



HOBART CORPORATION AMENDMENT ACT 1983

No. 90 of 1983

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AN ACT to amend the Hobart Corporation Act 1963.

[Royal Assent 20 December 1983]

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 *Hobart Corporation Amendment Act* 1983. Short title.

Commence-
ment.

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

Principal Act.

3—In this Act, the *Hobart Corporation Act 1963** is referred to as the Principal Act.

Amendment of
section 14 of
Principal Act
(Mayor to
be elected
biennially).

4—Section 14 of the Principal Act is amended as follows:—

(a) by omitting from subsection (1) “ the third Saturday in June in the year 1978 ” and substituting “ the fourth Saturday in March in the year 1984 ”;

(b) by omitting subsection (1A) and substituting the following subsection:—

(1A) If in any year the day mentioned in subsection (1) is Easter Eve the election under subsection (1) shall be held on the Saturday following Easter Eve.

Amendment of
section 18 of
Principal Act
(Rotational
retirement of
aldermen).

5—Section 18 of the Principal Act is amended as follows:—

(a) by omitting subsection (1) and substituting the following subsection:—

(1) The 6 aldermen who have been longest in office without re-election shall retire at noon on the Friday following the fourth Saturday in March 1984, and thereafter in each alternate year after that year—

(a) if in that alternate year the election to fill the places of the aldermen so retiring is held on the day in that month that is prescribed by subsection (1A) for holding such an election, on the Friday following the fourth Saturday in March in that year;
or

(b) if in that alternate year the election to fill the places of the aldermen so retiring is held on the day in that month that is prescribed by subsection (1B) for holding such an election, the Friday after the Saturday following Easter Eve.

(b) by omitting from subsection (1A) “ the third Saturday in June ” and substituting “ the fourth Saturday in March ”;

* No. 81 of 1963. For this Act, as amended up to and including 12th October 1981, see the continuing Reprint of Statutes. Subsequently amended by No. 49 of 1981 and Nos. 53, 71, and 99 of 1982.

(c) by omitting subsection (1B) and substituting the following subsection:—

(1B) If in the appropriate year the day mentioned in subsection (1A) is Easter Eve the election for the purposes of subsection (1) shall be held on the Saturday following Easter Eve.

6—Section 24 of the Principal Act is amended by omitting subsections (1) and (1A) and substituting the following subsections:—

Amendment of section 24 of Principal Act (Date of election).

(1) Except as provided by subsection (1A), elections shall be held on the fourth Saturday in March in the year 1984, and in each alternate year after that year, for the purpose of filling vacancies—

- (a) in the offices of mayor and deputy-mayor;
- (b) caused by the retirement of aldermen that will occur on the following Friday; and
- (c) caused by an alderman ceasing to hold office otherwise than by retirement by rotation before the third Friday in February in the appropriate year.

(1A) Where the fourth Saturday in March in any alternate year after 1984 is Easter Eve, elections shall be held on the Saturday following Easter Eve in that alternate year, for the purpose of filling the vacancies referred to in subsection (1) (a) and those caused by—

- (a) the retirement of aldermen that will occur on the following Friday; and
- (b) an alderman ceasing to hold office otherwise than by retirement by rotation before the fourth Friday in February in the appropriate year.

7—Section 60 of the Principal Act is repealed.

Repeal of section 60 of Principal Act (Limit of expenses allowed).

8—Section 72 of the Principal Act is amended by omitting subsection (3).

Amendment of section 72 of Principal Act (Committee meetings).

9—Section 78 of the Principal Act is amended as follows:—

- (a) by omitting from paragraph (a) “\$4 000” and substituting “\$10 000”;

Amendment of section 78 of Principal Act (Special expenditure).

- (b) by omitting paragraph (b);
- (c) by omitting paragraph (g);
- (d) by omitting paragraph (h);
- (e) by omitting from paragraph (i) “ \$10 000 ” and substituting “ \$30 000 ”.

10—Section 239 of the Principal Act is repealed.

Repeal of section 239 of Principal Act (Election expenses).

Transitional provisions relating to present office-holders.

11—(1) Notwithstanding the provisions of sections 14 (2) and 17 (9) of the Principal Act, the mayor and deputy-mayor shall retire from their offices at noon on 30th March 1984.

(2) The 6 aldermen who would, but for the amendment of the Principal Act by this Act, have been required to retire from their offices at noon on 22nd June 1984, shall retire from those offices at noon on 30th March 1984.

(3) The 6 aldermen who would, but for the amendment of the Principal Act by this Act, have been required to retire from their offices at noon on the Friday after the third Saturday in June 1986, or the Friday after the fourth Saturday in June in that year, as the case may require, shall retire from those offices at noon on the Friday following the fourth Saturday in March 1986, or the Friday after the Saturday following Easter Eve in that year, as the case may require.

(4) The elections for the mayor, the deputy-mayor, and the aldermen that would, but for the amendment of the Principal Act by this Act, have been required to take place on 16th June 1984, shall take place on 24th March 1984.

(5) Notwithstanding the provisions of section 15 (1) of the Principal Act, a citizen who is eligible to hold office as an alderman and who at the time of the election to take place on 24th March 1984 has held office as an alderman for an aggregate period of at least 20 months is, subject to section 15 (2) of the Principal Act, eligible to be elected at that election to the office of mayor or deputy-mayor.