

TASMANIA.



1946.

ANNO NONO ET DECIMO
 GEORGHII VI. REGIS.

No. 57.

ANALYSIS.

Preamble.

1. Short title and incorporation.
2. *Flinders Island Council Validation Act 1909* deemed to have continued in operation.
3. Provisions relating to future elections of councillors.

AN ACT to validate certain Elections of Councillors of the Municipality of Flinders Island, and to make provision with respect to future Annual Elections of Councillors of the said Municipality.

A.D.
 1946

[29 March, 1946.]

WHEREAS by section fifty-four of the *Local Government Act 1906** it is enacted than in every municipality an annual election of councillors shall be held on the fourth Thursday in the month of April in every year but that if such Thursday in any year is Anzac Day the election in that year shall be held on Wednesday the twenty-fourth day of April:

* 6 Edw. VII. No. 31. For this Act, as amended to 1936, see Reprint of Statutes, Vol. V., p. 15. Subsequently amended by 2 Geo. VI. Nos. 8 and 33, 4 Geo. VI. No. 46, 5 Geo. VI. Nos. 20 and 42, 6 Geo. VI. Nos. 26 and 62, 7 & 8 Geo. VI. No. 88, 8 Geo. VI. No. 17, and 9 Geo. VI. No. 10.

Flinders Island Council Elections Validation.

A.D. 1946.

And whereas by the *Flinders Island Council Validation Act 1909** (in this Act referred to as "the said Act") it was enacted, *inter alia*, that the annual election of councillors of the municipality of Flinders Island to be held in the year 1911 and in each succeeding year thereafter should be held on such day as the Minister, in each year, appointed:

And whereas the said Act was repealed by the *Statute Law Revision Act 1935†*:

And whereas, notwithstanding the repeal of the said Act, the annual elections of councillors of the said municipality have continued to be held on the day appointed for the purpose by the Minister under the said Act in each year in lieu of the day prescribed in the *Local Government Act 1906‡*:

And whereas in order to validate the annual elections which have been held since the repeal of the said Act it is desirable to provide that the said Act shall be deemed to have continued in operation from the date of the repeal thereof until the commencement of this Act:

And whereas it is desirable to make provision for the holding of future annual elections for the said municipality:

Be it therefore 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—(1) This Act may be cited as the *Flinders Island Council Elections Validation Act 1946*.

(2) This Act shall be incorporated with the *Local Government Act 1906‡*, in this Act referred to as the Principal Act.

2—(1) The said Act shall be deemed to have been repealed on the date of the commencement of this Act, and not on the date of the commencement of the *Statute Law Revision Act 1935†*.

(2) The provisions of the said Act shall be deemed to have continued in operation in the same manner in all respects as if it had not been repealed until the date of the commencement of this Act, but those provisions shall cease to have effect on the commencement of this Act.

3—(1) Notwithstanding anything contained in section fifty-four of the Principal Act—

(a) the annual election of councillors of the municipality of Flinders Island (in this section referred to as "the said municipality") which

Short title and incorporation.

Flinders Island Council Validation Act 1909 deemed to have continued in operation.

Provisions relating to future elections of councillors.

* 9 Edw. VII. No. 52.

† 26 Geo. V. No. 99.

‡ 6 Edw. VII. No. 31. For this Act, as amended to 1936, see Reprint of Statutes, Vol. V., p. 15. Subsequently amended by 2 Geo. VI. Nos. 8 and 33, 4 Geo. VI. No. 46, 5 Geo. VI. Nos. 20 and 42, 6 Geo. VI. Nos. 26 and 62, 7 & 8 Geo. VI. No. 88, 8 Geo. VI. No. 17, and 9 Geo. VI. No. 10.

Flinders Island Council Elections Validation.

is required to be held in the year 1946 shall be held on the eighteenth day of May 1946, in lieu of the day prescribed in the Principal Act; and

A.D. 1946.
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- (b) in every year after the year 1946, the annual election of councillors of the said municipality shall be held in the month of January on such day, and at such place, as the Minister may, in each year, appoint.

(2) Every councillor of the said municipality whose term of office will expire in the year 1946 shall, by virtue of the provisions of this section and without any further or other authority, be entitled to continue in office until the eighteenth day of May 1946.

(3) Notwithstanding anything contained in the Principal Act, the term of office of every councillor of the said municipality holding office as a councillor thereof at the commencement of this Act shall expire on the day appointed by the Minister in pursuance of paragraph (b) of subsection (1) in respect of the year in which that councillor is required to retire from office by effluxion of time.

(4) Subject to the foregoing provisions of this section, the annual election of councillors of the said municipality to be held in the year 1946 and in each succeeding year thereafter shall be conducted, in all respects, in accordance with the provisions of the Principal Act.

