

TENNANT CREEK TOWN MANAGEMENT ORDINANCE 1972

1183

No. 42 of 1972

An Ordinance to amend the *Tennant Creek
Town Management Ordinance 1961* as amended

[Assented to 31 July, 1972]

BE it ordained by the Legislative Council for the Northern Territory of Australia as follows:—

1.—(1.) This Ordinance may be cited as the *Tennant Creek Town Management Ordinance 1972*. Short title and citation

(2.) The *Tennant Creek Town Management Ordinance 1961* as amended is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance as amended by this Ordinance may be cited as the *Tennant Creek Town Management Ordinance 1961-1972*.

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

3. Section 4 of the Principal Ordinance is amended by omitting sub-sections (2.), (3.) and (4.) and inserting in their stead the following sub-sections:— Establishment of Board

“(2.) Four members of the Board shall be appointed by the Administrator and the remaining five members of the Board shall be elected in accordance with this Ordinance.

“(3.) Subject to this Ordinance, a member of the Board holds office for a period of two years.”

4. After section 4 of the Principal Ordinance the following sections are inserted:—

“4A.—(1.) For the purposes of the first meeting of the Board after a general election, the Administrator shall appoint a member of the Board to be the Chairman and another member of the Board to be the Deputy Chairman and the Chairman and Deputy Chairman so appointed shall hold office until a Chairman and a Deputy Chairman respectively are elected by the Board. Chairman and Deputy Chairman

^{*} The date fixed was 16 August, 1972 (see *Northern Territory Government Gazette* No. 33 of 16 August, 1972, page 304).

Tennant Creek Town Management

“(2.) At its first meeting after a general election, the Board shall elect a member of the Board to be the Chairman and another member of the Board to be the Deputy Chairman.

“(3.) The office of Deputy Chairman becomes vacant if its holder is elected to be the Chairman and the office of Chairman or Deputy Chairman becomes vacant if its holder—

- (a) ceases to be a member of the Board;
- (b) resigns his office in writing addressed to the Board;
or
- (c) is removed from office by a resolution of the Board.

“(4.) When the office of Chairman or Deputy Chairman becomes vacant, the Board shall elect a Chairman or Deputy Chairman, as the case requires, from members of the Board.

“(5.) When the office of Chairman is vacant or when the Chairman is, because of absence or illness or for any other reason, unable to exercise his powers or perform his duties, the Deputy Chairman has and may exercise those powers and has and shall perform those duties.

Electors

“4B.—(1.) Each person who is enrolled on enrolment day as an elector for an election of a member of the House of Representatives for the Northern Territory and who resides within the Town or within ten miles of the post office at Tennant Creek is qualified to be enrolled as an elector for the purpose of electing the elected members of the Board.

“(2.) The Secretary to the Board shall on enrolment day compile a roll of electors and shall include on that roll the names of all persons who are qualified under the last preceding subsection to be enrolled as electors for the purpose of electing members of the Board.

“(3.) In respect of the first election held under this Ordinance, enrolment day is the day determined by the Administrator to be enrolment day in respect of that election.

“(4.) In respect of each subsequent election held under this Ordinance, enrolment day is the day determined by the Board to be enrolment day in respect of that election.

“(5.) The Secretary to the Board shall publish notice of the day appointed to be enrolment day in respect of each election.

“(6.) The notice shall be published, not less than fourteen days before the day so appointed, in the *Gazette* and in a newspaper published in the Northern Territory and circulated in the Town of Tennant Creek.

“4C.—(1.) Nomination day in respect of the first election held under this Ordinance is the day appointed by the Administrator to be nomination day in respect of that election. Nomination days &c.

“(2.) Nomination day in respect of each subsequent election held under this Ordinance is the day appointed by the Board to be nomination day in respect of that election.

“(3.) The Board shall not appoint a day to be nomination day in respect of an election under this Ordinance if the day is more than thirty days after enrolment day in respect of that election.

“(4.) The Board shall—

- (a) determine the place at which nominations shall be received; and
- (b) appoint a returning officer,

in respect of the first and each subsequent election held under this Ordinance.

“4D. Subject to this Ordinance, the Administrator or a person authorised by him in writing may, in respect of the first election held under this Ordinance, do or cause to be done all such acts and things as are required to be done for the holding of an election under this Ordinance. Administrator &c., may conduct first election

“4E.—(1.) Subject to this Ordinance, the Board may fix the date of the first and each subsequent two-yearly election held under this Ordinance. Polling day

“(2.) The date fixed by the Board for the first two-yearly election held under this Ordinance shall be a Saturday that is not less than four weeks and not more than eight weeks after the day appointed to be nomination day in respect of that election.

“(3.) The date fixed by the Board for a subsequent election held under this Ordinance shall be a Saturday in the month of June commencing in the period of twelve months after the first anniversary of the date of the last two-yearly election.

“4F.—(1.) Where an office of an elected member of the Board becomes vacant less than one year after the last two-yearly election, a supplementary election to fill the extraordinary vacancy shall be held in accordance with this Ordinance. Filling of extraordinary vacancies of elected members

“(2.) Where such an office becomes vacant more than one year after the last two-yearly election, the extraordinary vacancy may be filled by the appointment by the Administrator in Council of a person to be a member of the Board until the next succeeding two-yearly election after the vacancy occurs but if no such appointment is made the vacancy shall not be filled except by

Tennant Creek Town Management

the election of a member at the next succeeding two-yearly election.

“(3.) A person who is elected or appointed under this section to be a member of the Board holds office as such a member for the remainder of the period in respect of which his immediate predecessor was elected or appointed.

Member may be re-elected

“4G. An elected member of the Board retiring from, or ceasing to hold, office is, if qualified, eligible for re-election.

Disqualifications for election

“4H.—(1.) A person is not qualified to become an elected member—

- (a) if he is an undischarged bankrupt; or
- (b) if he has been convicted and is under sentence, or subject to be sentenced, for an offence punishable under the law of the Commonwealth, or of a State or Territory of the Commonwealth, by imprisonment for one year or longer; or
- (c) if he is not qualified to be an elector for the purposes of the Ordinance.

“(2.) A person who is not qualified to become an elected member is not qualified to be nominated for election under this Ordinance or to be appointed under sub-section (2.) of section 4F of this Ordinance.

Voting to be voluntary

“4J. A person qualified to be an elector is not liable to any penalty under this Ordinance for failing to vote for an election held under this Ordinance.

No postal voting

“4K. A person is not entitled to vote except at a polling booth within ten miles of the post office at Tennant Creek.

Nomination form

“4L. The nomination of a person to be elected as an elected member of the Board shall be in accordance with the following form:—

SECTION 4L

THE NORTHERN TERRITORY OF AUSTRALIA

Tennant Creek Town Management Ordinance

NOMINATION FOR ELECTION TO THE BOARD

The Secretary,
Town Management Board,
Tennant Creek, N.T.

I, _____ of _____,
being an elector for the purposes of the abovementioned Ordinance,
and I, _____ of _____,
being also such an elector, hereby nominate _____,
of _____, for the office of elected member
of the Tennant Creek Town Management Board.

Dated at _____ this _____ day of _____, 19 _____.

Signatures of nominators:

And I, _____ of _____,
being a person entitled to be nominated for the office of elected member
of the Tennant Creek Town Management Board, hereby consent to be
nominated for that office.

Dated at _____ this _____ day of _____, 19 _____.

Signature of person nominated:

"4M. A ballot paper to be used at an election held under this Ordinance shall be in accordance with the following form:— Form of Ballot paper

SECTION 4M

THE NORTHERN TERRITORY OF AUSTRALIA

Tennant Creek Town Management Ordinance

BALLOT PAPER

Directions—Mark your vote on this ballot paper by placing the numbers (here insert 1, 2, and so on as the case requires) in the squares respectively opposite the names of the candidates so as to indicate your preference for them.

CANDIDATES FOR ELECTION AS ELECTED MEMBERS
OF THE TENNANT CREEK TOWN MANAGEMENT BOARD

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Tennant Creek Town Management

Application of
provisions of
*Local Govern-
ment Ordinance*

"4N.—(1.) Subject to this Ordinance, the provisions of the *Local Government Ordinance 1954* as amended shall apply, with such modifications as are appropriate, to and in relation to an election of elected members of the Board under this Ordinance as if—

- (a) the election were an election of aldermen under the *Local Government Ordinance 1954* as amended;
- (b) a two-yearly election of elected members of the Board were a three-yearly election of aldermen under the *Local Government Ordinance 1954* as amended;
- (c) the Board were a council for a municipality constituted under the *Local Government Ordinance 1954* as amended;
- (d) the Secretary to the Board were the town clerk of such a municipality;
- (e) the area of land within ten miles of the post office at Tennant Creek were such a municipality; and
- (f) an alderman of such a municipality were an elected member of the Board.

"(2.) Each question arising under the last preceding sub-section as to—

- (a) whether the last preceding sub-section applies to or in relation to any matter;
- (b) whether a modification is appropriate; or
- (c) the manner of application of the last preceding sub-section, shall be decided by the Administrator in Council and his decision on such a question shall be final."

Regulations

5. Section 12 of the Principal Ordinance is amended by omitting the words "Fifty pounds" and inserting in their stead the words "One hundred dollars".

Transitional
provisions

6. The Chairman, Deputy Chairman and other members of the Tennant Creek Town Management Board holding office immediately before the commencement of this Ordinance continue to hold office until the date of the first election held under the Principal Ordinance as amended by this Ordinance.