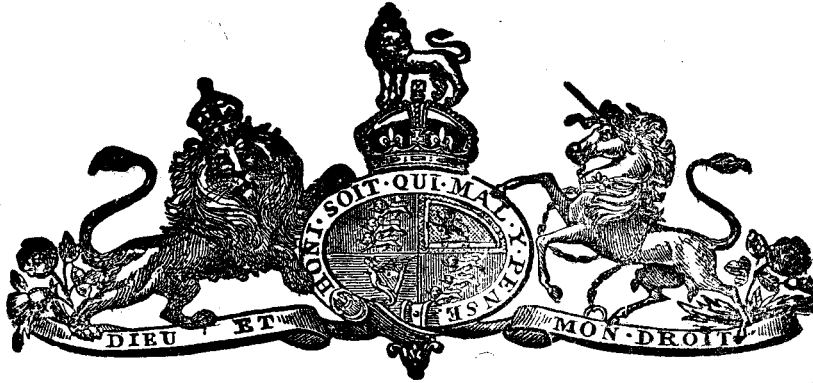


1321

TASMANIA.



1935.

ANNO VICESIMO SEXTO

GEORGI V. REGIS.

No. 75.

ANALYSIS.

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|---|---|
| <ul style="list-style-type: none"> 1. Short title. 2. Interpretation. 3. Retirement of Warden and councillors of Municipality of George Town. 4. No election of councillors to be held until April, 1937.
Elections in 1937 and thereafter. 5. Appointment of commissioners. 6. Deputy-commissioners. | <ul style="list-style-type: none"> 7. Commissioners not subject to 13 Geo. V. No. 25. 8. Validity of proceedings of commissioners. 9. Procedure at meetings. 10. Delegation of powers. 11. Commissioners' powers and status. 12. Chief Commissioner to exercise powers of Warden. |
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AN ACT to provide for the Administration
by Commissioners during a limited period
of the Affairs of the Municipality of George
Town. [20 December, 1935.]

A.D. 1935.

WHEREAS the affairs of the Municipality of George Town are in an unsatisfactory condition : Preamble.

And whereas it is expedient that commissioners should be appointed by the Governor to administer for a limited period the affairs of the said Municipality with a view to bringing about a more satisfactory position with regard to such affairs :

4d.]

George Town Municipality Administration.

A.D. 1935.

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 :—

Short title.

1 This Act may be cited as the *George Town Municipality Administration Act 1935*.

Interpretation.

2 In this Act, unless the contrary intention appears—

“Commissioner” means a commissioner appointed under this Act :

“The Chief Commissioner” means the Chief Commissioner appointed under this Act :

“The Council” means the Council of the said Municipality :

“The said Act” means the *Local Government Act 1906* :

“The said Municipality” means the Municipality of George Town.

6 Ed. VII. No. 31.

Retirement of Warden and councillors of the Municipality of George Town.

3 On a day to be fixed by proclamation the Warden and councillors of the Municipality of George Town then in office shall retire from office.

No election of councillors to be held until April, 1937.

4—(1) No election of councillors for any ward of the said Municipality shall be held until the day mentioned in subsection (2) hereof.

Elections in 1937 and thereafter.

(2) On the fourth Thursday in the month of April, one thousand nine hundred and thirty-seven, an election of councillors for each ward of the said Municipality shall be held in accordance with the provisions of the *Local Government Act 1906*, and thereafter elections of councillors of the said Municipality shall be held as provided by the said Act.

6 Ed. VII. No. 31.

Appointment of commissioners.

5 The Governor shall, forthwith after the commencement of this Act, appoint—

i. Three persons as commissioners to administer the affairs of the said Municipality and to exercise all the powers and functions of the Council from the day to be fixed by proclamation as aforesaid until the election of councillors of the said Municipality to be held in the month of April, one thousand nine hundred and thirty-seven : and

ii. One of such persons to be the Chief Commissioner.

Deputy-commissioners.

6—(1) In the case of the absence or illness of a commissioner, the Governor may appoint some person to act as the deputy of such commissioner during such illness or absence, and the person so appointed shall, while so acting, have the powers and functions and perform the duties of such commissioner.

(2) Where a commissioner is appointed to act as deputy of the Chief Commissioner, the Governor may appoint some person to act as deputy of the commissioner so appointed while such commissioner is so acting.

George Town Municipality Administration.

(3) Each commissioner and deputy-commissioner shall be paid, out of the Municipal Fund of the said Municipality, such remuneration as shall be fixed by the Governor by the instrument of his appointment. A.D. 1935.

7 A commissioner shall not, in respect of his office as such, be subject to the provisions of the *Public Service Act* 1923. Commissioners not subject to 13 Geo. V. No. 25.

8 No proceeding of the commissioners shall be invalid by reason of any defect in the appointment of any commissioner, or by reason of there being any vacancy in the number of commissioners at the time of such proceeding. Validity of proceedings of commissioners.

9—(1) At any meeting of the commissioners, any two commissioners shall form a quorum. Procedure at meetings.

(2) The Chief Commissioner when present shall be chairman of the meeting.

(3) In the absence of the Chief Commissioner or his deputy, as the case may be, from any meeting, the commissioners present shall elect a chairman, who shall preside at that meeting.

(4) The chairman shall have a deliberative vote only.

(5) When the votes on any question are equal, the question shall pass in the negative.

(6) Subject to this Act, the commissioners may regulate their own procedure.

10 The commissioners may by resolution, subject to the approval of the Governor, delegate to any one of their number, either generally or in any particular case, any of the powers, duties or functions of the commissioners, and may at any time by resolution revoke any such delegation. Delegation of powers.

11 The commissioners shall have and may exercise all the powers, and shall be subject to all the duties and obligations, of the Council, except in so far as may be limited by the instrument of their appointment, and the commissioners shall, while acting as such, be deemed to be the Council of the said Municipality for all the purposes of the said Act. Commissioners powers and status.

12 The Chief Commissioner, in relation to the affairs of the said Municipality, may exercise any power or authority, and shall perform any duty, conferred or imposed by the said Act upon the warden of a municipality. Chief Commissioner to exercise powers of Warden.

