

DARWIN TOWN MANAGEMENT ORDINANCE 1947-1953.*†

An Ordinance relating to the Municipal Government of the Town of Darwin.

1. This Ordinance may be cited as the *Darwin Town Management Ordinance 1947-1953*.*

Short title.
Short title
amended:
No. 17, 1938
s. 4.

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

Commence-
ment.

3. In this Ordinance, unless the contrary intention appears—

Definitions.
Amended by
No. 11, 1953,
s. 3.

“the Board” means the Darwin Town Management Board established under this Ordinance;

“the Chairman” means the person appointed by the Administrator to be the Chairman of the Board;

“the Town” means that portion of the Northern Territory described in the Schedule to the *Darwin Lands Acquisition Act 1945*.

* The *Darwin Town Management Ordinance 1947-1953* comprises the *Darwin Town Management Ordinance 1947* as amended. Particulars of the Principal Ordinance and of the amending Ordinances are set out in the following table:—

Ordinance.	Number and Year.	Date notified in <i>Commonwealth Gazette</i> .	Date of Assent by Administrator.	Date of Commencement.
<i>Darwin Town Management Ordinance 1947</i>	No. 7, 1947	18th September, 1947	..	1st October, 1947
<i>Darwin Town Management Ordinance 1949</i>	No. 20, 1949	..	20th December, 1949	15th May, 1950
<i>Darwin Town Management Ordinance 1950</i>	No. 3, 1950	..	22nd August, 1950	22nd August, 1950
<i>Darwin Town Management Ordinance 1953</i>	No. 11, 1953	..	29th June, 1953	15th July, 1953

† See also *Local Government Ordinance 1954-1959*, section 4 and Second Schedule.

‡ The date fixed was 1st October, 1947—see table above.

The Board.
Substituted by
N . 20, 1949,
s. 3.
Sub-section (1.)
amended by
No. 11, 1953,
s. 4.

4.*—(1.) There shall be a Darwin Town Management Board, which shall consist of five members all of whom shall be appointed by the Administrator by notice in the *Gazette*.

Substituted by
No. 11, 1953,
s. 4.

(2.) The Administrator shall, by notice in the *Gazette*, appoint one of the members of the Board to be the Chairman of the Board.

Substituted by
N . 11, 1953,
s. 4.

(3.) At least one member of the Board shall be a person who resides in the Town and is not an officer or employee of the Commonwealth.

Sub-section (4.)
omitted by
No. 11, 1953,
s. 4.

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Section 5
repealed by
No. 11, 1953,
s. 5.

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Fees and
allowances.
Substituted by
No. 20, 1949,
s. 4; and No. 3,
1950, s. 2;
amended by
No. 11, 1953,
s. 6.

6. The Chairman and other members of the Board shall receive fees and allowances at such rates as are from time to time fixed by the Minister.

Meetings of
the Board.
Substituted by
No. 11, 1953,
s. 7.

7.—(1.) The Board shall meet at such times and places within the Town as, from time to time, the Chairman determines.

(2.) At a meeting of the Board, three members shall constitute a quorum.

(3.) The Chairman shall preside at all meetings of the Board at which he is present but, in the event of the Chairman's absence from a meeting of the Board, the members present shall appoint one of their number to preside at that meeting.

(4.) All questions before the Board shall be decided by a majority of votes.

(5.) The member of the Board presiding at a meeting of the Board shall have a deliberative vote and, in the event of an equality of votes, shall also have a casting vote.

Minutes.
Amended by
N . 11, 1953,
s. 8.

8. Minutes of the proceedings of all meetings of the Board shall be kept and copies of the minutes shall be transmitted to the Administrator within seven days after each meeting.

* Section 4 was amended by section 4 of the *Darwin Town Management Ordinance 1953*. Section 9 of that Ordinance reads as follows:—
“9. The persons holding office as members of the Board and the member of the Board holding office as Chairman of the Board, at the time when this Ordinance comes into operation, shall continue to hold their respective offices, as though they had been appointed under the Principal Ordinance as amended by this Ordinance, until their respective appointments are terminated by the Administrator, by notice in the *Gazette*.”

9.—(1.) Subject to any direction of the Administrator, the Board may exercise and carry out all powers (excepting the power of making regulations) and duties conferred and imposed on the Administrator by any law, for the time being in force in the Northern Territory relating to the control, management, government or welfare of the Town.

Powers of the Board.

(2.) Nothing in the last preceding sub-section shall prevent the exercise or carrying out of any power or duty by the Administrator.

10.—(1.) The Board shall from time to time, as the Administrator requires or as it deems necessary or advisable, advise the Administrator upon any matter relating to the control, management, government or welfare of the Town and may, in relation to any such advice, prepare and transmit to the Administrator proposals for the amendment of the law of the Territory relating to the affairs of the Town.

Advisory functions of Board.

(2.) All advice of the Board shall be given in writing, signed by the members giving it and copies of the advice shall be kept by the Board.

(3.) Any member of the Board dissenting from any advice shall set out the grounds of his dissent in writing. The document setting out these grounds shall be attached to the advice of the Board and a copy of the document shall be kept by the Board.

11.—(1.) The Board shall report annually to the Administrator upon all matters relating to its activities during the preceding year and upon any other matters which it considers necessary or advisable so to do.

Annual report

(2.) The first of such annual reports shall be transmitted to the Administrator twelve months after the first meeting of the Board.

12. The Administrator may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Ordinance, and for prescribing penalties not exceeding Fifty pounds for any breach of the regulations.

Regulations.