

## LOCAL GOVERNMENT (No. 3).

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No. 62 of 1982.

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AN ACT to amend the Local Government Act  
1960-1982.

[Assented to 28 September 1982.]

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

1. (1) This Act may be cited as the *Local Government Amendment Act (No. 3) 1982*. Short title and citation.

(2) In this Act the Local Government Act 1960-1982 is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Local Government Act 1960-1982.

Commence-  
ment.

2. (1) Subject to subsection (2) of this section, this Act shall come into operation on the day on which it is assented to by the Governor.

(2) Section 6 of this Act shall come into operation on a day to be fixed by proclamation.

Section 53  
amended.

3. Section 53 of the principal Act is amended by deleting “but—” and substituting the following—

“ and shall record on the supplementary roll the deletion of the name of any person coming to his notice who has ceased to be eligible to be registered since the compilation of the most recent previous annual electoral roll, but— ” .

Section 75  
amended.

4. Section 75 of the principal Act is amended in subsection (2) by inserting after paragraph (a) the following—

“ or ” .

Section 267  
amended.

5. Section 267 of the principal Act is amended—

(a) in subsection (3) by inserting after “otherwise” the following—

“ or a council is authorized by subsection (5) of this section to do otherwise ” ; and

(b) by inserting after subsection (4) the following subsections—

“ (5) Notwithstanding subsection (3) of this section, a council may let land under this section to—

(a) a sporting association; or

(b) a State government department, instrumentality or agency,

by private treaty.

(6) In subsection (5) of this section the expression "sporting association" has the same meaning as it has in section 446A. " .

6. Section 271 of the principal Act is amended— Section 271 amended.

(a) in subsection (2) by deleting "a value of less than five hundred dollars" and substituting the following—

" less than the prescribed value " ;  
and

(b) in subsection (3) by deleting "a value of five hundred dollars" and substituting the following—

" the prescribed value " .

7. Section 527 of the principal Act is amended— Section 527 amended.

(a) by repealing subsection (1) and substituting the following subsection—

" (1) A loan fund consists of money received on loan in respect of the work or undertaking or other purpose for which the loan was raised, and, where the loan was raised for a work or undertaking, grants or subsidies received from the Treasurer of the State or Commonwealth towards the cost of the work or undertaking. " ;

(b) in subsection (2)—

(i) by inserting after "undertaking" the following—

" or other purpose " ; and

(ii) by deleting "other works and" and substituting the following—

" any works or " ; and

(c) in subsection (3)—

(i) by inserting after "upon" in the second place where it occurs the following—

" any " ; and

(ii) by deleting "other than those for which the loan was raised".

Section 537 amended.

8. Section 537 of the principal Act is amended by repealing subsection (6).

Section 538 amended.

9. Section 538 of the principal Act is amended by repealing subsection (5).

Section 601 amended.

10. Section 601 of the principal Act is amended—

(a) by repealing subsection (1) and substituting the following subsection—

" (1) A council may in accordance with the provisions of this Division borrow money on the credit of the municipality—

(a) for works and undertakings;

(b) to make payments to a State government department, instrumentality or agency to enable or assist the department, instrumentality or agency to provide, carry out or undertake works under the authority of any Act; and

- (c) to liquidate the principal money owing by the municipality on account of previous loans. ” ;

and

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

“ (4) A council shall not borrow money to make payments to a department, instrumentality or agency under subsection (1) (b) of this section unless—

- (a) the works in respect of which the money is to be paid will, in the opinion of the council, be of benefit to the district or a portion of the district; and

- (b) arrangements have been entered into by the council—

- (i) with the department, instrumentality or agency and the Treasurer of the State under which the council will be reimbursed by the department, instrumentality or agency or, in the event of it defaulting or being dissolved, by the Treasurer on its behalf; or

- (ii) with the Treasurer of the State under which the council will be reimbursed by the Treasurer,

in respect of the interest and repayments or sinking fund instalments on the loan. ” .

Section 614  
amended.

11. Section 614 of the principal Act is amended in subsection (1) by inserting after "shall" in the second place where it occurs the following—

“ if necessary ” .

Section 669D  
amended.

12. Section 669D of the principal Act is amended in subsection (7) by deleting "authorised person" and substituting the following—

“ authorized officer ” .

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