
**CONSTITUTION AMENDMENT (RECOGNITION OF LOCAL
GOVERNMENT) ACT 1988**

No. 42 of 1988

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LOCAL GOVERNMENT) ACT 1988**

No. 42 of 1988

AN ACT to amend the Constitution Act 1934 to provide for a system of local government as part of the Constitution of Tasmania.

[Royal Assent 8 December 1988]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Constitution Amendment* Short title.
(Recognition of Local Government) Act 1988.

2—This Act shall commence on the day on which it receives Commencement.
the Royal assent.

3—In this Act, the *Constitution Act 1934** is referred to as Principal Act.
the Principal Act.

* 25 Geo. V No. 94. For this Act as amended up to and including 1st October 1979 see the continuing Reprint of Statutes. Subsequently amended by No. 78 of 1980, No. 2 of 1981, Nos. 9 and 16 of 1982, No. 36 of 1983, Nos. 7, 12, and 51 of 1985, and Nos. 54 and 88 of 1986.

Insertion in
Principal Act of
new Part IVA
(Local
Government).

4—After Part IV of the Principal Act, the following Part is inserted:—

PART IVA

LOCAL GOVERNMENT

Elected municipal
councils.

45A—(1) There shall be in Tasmania a system of local government with municipal councils elected in such manner as Parliament may from time to time provide.

(2) Each municipality shall have such powers as Parliament may from time to time provide, being such powers as Parliament considers necessary for the welfare and good government of the area in respect of which the municipality is constituted.

Certain laws not
affected.

45B—Section 45A does not affect the operation of any law—

(a) prescribing circumstances in which the offices of members of a municipal council shall become and remain vacant;

(b) providing for the administration of any area of the State—

(i) to which the system referred to in that section does not for the time being extend; or

(ii) when the offices of all the members of the municipal council for that area are vacant; or

(c) conferring any power relating to local government on a person other than a municipal council.

Municipal areas
not to be altered
except on
recommendation
of Local
Government
Advisory Board.

45C—Any division of Tasmania into municipal areas shall not be altered unless the Local Government Advisory Board established by the *Local Government Act 1962* so recommends.
