

LOCAL GOVERNMENT ACT 1995
**LOCAL GOVERNMENT (AMENDMENT AND REPEAL)
REGULATIONS 1996**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Local Government (Amendment and Repeal) Regulations 1996*.

Commencement

2. These regulations come into operation on 1 July 1996.

***Local Government (Appeals to Building Referees) Regulations 1961*
amended**

3. (1) In this regulation the *Local Government (Appeals to Building Referees) Regulations 1961** are referred to as the principal regulations.

[* *Published in Gazette 29 June 1961, p. 2064.*
For amendments to 10 June 1996 see 1995 Index to Legislation of
Western Australia, Table 4, p. 176.]

(2) Regulation 2 of the principal regulations is amended —

(a) by deleting “Local Government Act, 1960” in both places where it occurs in the Form, and in the other place where it occurs in the regulation, and substituting the following —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”;

(b) by deleting “Clerk of the Council” and substituting the following —

“ CEO of the local government ”;

(c) in the Form, by deleting “Town/Shire Clerk” and substituting the following —

“ CEO ”; and

(d) by deleting "Council" and substituting the following —

" (local government) ".

(3) Regulations 4, 6, and 7 of the principal regulations are each amended by deleting "Council" and substituting the following —

" local government ".

(4) Regulations 7 and 8 of the principal regulations are each amended by deleting "Clerk" and substituting the following —

" CEO ".

(5) Regulation 8 of the principal regulations is amended by deleting "council's" and substituting the following —

" local government's ".

Local Government (Appeals to Minister) Regulations 1961 amended

4. (1) In this regulation the *Local Government (Appeals to Minister) Regulations 1961** are referred to as the principal regulations.

[* *Published in Gazette 22 June 1961, pp. 1879-80.*
For amendments to 10 June 1996 see 1995 Index to Legislation of
Western Australia, Table 4, p. 176.]

(2) Regulation 2 of the principal regulations is amended —

(a) by deleting the definition of "council"; and

(b) by deleting the definition of "the Act" and substituting the following definition —

"
 "the Act" means the *Local Government (Miscellaneous Provisions) Act 1960*.
 "

(3) Regulation 3 of the principal regulations is amended —

(a) by deleting "secretary" in both places where it occurs and substituting the following —

" chief executive officer "; and

- (b) in paragraph (b), by deleting “Council” and substituting the following —
- “ local government ”.
- (4) Regulation 4 of the principal regulations is amended —
- (a) by deleting “secretary” and substituting the following —
- “ chief executive officer ”; and
- (b) by deleting “clerk of the council” and substituting the following —
- “ CEO of the local government ”.
- (5) Regulation 5 of the principal regulations is amended —
- (a) by deleting “clerk of the council” and substituting the following —
- “ CEO of the local government ”; and
- (b) by deleting “council” in both of the other places where it occurs and substituting the following —
- “ local government ”.
- (6) Regulations 6 and 7 of the principal regulations are each amended by deleting “council” and substituting the following —
- “ local government ”.
- (7) The Schedule to the principal regulations is amended in Form No. 1 —
- (a) by deleting “Local Government Act, 1960” in both places where it occurs and substituting the following —
- “ *Local Government (Miscellaneous Provisions) Act 1960* ”;
- (b) by deleting “(b)” in the second place where it occurs in the body of the Form and substituting the following —
- “ (f) ”;
- (c) by deleting “Council” where it occurs in the body of the Form; and

- (d) by deleting "Council" in both places where it occurs in the notes to the Form and substituting the following —

" local government ".

Local Government (Prohibition on Dealings in Land) Regulations 1973 amended

5. (1) In this regulation the *Local Government (Prohibition on Dealings in Land) Regulations 1973** are referred to as the principal regulations.

[* *Published in Gazette 2 March 1973, p. 627.*]

- (2) Regulation 2 of the principal regulations is amended by deleting "Local Government Act, 1960" and substituting the following —

" *Local Government (Miscellaneous Provisions) Act 1960* ".

- (3) The Form in the Schedule to the principal regulations is amended —

- (a) by deleting "LOCAL GOVERNMENT ACT, 1960 (AS AMENDED)." and substituting the following —

"

***LOCAL GOVERNMENT (MISCELLANEOUS
PROVISIONS) ACT 1960***

”;

- (b) by deleting "Local Government Act, 1960, as amended," and substituting the following —

" *Local Government (Miscellaneous Provisions) Act 1960* ";

- (c) by deleting "197" and substituting the following —

" 19 ";

- (d) by deleting "Town or Shire Clerk." and substituting the following —

" chief executive officer ".

Local Government (Qualification of Municipal Officers) Regulations 1984 amended

6. (1) In this regulation the *Local Government (Qualification of Municipal Officers) Regulations 1984** are referred to as the principal regulations.

[* *Published in Gazette 24 August 1984, pp. 2601-7.*
For amendments to 10 June 1996 see 1995 Index to Legislation of Western Australia, Table 4, p. 177.]

(2) Regulation 3 of the principal regulations is repealed and the following regulation is substituted —

“

Appointments

3. A local government for a district the population of which, during the preceding year, was in excess of 15 000 persons shall not appoint a person to the office of building surveyor unless the appointee holds a certificate of qualification, in respect of the office of building surveyor, issued pursuant to these regulations.

”.

(3) Parts III, IV, and VI of the principal regulations are repealed.

(4) Regulation 16 (1) of the principal regulations is amended by deleting “the provisions of regulations 5, 8, 11 or 14 as the case may require,” and substituting the following —

“ regulation 11 ”.

(5) Regulation 17 (3) of the principal regulations is amended by deleting “the provisions of regulation 5, 8, 11 or 14 as the case may require, of these regulations” and substituting the following —

“ regulation 11 ”.

(6) In each provision referred to in the Table to this subregulation “a Committee” or “that Committee” is deleted in each place where it occurs and the following is substituted —

“ the Committee ”.

6

Table

regulation 16 (1) and (2)
regulation 17 (1) and (2)
regulation 18
regulation 19
regulation 21 (2)
regulation 29
regulation 30 (1)

(7) In each provision referred to in the Table to this subregulation "Each Committee" or "A Committee" is deleted in each place where it occurs and the following is substituted —

" The Committee ".

Table

regulation 20
regulation 21 (1)
regulation 26
regulation 27 (1)
regulation 28

(8) In regulation 24 of the principal regulations "a Qualifications Committee" is deleted and the following is substituted —

" the Committee ".

(9) Regulation 25 of the principal regulations is repealed.

(10) The Schedule to the principal regulations is deleted and the following Schedule is substituted —

“

SCHEDULE — FORMS

Form 1

[reg. 22]

Local Government (Miscellaneous Provisions) Act 1960

Local Government (Qualification of Municipal Officers) Regulations 1984

APPLICATION FOR CERTIFICATE OF QUALIFICATION

I (full name)

of (address)

occupation

hereby apply for the issue of a certificate of qualification as a building surveyor.

I declare that I was born at (place)

on the of 19

I attach —

- (a) copies of certificates showing relevant qualification
- (b) detailed statement of experience
- (c) cheque for \$ to cover fee for issue of certificate

Witness Signature

Date Date

Form 2

[reg. 24]

Local Government (Miscellaneous Provisions) Act 1960

*Local Government (Qualification of Municipal Officers)
Regulations 1984*

BUILDING SURVEYORS CERTIFICATE OF QUALIFICATION

This is to certify that

of

has satisfied the Municipal Building Surveyors Qualifications Committee that he/she is competent to exercise the office of City, Town, or Shire Building Surveyor under the *Local Government (Miscellaneous Provisions) Act 1960*, and the *Local Government (Qualification of Municipal Officers) Regulations 1984*.

Dated at Perth this day of 19

.....
Chairman of Committee

.....
Secretary

”.

Certain regulations repealed

- 7. The regulations referred to in the Table to this regulation are repealed.

Table

- Local Government Act (Deposit of Refuse and Litter Infringement) Regulations 1973*
- Local Government Act (Street Levels Appeals) Regulations 1962*
- Local Government Act (Unpaid Rates) Regulations 1979*
- Local Government Auditors Regulations 1982*
- Local Government (Infringement Notices) Regulations 1991*
- Local Government (Minimum Rate) Regulations 1992*

Local Government (Pecuniary Interests) Regulations 1985
Local Government (Revesting of Land) Regulations 1961
Local Government (Sale of Council Assets) Regulations 1983
Local Government (Tenders for Contracts) Regulations 1983

Transitional provision

8. If, when the *Local Government (Tenders for Contracts) Regulations 1983* are repealed by these regulations, a local government has —

- (a) invited tenders under the repealed regulations; or
- (b) invited persons to apply to register their interest in submitting a proposal under the procedure described in the Schedule to the repealed regulations,

but a contract has not been entered into, the local government may continue the procedure already commenced and enter into a contract as if the repealed regulations had continued in operation.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.