



LOCAL GOVERNMENT AMENDMENT (No. 3)

No. 82 of 1979

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AN ACT to amend the Local Government Act 1962 for the purpose of enabling the Municipal Commission to be reconstituted and petitions to be presented for the creation of municipalities and parts of municipalities as cities.

[Royal Assent 14 December 1979]

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 *Local Government Amendment Act (No. 3) 1979*. Short title.

Principal Act.

2—In this Act the *Local Government Act* 1962* is referred to as the Principal Act.

Amendment of
section 13 of
Principal Act
(The Municipal
Commission).

3—Section 13 of the Principal Act is amended as follows:—

(a) by omitting from subsection (1) “to hold office until the last day of June 1975”;

(b) by inserting the following subsection after subsection (1):—

(1A) A member of the Municipal Commission holds office until 1st September 1980 on such terms and conditions as are specified in his instrument of appointment.

Amendment of
section 15 of
Principal Act
(Functions and
powers).

4—Section 15 of the Principal Act is amended as follows:—

(a) by inserting the following subsection after subsection (1):—

(1A) Notwithstanding subsection (1), during the period that the Municipal Commission is reconstituted pursuant to the *Local Government Amendment Act* (No. 3) 1979, the only function that the Commission shall exercise is the function specified in paragraph (a) of that subsection.

(b) by inserting the following subsection after subsection (3):—

(3A) During the period that the Municipal Commission is reconstituted pursuant to the *Local Government Amendment Act* (No. 3) 1979, the reference in subsection (3) to subsection (1) shall be read as a reference to paragraph (a) of subsection (1).

Insertion in
Principal Act
of new
section 15A.

5—After section 15 of the Principal Act, the following section is inserted in Division III of Part II:—

15A—In this Division, “municipal area” means the whole or part of a municipality.

Interpretation.

* No. 67 of 1962. For this Act, as amended to 1968, see Part 2 of the Annual Volume of Statutes for 1968. Subsequently amended by No. 60 of 1970, Nos. 22, 66, and 103 of 1971, Nos. 44 and 75 of 1972, Nos. 21, 35, 40, 56, and 96 of 1973, Nos. 84, 98, and 100 of 1974, Nos. 46 and 63 of 1975, Nos. 28, 62, 100, 116, and 117 of 1976, Nos. 10, 15, 30, 37, 72, 100, 115, and 120 of 1977, and Nos. 18 and 50 of 1979.

6—Section 16 of the Principal Act is amended as follows:—

Amendment of
section 16 of
Principal Act
(Petition for
incorporation).

(a) by omitting “ a town ” and substituting “ a municipal area ”;

(b) by omitting “ that town ” and substituting “ that area ”.

7—Section 17 of the Principal Act is amended as follows:—

Amendment of
section 17 of
Principal Act
(Procedure if
the corporation
is unwilling to
petition).

(a) by omitting from subsection (1) (a) “ town ” and substituting “ municipal area ”;

(b) by omitting from subsection (1) (d) “ town ”, where firstly occurring, and substituting “ municipal area ”;

(c) by omitting from subsection (1) (d) “ town ”, where secondly and thirdly occurring, and substituting “ area ”;

(d) by omitting from subsection (2) “ town ” and substituting “ municipal area ”.

8—Section 19 of the Principal Act is amended as follows:—

Amendment of
section 19 of
Principal Act
(Powers of
Her Majesty
on creation of
cities).

(a) by omitting from subsection (1) “ town ” and substituting “ municipal area ”;

(b) by omitting from subsection (1) (a) “ area ” and substituting “ municipal area ”.

9—Section 20 (1) of the Principal Act is amended by omitting “, towns, or wards,” and substituting “ or wards or any towns,”.

Amendment of
section 20 of
Principal Act
(Consequential
amendments).

