

Western Australia

Local Government Amendment Act 2006

(No. 66 of 2006)

CONTENTS

1.	Short title	2
2.	Commencement	2
3.	The Act amended	2
4.	Section 2.28 amended	2
5.	Section 2.30 amended	2
6.	Section 4.7 amended	3
7.	Section 4.16 amended	3
8.	Section 4.17 amended	3
9.	Section 4.40 amended	4
10.	Section 4.41 amended	4
11.	Section 4.65 amended	4
12.	Section 5.76 amended	4
13.	Section 9.71 amended	4
14.	Schedule 2.3 amended	5
15.	Schedule 9.3 amended	5
14A.	Transition to October elections	5



Western Australia

Local Government Amendment Act 2006

No. 66 of 2006

An Act to amend the *Local Government Act 1995*.

[Assented to 8 December 2006]

The Parliament of Western Australia enacts as follows:

s. 1

1. Short title

This is the *Local Government Amendment Act 2006*.

2. Commencement

- (1) Except as stated in subsection (2), this Act comes into operation on the day after the day on which it receives the Royal Assent.
- (2) Section 14 comes into operation on a day fixed by proclamation.

3. The Act amended

The amendments in this Act are to the *Local Government Act 1995**.

[* *Reprint 3 as at 5 August 2005.*

For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1 and Acts Nos. 38 of 2005 and 28 of 2006.]

4. Section 2.28 amended

The Table to section 2.28 is amended in items 1, 2, 4 and 7 by deleting “first Saturday in May” and inserting instead —

“ third Saturday in October ”.

5. Section 2.30 amended

Section 2.30 is amended by deleting “first Saturday in May” and inserting instead —

“ third Saturday in October ”.

6. Section 4.7 amended

- (1) Section 4.7(1)(a) and (b) and (2) are amended by deleting “first Saturday in May” and inserting instead —

“ third Saturday in October ”.

- (2) Section 4.7(2) is amended by deleting “another Saturday in May” and inserting instead —

“

a later Saturday in October, or the first, second or third Saturday in November,

”.

Note: The heading to section 4.7 will be altered by deleting “first Saturday in May” and inserting instead “**third Saturday in October**”.

7. Section 4.16 amended

- (1) Section 4.16(2), (3)(a) and (4)(b) are amended by deleting “first Saturday in February” and inserting instead —

“ third Saturday in July ”.

- (2) Section 4.16(4)(a) is amended by deleting “first Saturday in August in the year before” and inserting instead —

“ third Saturday in January in ”.

8. Section 4.17 amended

- (1) Section 4.17(1) and (2)(b) are amended by deleting “first Saturday in February” and inserting instead —

“ third Saturday in July ”.

- (2) Section 4.17(2)(a) is amended by deleting “first Saturday in August in the year before” and inserting instead —

“ third Saturday in January in ”.

9. Section 4.40 amended

Section 4.40(3) is amended by deleting “enrolments” and inserting instead —

“

enrolments (other than persons who will be under 18 years of age on election day)

”.

10. Section 4.41 amended

Section 4.41(2) is amended by deleting “enrolments,” and inserting instead —

“

enrolments (other than persons who will be under 18 years of age on election day)

”.

11. Section 4.65 amended

Section 4.65(3) is amended by inserting after “elector” —

“ , or who is under 18 years of age on election day, ”.

12. Section 5.76 amended

Section 5.76(3) is repealed.

13. Section 9.71 amended

After section 9.71(5) the following subsection is inserted —

“

(6) Schedule 9.3 also has effect for the purpose of the transition to —

- (a) this Act as enacted after the coming into operation of an enactment amending it; from
- (b) this Act as enacted before the coming into operation of that enactment.

”.

14. Schedule 2.3 amended

Schedule 2.3 is amended in clause 4(6) by deleting “the procedures set out in”.

15. Schedule 9.3 amended

After Schedule 9.3 clause 14 the following clause is inserted in Division 3 —

“

14A. Transition to October elections

(1) In this clause —

“**amending Act**” means the *Local Government Amendment Act 2006*;

“**new ordinary election day provisions**” means section 4.7 as amended by section 6 of the amending Act.

(2) If by operation of —

(a) item 3, 8, 9 or 10 of the Table to section 2.28; and

(b) a determination made by the returning officer under section 4.78 before the coming into operation of section 6 of the amending Act,

the term of office of a councillor would end on the first Saturday in May in a year, that term of office is to end on the third Saturday in October in that year (but note section 2.30).

(3) Despite section 3.64(e), the establishment agreement for a regional local government may be amended under section 3.65 in consequence of the new ordinary election day provisions even though the amendments result in the current chairman and deputy chairman of the regional local government holding office for terms exceeding 2 years.

”

The following Table contains the stages of passage of this Act through the Western Australian Parliament

Table of Legislative History

Legislative Assembly	Date
Introduced	27/09/2006
First Reading	27/09/2006
Second Reading	27/09/2006
Second Reading Speech (Hansard) p. 6763	
Second Reading Agreed	25/10/2006
Consideration in Detail	25/10/2006
Third Reading	26/10/2006
Legislative Council	
Introduced	26/10/2006
First Reading	26/10/2006
Second Reading	26/10/2006
Second Reading Speech (Hansard) p. 7747	
Second Reading Agreed	23/11/2006
Committee of the whole	23/11/2006
Third Reading	23/11/2006