) requiring or regulating the destruction, removal and disposal of animals which are diseased or injured or which, if left at large in a public place, are likely to be a danger to the safety of members of the public;
- (40) requiring and regulating the removal, destruction or disposal of animals found dead in a public place or on private land or premises;
- (41) providing for the recovery of the expense of destroying, removing or disposing of an animal or a dead animal in accordance with this Ordinance or a by-law—
 - (a) from the owner of the animal or from the owner or occupier of the land from which an animal or a dead animal is removed; and
 - (b) from the proceeds of the sale of such an animal or of its carcass or part of its carcass;
- (42) regulating or prohibiting, except under licence granted by the council, the depositing of rubbish at places set apart for that purpose by the council;
- (43) prohibiting the pollution of water in drinking fountains and regulating the use of drinking fountains;
- (44) prohibiting the pollution of the water in rivers and water courses and providing for the conservation and protection of the banks and beds of rivers and water courses;
- (45) requiring the owners of land adjoining a private lane or alley to drain and keep clean that lane or alley;
- (46) requiring verandahs and balconies over roads and public places to be kept clean and water-tight;

- (47) prohibiting the throwing or depositing of any objectionable substance or offensive or noxious thing in a road or public place;
- (48) regulating the keeping and inspection of—
 - (a) animals, birds and poultry used for food or for the production of food;
 - (b) eating houses and food shops;
 - (c) hotels, boarding houses and hostels;
 - (d) food and cordial factories;
 - (e) barbers' and hairdressers' establishments;
 - (f) laundries, cleaning establishments and dye works;
 - (g) second-hand trading establishments and marine stores; and
 - (h) the housing of animals, birds and poultry;
- (49) regulating or prohibiting, except under licence granted by the council, the emission, discharge or escape from premises of water, smoke, fumes, steam, vapour, dust or other waste products;
- (50) requiring the owners or occupiers of property or premises—
 - (a) to destroy inflammable or noxious grass, weeds or other growth on that property or those premises; and
 - (b) to make effective fire-breaks;
- (51) prohibiting or regulating singing and the playing of music in roads and public places;
- (52) regulating or prohibiting, except under licence granted by the council, the throwing or distribution of handbills or other printed matter in roads or public places;
- (53) regulating or prohibiting, except under licence granted by the council, the use of premises for the purposes of trade or business;
- (54) regulating the impounding and control of straying animals and prescribing the charges which may be made for feeding or agisting impounded animals;
- (55) regulating or prohibiting, except under licence granted by the council, the keeping of horses;

- (56) regulating the registration of dogs kept within the municipality and prescribing fees to be paid to the council for the registration of such dogs;
- (57) regulating noisy trades and prohibiting, except under licence granted by the council, the carrying on of noisy trades;
- (58) requiring and regulating the numbering of houses and other premises fronting upon roads; Roads and traffic.
- (59) regulating the construction of culverts and crossing places for vehicles and animals from roads into private property;
- (60) regulating the lighting of roads and public places;
- (61) prohibiting persons from allowing trees, shrubs or other vegetation to over-reach or over-hang roads or public places;
- (62) prohibiting the passage of persons, vehicles and animals included in specified classes of vehicles or animals, through or over parks, gardens, public squares, plantations, reserves, recreation grounds and other land under the control of the council, except on prescribed routes;
- (63) prescribing methods of determining the weights of loads carried by or on vehicles;
- (64) prohibiting the use of specified types of vehicles on roads vested in it;
- (65) regulating the passage of vehicles or vehicles of specified kinds on roads vested in it;
- (66) regulating the speed of vehicles along roads and in public places;
- (67) requiring a person in charge of a vehicle which, or the load of which, may reasonably be suspected of exceeding a specified weight to take the vehicle to such place as an officer of the council reasonably requires for the purpose of ascertaining the weight of the vehicle and of its load, if any;
- (68) regulating vehicular, pedestrian or other traffic on roads, at intersections of roads and in public places;
- (69) providing for the temporary suspension of traffic on roads;

- (70) regulating or prohibiting the standing of vehicles or animals in roads or in specified parts of roads or in public places;
- (71) regulating the loading or unloading of articles or materials on or across footpaths in roads;
- (72) regulating the erection and maintenance on roads of barriers, posts, rails, notice boards and other structures for the purpose of notifying, securing or enforcing the provisions of any by-law;
- (73) prescribing the siting and method of construction of entrances to gardens, alleys and lanes;
- (74) regulating or prohibiting, except under licence granted by the council, the placing of goods or merchandise in roads or public places;
- (75) regulating or prohibiting, except under licence granted by the council, processions in roads or public places;
- (76) regulating the control and use of special tracks for bicycles or other vehicles included in a specified class of vehicle;
- (77) regulating or prohibiting, except under licence granted by the council, the use or occupation of portions of foreshores or reserves (being reserves adjacent to foreshores) which are under the control of the council;
- (78) regulating or prohibiting, except under licence granted by the council, the removal of sand, seaweed, seashells or other material from foreshores which are under the control of the council;
- (79) regulating or prohibiting the admission of persons, animals or vehicles to buildings or enclosures which are the property of or under the control of the council;
- (80) regulating or prohibiting bathing or swimming, and regulating the dress of persons bathing or swimming, in any part of a river, creek, stream, sea or other open public water within the limits of the boundaries of its municipality;
- (81) regulating the dress of persons on beaches or the banks of rivers, creeks or streams or in other public places;
- (82) regulating or prohibiting, except under licence granted by the council, the erection and use of

- bathing sheds, adjacent to waters controlled or regulated by the council;
- (83) regulating the management of public baths, the conduct of persons using public baths and the prices to be charged for admission to, and for the use of, public baths;
 - (84) regulating the planting, preservation and protection of trees, shrubs, lawns and gardens in roads and public places;
 - (85) regulating or prohibiting, except under licence granted by the council, the entrance of persons upon or the use by persons of specified rivers or water courses and regulating fishing and angling in rivers and water courses;
 - (86) regulating or prohibiting, except under licence granted by the council, the use of roads and public places by hawkers and street traders; Trading.
 - (87) regulating or prohibiting, except under licence granted by the council, trading in public places;
 - (88) regulating the use of ice-cream and produce carts and stalls;
 - (89) regulating or prohibiting, except under licence granted by the council, the use of vehicles in plying for hire or kept or let for hire, for the conveyance of passengers or of goods of any kind, and licensing, and regulating the conduct of the drivers of those vehicles;
 - (90) prescribing stands from which vehicles plying for hire may be operated and for regulating the conduct of persons in charge of vehicles at those stands;
 - (91) prescribing the rates and fares to be charged for use of vehicles plying for hire or kept or let for hire;
 - (92) prescribing the maximum number of vehicles in respect of which, from time to time, the council may issue licences to ply for hire;
 - (93) regulating or prohibiting any matter in connexion with the use of vehicles which ply for hire or are kept or let for hire, which the council sees fit; and
 - (94) prescribing a penalty not exceeding Twenty dollars for a failure to comply with, or a contravention of, a by-law, other than a by-law relating to build-

ing, and, in addition, a penalty not exceeding Ten dollars for each day during which the failure or contravention continues.”.

Requirements as to, and date of commencement of by-law.

33. Section three hundred and fifty-one of the Principal Ordinance is amended by adding the following sub-sections:—

“(2.) All by-laws, except those not confirmed by the Administrator in Council, shall be laid before the Legislative Council on the first sitting day of that Council after the making of the by-laws.

“(3.) If the Legislative Council passes a resolution of which notice has been given at any time within fifteen sitting days after the by-laws have been laid before the Council disallowing any by-law, that by-law shall thereupon cease to have effect.”.

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

Inconsistency between by-law and other law.

“353.—(1.) A by-law that is inconsistent with a provision of an Act or of an instrument (including regulations, rules or by-laws) made under or by the authority of an Act is, to the extent of the inconsistency, invalid.

“(2.) Subject to this Ordinance, the laws of the Northern Territory apply within the boundaries of a municipality but where a council makes a valid by-law in accordance with the provisions of this Ordinance and there is an inconsistency between the provisions of that by-law and those laws, the provisions of the by-law prevail.

“(3.) Notwithstanding the last preceding sub-section, the provisions of a by-law do not prevail over inconsistent provisions of laws of the Northern Territory made by or under an Ordinance made after this Ordinance and in which it is expressly provided or an intention appears that the last-mentioned provisions shall prevail over the by-law.”.

Repeal of section 361.

35. Section three hundred and sixty-one of the Principal Ordinance is repealed.

Proof of by-laws.

36. Section four hundred of the Principal Ordinance is amended by omitting the words “the Administrator” and inserting in their stead the words “the Administrator in Council”.

Clerk to give notice in certain circumstances to mayor and alderman where rate unpaid

37. Section four hundred and three of the Principal Ordinance is amended by omitting the word “councillor” (twice occurring) and inserting in its stead the word “alderman”.

Savings

38.—(1.) Notwithstanding the repeal of section eight of the Principal Ordinance effected by section three of this Ordin-

ance, a notice under section eight of the Principal Ordinance in force immediately before the commencement of this Ordinance has effect after that commencement, for the purposes of the Principal Ordinance as amended by this Ordinance, as if the Principal Ordinance as so amended had been in force when it was made and it had been made by the Administrator in Council under section eight of the Principal Ordinance as so amended.

(2.) By-laws made by a council under the *Local Government Ordinance* 1954 or under that Ordinance as amended from time to time and in force immediately before the commencement of this Ordinance shall, after the commencement of this Ordinance, be as valid and effectual as if they had been made under the Principal Ordinance as amended by this Ordinance.

(3.) Where the Minister has under sub-section (1.) of section three hundred and five of the Principal Ordinance approved a council doing any matter or thing and that approval was in force immediately before the commencement of this Ordinance, the approval has effect for the purposes of the Principal Ordinance as amended by this Ordinance as if it were an approval of the Administrator given under section three hundred and five of the Principal Ordinance as amended by this Ordinance and published in the *Gazette* on the date of commencement of this Ordinance.
