

PUBLIC AUTHORITIES (RETIREMENT OF MEMBERS).

6° AND 7° GEO. VI., No. XLVI.

No. 3 of 1943.

AN ACT to make provisions with respect to matters relating to postponed elections of certain public authorities.

[Assented to 2nd April, 1943.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Public Authorities (Retirement of Members) Act, 1943.*

Interpretation.

2. In this Act, unless the context otherwise indicates—
“Road board” means a road board constituted under the Road Districts Act, 1919-1941;

“Municipality” means a municipality constituted under the Municipal Corporations Act, 1906-1941.

Retirement of certain members of road boards.

3. Notwithstanding anything to the contrary contained in the Road Districts Act, 1919-1941—

(a) the persons duly elected as members of road boards at the annual elections held on the

third Saturday in April, one thousand nine hundred and forty-three (which said elections were postponed from the third Saturday in April, one thousand nine hundred and forty-two, under and by virtue of the provisions of the Road Boards (Postponement of Election) Order published in the *Government Gazette* of the seventeenth day of April, one thousand nine hundred and forty-two), shall hold office for three years from the date of such election, and shall not be liable for retirement, whether by rotation or otherwise, until the third Saturday in April, one thousand nine hundred and forty-six, and shall continue to be members of such road boards accordingly;

- (b) the terms of office of the members of every road board who, but for the provisions of this Act, would be due to retire by rotation under the provisions of section twenty-seven of the Road Districts Act, 1919-1941, on the third Saturday in April, one thousand nine hundred and forty-three, or on the third Saturday in April, one thousand nine hundred and forty-four, as the case may be, shall be and are hereby extended after such period until the third Saturday in April, one thousand nine hundred and forty-four, and the third Saturday in April, one thousand nine hundred and forty-five, respectively, and such members shall continue to be members of such road boards accordingly and shall not be liable for retirement except in accordance with the provisions of this section.

4. (1) The persons elected as mayors, councillors, and auditors of every municipality at the elections held on the thirtieth day of January, one thousand nine hundred and forty-three, and the first day of May, one thousand nine hundred and forty-three (which said elections were postponed from the fourth Saturday in November, one thousand nine hundred and forty-two, under and by virtue of the provisions of the Municipal Councils (Postponement of Election) Order published in the *Government Gazette* of the second day of October, one thousand

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nine hundred and forty-two, and the Subiaco Municipal Council (Postponement of Election) Order published in the *Government Gazette* on the fifteenth day of January, one thousand nine hundred and forty-three, respectively) shall be deemed to have been elected on the fourth Saturday in November, one thousand nine hundred and forty-two, and the provisions of the Municipal Corporations Act, 1906-1941, with respect to tenure of office, retirement, election of successors in office, and all other relevant matters shall apply as if such persons had been elected on the fourth Saturday in November, one thousand nine hundred and forty-two.

(2) The mayors, councillors and auditors who would ordinarily have gone out of office under the provisions of the Municipal Corporations Act, 1906-1941, on the thirtieth day of November, one thousand nine hundred and forty-two, and who are mayors, councillors, and auditors for municipalities whose elections were postponed from the fourth Saturday in November, one thousand nine hundred and forty-two, until the fourth Saturday in November, one thousand nine hundred and forty-three, by proclamation issued under section three of the Public Authorities (Postponement of Elections) Act, 1942, and published in the *Government Gazette* of the twenty-second day of January, one thousand nine hundred and forty-three, shall go out of office on the thirtieth day of November, one thousand nine hundred and forty-three. The successors in office to the mayors, councillors, and auditors hereinbefore mentioned shall be elected on the fourth Saturday in November, one thousand nine hundred and forty-three. The provisions of the Municipal Corporations Act, 1906-1941, with respect to election, tenure of office, retirement and all other relevant matters shall thereafter apply.

(3) The term of office of the councillors of every municipality (save and except those municipalities referred to in subsection (1) of this section which held elections in January and May, one thousand nine hundred and forty-three) who would ordinarily go out of office under the provisions of the Municipal Corporations Act, 1906-1941, on the thirtieth day of November, one thousand nine hundred and forty-three, and the thirtieth day of November, one thousand nine hundred and forty-four, shall be and are hereby extended after such dates until the thirtieth

day of November, one thousand nine hundred and forty-four, and the thirtieth day of November, one thousand nine hundred and forty-five, respectively, and such councillors shall not go out of office until such last-mentioned respective dates. The successors in office to the councillors hereinbefore mentioned shall be elected on the fourth Saturday in November, one thousand nine hundred and forty-four, and the fourth Saturday in November, one thousand nine hundred and forty-five, respectively, and the provisions of the Municipal Corporations Act, 1906-1941, with respect to election of successors in office, tenure of office, retirement, and all other relevant matters shall thereafter apply.
