

# LOCAL GOVERNMENT REGULATIONS\*

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1. These Regulations may be cited as the Local Government Regulations.\*

2.—(1.) In these Regulations, unless the contrary intention appears— Interpretation.  
“the Ordinance” means the *Local Government Ordinance 1954*.

(2.) In these Regulations, a reference to a form by number shall be read as a reference to the form so numbered in the Schedule to these Regulations.

(3.) Strict compliance with the forms contained in the Schedule to these Regulations is not necessary and substantial compliance is sufficient.

3. A declaration under section twenty-five of the Ordinance shall be in accordance with Form 1. Declarations certifying signatures to petitions, &c.

4. A declaration under section forty-four or fifty-six of the Ordinance shall be in accordance with Form 2. Declaration by mayor, acting mayor or councillor.

4A. Allowances paid to members of the Corporation of the City of Darwin under section 44A of the Ordinance towards their necessary out-of-pocket expenses for conveyance and subsistence in travelling shall not exceed— Conveyance and subsistence allowances. Inserted by 1964, No. 9.

(a) where the travelling is wholly within the boundaries of the municipality of Darwin—Two pounds towards expenses incurred in any one day; or

(b) in any other case—such expenses as are reasonably paid or incurred in respect of the travelling.

\* \* \* \* \* Regs. 5 and 6 repealed by 1966, No. 2.

7. A declaration under section eighty-five of the Ordinance by a person appointed as returning officer shall be in accordance with Form 6. Declaration by returning officer.

8.—(1.) An appointment as returning officer under section eighty-six of the Ordinance shall be in writing in accordance with Form 7. Appointment of deputy returning officer.

(2.) The returning officer shall forward a copy of the appointment to the clerk immediately after the appointment is made.

\* The Local Government Regulations, in force under the *Local Government Ordinance 1954–1966*, comprise the following Regulations:—

Year and Number	Date on which made	Date notified in Northern Territory Government Gazette	Date of Commencement
1957, No. 2 ..	21st February, 1957 ..	21st February, 1957 ..	21st February, 1957
1959, No. 6 ..	3rd September, 1959 ..	23rd September, 1959 ..	23rd September, 1959
1961, No. 12 ..	4th August, 1961 ..	16th August, 1961 ..	16th August, 1961
1964, No. 9 ..	2nd July, 1964 ..	15th July, 1964 ..	15th July, 1964
1966, No. 2 ..	17th January, 1966 ..	19th January, 1966 ..	19th January, 1966

*Note.*—The amending Local Government Regulations made on 16th May, 1961 (Regulations 1961, No. 5) were repealed by Regulations 1961, No. 10, with effect from 16th May, 1961.

Nomination of  
mayor or  
alderman.  
Amended by  
1966, No. 2.

**9. A nomination—**

(a) under section ninety of the Ordinance for the office of mayor;  
or

(b) under section ninety-one of the Ordinance for the office of  
alderman,

shall be in accordance with Form 8.

Appointment of  
presiding  
officer or  
poll clerk.

**10.** An appointment under section ninety-five of the Ordinance of a  
presiding officer or poll clerk shall be in accordance with Form 9.

Ordinary  
ballot paper  
for poll of  
electors.

**11.** A ballot paper (not being a postal ballot paper) for a poll of  
electors shall be in accordance with Form 11.

Substituted by  
1966, No. 2.

Application  
for name to be  
entered in  
rate book.

**12.** An application under section one hundred and fifty of the Ordinance  
to have the name of a person entered in the rate book shall be in accordance  
with Form 12.

Application for  
name to be  
removed from  
rate book.

**13.** An application under section one hundred and fifty of the Ordinance  
to have the name of a person removed from the rate book shall be in  
accordance with Form 13.

Rate notice.

**14.** A rate notice shall be in accordance with Form 14.

Notice of  
appeal against  
entry in rate  
book.

**15.** A notice of appeal under section one hundred and seventy-two of  
the Ordinance against an entry in the rate book shall be in accordance with  
Form 15.

Notice of  
appeal against  
omission from  
rate book.

**16.** A notice of appeal under section one hundred and seventy-two  
of the Ordinance against an omission from the rate book shall be in  
accordance with Form 16.

Method of  
accounting.

**17.—(1.)** The accounts of a council shall be kept by, or under the  
direction of, the clerk, by the double-entry method of book-keeping.

(2.) The accounts of a council shall—

(a) be kept entered up-to-date;

(b) be kept in sufficient detail to furnish satisfactory information as  
to the affairs of the council;

(c) be entered in a manner which will permit the sources of revenue  
and the purposes and legitimacy of expenditure to be readily  
verified by recourse to the receipts, vouchers, minutes and  
other documents and records of the council; and

(d) be kept in receipt books, cash books, bank pass books, a general  
ledger and such other books of account as the council  
determines.

(3.) The safeguards ordinarily adopted in commercial practice against  
defalcation, misappropriation, incorrect entries, arrears in entering, and  
other inaccuracies, omissions or malpractices shall, as nearly as may be,

be followed by a council and in particular, but without limiting the generality of this sub-regulation—

- (a) an official receipt in a form authorized by the council shall be issued for each sum of money received;
- (b) each cash book shall be verified, once at least in each month, by checking the entries in it with the entries in the bank pass book relating to the account in respect of which the cash book is kept, and by the preparation of a statement, which shall be recorded in the cash book and signed by the clerk, reconciling the balance shown in the bank pass book with the balance shown in the cash book; and
- (c) a statement, ordinarily referred to in commercial practice as a trial balance, showing the balance of each account in the general ledger of the council, shall be prepared once at least in each month and shall—
  - (i) be certified by the clerk to be in accordance with the general ledger of the council; and
  - (ii) be filed in a file kept for the purpose.

18.—(1) An application by a council to the Minister for permission to borrow money by way of renewal loan or ordinary loan shall be made under the seal of the council and shall be delivered or posted to the Administrator for transmission to the Minister. Application to Minister for permission to borrow by way of renewal or ordinary loan.

(2.) An application under this regulation shall set out—

- (a) the purposes for which the loan moneys are required;
- (b) if, in accordance with any provision of the Ordinance, it is necessary for the council to declare and levy a loan rate in respect of the loan, details of the loan rate, including—
  - (i) whether the loan rate will be declared and levied on the whole or part, and if on part, on which part, of the ratable lands within the municipality;
  - (ii) the amount, in each pound of unimproved capital value of the lands to be rated, of the proposed loan rate; and
  - (iii) the amount which it is estimated by the council will be collected from the loan rate;
- (c) the proposed manner of repayment of the loan and the interest on the loan, and, if repayment is to be made by instalments, the proposed period over which repayment will extend and the amounts of the periodical instalments;
- (d) the rate per centum per annum which the council proposes to pay on the moneys borrowed by way of interest;
- (e) if the loan is to be underwritten, the name, address and occupation of, the amount to be underwritten by, and the nature and value of the consideration to be allowed to, each underwriter;
- (f) the expenses which the council estimates will be incurred in relation to the raising of the loan; and

(g) a statement showing—

- (i) the total amount owing on loans already raised by the council which, in accordance with any provision of the Ordinance, require to be taken into account in determining the limits of borrowing of the council; and
- (ii) the total unimproved capital value of all ratable land in the council's municipality,

and may include such other particulars as the council considers are relevant to a proper consideration of its proposals by the Minister.

Administrator may require report upon application for loan.

19. The Administrator may require an inspector of local government accounts to investigate, with such recourse to the books and records of the council as the inspector of local government accounts deems necessary, and report to the Administrator upon, any application made by a council to the Minister pursuant to the provisions of the last preceding regulation.

Auditor's certificate.

20. A certificate under section two hundred and forty of the Ordinance shall be in accordance with Form 17.

Forms of debenture, bond and mortgage.

21. A debenture or bond issued or a mortgage granted by a council pursuant to the provisions of section two hundred and sixty of the Ordinance shall be under the common seal of the council and—

- (a) in the case of a debenture shall be in accordance with Form 18;
- (b) in the case of a bond shall be in accordance with Form 19; and
- (c) in the case of a mortgage shall be in such form as is appropriate to the mortgage and approved by the council.

Notice of surcharge.

22. A notice under section two hundred and ninety-three of the Ordinance shall be in accordance with Form 20.

Summons to attend, &c.

23. A summons under section two hundred and ninety-eight of the Ordinance shall be in accordance with Form 21.

Manner in which objection to accounts may be made.

24. An elector may make an objection under section three hundred and two of the Ordinance by—

- (a) setting forth the particulars of his objection in writing in a statement which—
  - (i) contains details of the elector's full name, occupation, and address as entered in the electors roll of the ward, or if the municipality is not divided into wards, of the municipality, in which that elector's name is entered;
  - (ii) contains such details as are necessary for identifying the accounts, or the item in the accounts, in respect of which the objection is made;
  - (iii) sets out the grounds of the objection;
  - (iv) is signed by the elector in the presence of another elector who verifies, by himself signing the statement as witness, that the signature of the elector first mentioned is the signature of that elector; and
  - (v) bears the date of the signatures of the elector and the witness; and
- (b) delivering the statement personally, or by prepaid registered post, to the auditor of the municipality or to the mayor.

THE SCHEDULE.

FORM 1.

Regulation 3.

THE NORTHERN TERRITORY OF AUSTRALIA.  
Local Government Ordinance 1954.  
Local Government Regulations.

DECLARATION VERIFYING SIGNATURES ON PETITION OR  
COUNTER-PETITION.

I, \_\_\_\_\_ of \_\_\_\_\_, having signed the petition  
annexed hereto, hereby declare that each signature marked with the letter \_\_\_\_\_ on  
pages \_\_\_\_\_ of the petition annexed hereto is the genuine signature of the person  
whose signature it purports to be.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Signature of declarant  
Signature of witness  
Address of witness

\_\_\_\_\_

FORM 2.

Regulation 4. Form 2  
amended by  
1966, No. 2.

THE NORTHERN TERRITORY OF AUSTRALIA.  
Local Government Ordinance 1954.  
Local Government Regulations.

DECLARATION.

I, \_\_\_\_\_ of \_\_\_\_\_, having been elected to the office  
of Mayor/Acting Mayor/Alderman of the Municipality of \_\_\_\_\_  
hereby declare that I take the office upon myself, and  
will duly and faithfully fulfil the duties of the office according to the best of my  
judgment and ability.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Signature of declarant

The abovementioned declarant made and subscribed the declaration set out above  
in the presence of me/us on the date set out above.

\_\_\_\_\_, a Justice of the Peace.  
\_\_\_\_\_, an Alderman of the above-  
named Municipality.  
\_\_\_\_\_, an Alderman of the above-  
named Municipality.

\_\_\_\_\_

\* \* \* \* \*

Forms 3, 4 and  
5 repealed by  
1966, No. 2.

\_\_\_\_\_

FORM 6.

Regulation 7.

THE NORTHERN TERRITORY OF AUSTRALIA.  
Local Government Ordinance 1954.  
Local Government Regulations.

DECLARATION BY RETURNING OFFICER.

Municipality of \_\_\_\_\_

I, \_\_\_\_\_ of \_\_\_\_\_, having been duly appointed to  
the office of returning officer for the municipality of \_\_\_\_\_, hereby  
declare that I will act faithfully in that office, and except as required by law will not  
attempt to ascertain, nor by word or action directly or indirectly aid in discovering,  
for whom any elector votes.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Signature of declarant  
Signature of witness  
Address of witness

Local Government Regulations

FORM 7.

Regulation 8.

THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

APPOINTMENT OF A DEPUTY RETURNING OFFICER.

I, the returning officer of the municipality of being unable, by reason of absence/illness to perform any of my duties as returning officer, hereby appoint , of to act as deputy returning officer in my stead.

Dated this day of , 19 .

Signature of returning officer



Form 8 amended FORM 8. by 1966, No. 2.

Regulation 9.

THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

NOMINATION OF MAYOR OR ALDERMAN.

The Returning Officer, Municipality of

I, of , being an elector of the ward of the municipality of , and I, of , being also an elector of that ward/municipality hereby nominate , of , for the office of mayor/alderman of that ward/municipality.

Dated this day of , 19 .

Signatures of nominators

And I, of , being a person entitled to be nominated for the office of mayor or alderman under the provisions of section ninety-two of the Local Government Ordinance 1954, hereby consent to be nominated for the office of mayor/alderman.

Dated this day of , 19 .

Signature of person nominated



FORM 9.

Regulation 10.

THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

APPOINTMENT OF PRESIDING OFFICER OR POLL CLERK.

I, of , being the returning officer/deputy returning officer of the municipality of , hereby appoint , of , to be the presiding officer/a poll clerk for the polling place at for the purposes of the election/supplementary election/poll of electors to be held on the day of , 19 .

Dated this day of , 19 .

Signature of returning/deputy returning officer



FORM 11.

Regulation 11.

THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

BALLOT PAPER FOR A POLL OF ELECTORS.

Municipality of

Ward.

Are you in favour of the following proposal:—

Yes.

No.

DIRECTIONS.

1. If you wish to vote in favour of the proposal you must mark the square opposite YES with a cross having its point of intersection within that square.

2. If you wish to vote against the proposal you must mark the square opposite NO with a cross having its point of intersection within that square.

3. When you have marked your ballot paper you should deposit it in the ballot box, folded once in such a manner as to conceal the vote recorded.

FORM 12.

Regulation 12.

THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

APPLICATION TO HAVE NAME ENTERED IN RATE BOOK AS THE OWNER OR OCCUPIER OF RATABLE LAND.

The Clerk,  
Municipality of

I, \_\_\_\_\_ of \_\_\_\_\_, being the owner/occupier of the ratable land described in the statement of particulars attached to this application hereby apply to have my name entered in the rate book of the municipality of \_\_\_\_\_ as the owner/occupier of that land.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Signature of applicant

STATEMENT.

Particulars relating to the ratable land in respect of which the claim set out above is made.

Lot No. \_\_\_\_\_ Town of \_\_\_\_\_  
or Portion No. \_\_\_\_\_ Hundred of \_\_\_\_\_

- Previous owner (if applicant claims to be owner)
- Previous occupier (if applicant claims to be occupier)
- Present owner (if applicant claims to be occupier)
- Present occupier (if applicant claims to be owner)

FORM 13.

Regulation 13.

THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

APPLICATION TO HAVE NAME REMOVED FROM THE RATE BOOK.

The Clerk,  
Municipality of

I, \_\_\_\_\_ of \_\_\_\_\_, being a person whose name is now entered in the rate book of the municipality of \_\_\_\_\_, as the owner/occupier of the ratable land described in the statement of particulars attached to this application, and having paid all rates for which I am liable as owner/occupier of that land, hereby apply to have my name removed from that rate book.

Local Government Regulations

The name of the new owner/occupier of that land is , and his address is Dated this day of , 19 . Signature of applicant

STATEMENT.

Particulars relating to the ratable land in respect of which the application set out above is made.

Lot No. or Portion No. Town of Hundred of

FORM 14.

Regulation 14.

THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

RATE NOTICE FOR YEAR COMMENCING 1ST JULY, 19 .

Assessment No.

Municipality of

Mr.

You are hereby notified that, upon the expiration of one month after the date on which this notice is served on you, the rates of which particulars are set out below become due and payable by you in respect of the land comprised in

Lot No. Portion No. Town of Hundred of

Particulars of the rates payable are—

Table with 6 columns: Type of Rate, Assessed Annual Value, Unimproved Capital Value, Rate in Pound (A.A.V., U.C.V.), Arrears, Amount Payabl. Includes a Total Amount Payable row.

Clerk of the municipality.

FORM 15.

Regulation 15.

THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

NOTICE OF APPEAL AGAINST ENTRY IN RATE BOOK.

Municipality of

To the Clerk of the Local Court of Full Jurisdiction

at

I, , of being a person whose name is entered in the rate book of the abovementioned municipality as owner/occupier of the land comprised in Lot No. , Town of

Portion No. , Hundred of hereby appeal to the abovementioned Court against the entry on the ground that

Dated this day of , 19 .

Signature of appellant Postal address of appellant



FORM 16.

Regulation 16.

THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

NOTICE OF APPEAL AGAINST OMISSION OF NAME FROM RATE BOOK.

Municipality of

To the Clerk of the Local Court of Full Jurisdiction

at

I, , of , hereby appeal to the above-mentioned Court against the omission of my name from the rate book of the above-mentioned municipality on the ground that I am the owner/occupier of the whole/a part of the ratable land comprised in Lot No. , Town of /Portion No. , Hundred of .

Dated this day of , 19 .

Signature of appellant
Postal address of appellant

FORM 17.

Regulation 20.

THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

AUDITOR'S CERTIFICATE AS TO THE AMOUNT WHICH MAY BE BORROWED BY WAY OF LIMITED OVERDRAFT.

Municipality of

Fund.

I hereby certify that the council of the abovenamed municipality may borrow by way of limited overdraft upon the abovenamed fund a sum up to but not exceeding pounds (£ ).

Dated this day of , 19 .

Signature of Auditor

Signature of witness
Address of witness

FORM 18.

Regulation 21.

THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

DEBENTURE.

Municipality of

Debenture No.

Loan of £ for the purpose of

Date of Minister's Approval of Loan

This debenture is issued subject to the provisions of the Local Government Ordinance 1954.

This debenture entitles the bearer to the sum of pounds (£ ), which, with interest thereon at the rate of pounds per centum per annum, is hereby secured upon the income of the municipality of in accordance with the provisions of the Local Government Ordinance 1954. The interest is payable on the day of , and the day of , in each year, on presentation of the appropriate coupon (annexed hereto) at

The principal money is payable on the day of at

Given under the common seal of the council of the municipality of on the day of 19 , in pursuance of the resolution of the said council authorizing the said seal to be so affixed, passed on the day of , 19 .

## Local Government Regulations

The seal of the said council was hereto affixed on the date hereof in the presence of—

[Common Seal.]

Mayor.  
Clerk.

## INTEREST COUPON.

Municipality of

Debenture No.

Purpose

Amount of Debenture

An amount of  
six months' interest to  
presentation of this coupon at  
on or after the

day of

, 19

, representing  
will be paid on

Clerk.

FORM 19.

Regulation 21.

## THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

## BOND.

Municipality of

Bond No.

Loan of £

for the purpose of

Date of Minister's Approval of Loan

This Bond is subject to the provisions of the *Local Government Ordinance 1954*.

The council of the municipality of  
consideration of the sum of \_\_\_\_\_ pounds (£ \_\_\_\_\_) , in  
paid to it by \_\_\_\_\_, of \_\_\_\_\_, hereby

binds itself and its successors to pay to the said  
his executors, administrators or assigns/the said corporation, its successors or assigns  
the sum of \_\_\_\_\_ pounds (£ \_\_\_\_\_).

The condition of the above obligation is that if the said council shall pay to  
the said \_\_\_\_\_, his executors, administrators or  
assigns/the said corporation, its successors or assigns on or before the  
day of \_\_\_\_\_ in the year one thousand nine hundred and  
the principal sum of \_\_\_\_\_ pounds (£ \_\_\_\_\_)

together with interest for the same at the rate of \_\_\_\_\_ pounds  
per centum per annum payable half yearly on the day of  
and the \_\_\_\_\_ day of \_\_\_\_\_ then the above obligation is to  
become void, otherwise to remain in full force.

Given under the common seal of the municipality of  
on the \_\_\_\_\_ day of \_\_\_\_\_ one thousand  
nine hundred and \_\_\_\_\_ in pursuance of a resolution of the council  
authorizing the said seal to be so affixed, passed on \_\_\_\_\_

The seal of the said council was hereto affixed on the date hereof in the presence of—

[Common Seal.]

Mayor.  
Clerk.

FORM 20.

Regulation 22.

## THE NORTHERN TERRITORY OF AUSTRALIA.

Local Government Ordinance 1954.

Local Government Regulations.

## NOTICE OF SURCHARGE.

Mr.

I hereby notify you that, under section 292 of the *Local Government Ordinance 1954*, I have surcharged against you the sum of \_\_\_\_\_ for  
reasons set out hereunder:—

Dated this

day of

, 19

Inspector of Local Government Accounts.

*Local Government Regulations*

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FORM 21.

Regulation 23.

THE NORTHERN TERRITORY OF AUSTRALIA.

*Local Government Ordinance 1954.*

Local Government Regulations.

SUMMONS.

To, \_\_\_\_\_, of \_\_\_\_\_.

Pursuant to section 298 of the *Local Government Ordinance 1954* you are hereby required to appear before me at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon of the \_\_\_\_\_ day of \_\_\_\_\_, one thousand nine hundred and \_\_\_\_\_, at \_\_\_\_\_ and then and there to give evidence and to have and produce such books, documents and writings in your custody or control as are likely to be relevant for the purposes of \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Auditor/Inspector of Local Government Accounts.)