

## LOCAL GOVERNMENT.

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No. 7 of 1977.

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AN ACT to amend the Local Government Act,  
1960-1976.

[Assented to 30th September, 1977.]

**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 Act Amendment Act, 1977*.

Short title  
and citation.

(2) In this Act the Local Government Act, 1960-1976 is referred to as the principal Act.

Reprinted as  
approved for  
reprint 9th  
August, 1973  
and amended  
by Acts Nos.  
12, 74, 83 and  
105 of 1973,  
27 and 65 of  
1974, 36, 65  
and 78 of 1975  
and 30, 46, 97  
and 124 of  
1976.

(3) The principal Act as amended by this Act may be cited as the Local Government Act, 1960-1977.

Section 37  
amended.

2. Section 37 of the principal Act is amended—

(a) as to subsection (1), by deleting the passage “or (4)” in the line immediately following paragraph (f), and inserting in lieu thereof the passage “, (4) or (5)”;

(b) as to subsection (2), by inserting after the word “he”, in line two of subparagraph (ii) of paragraph (b), the passage “, or a company of which he is a member, director, manager or secretary, or a firm in which he is a partner”; and

(c) by adding subsections as follow—

(5) Notwithstanding the provisions of this section as in force from time to time before the date of the coming into operation of the Local Government Act Amendment Act, 1977, a person is not disqualified, and is deemed to have always been not disqualified, from acting as a mayor, or president, or councillor of a municipality by reason only of being a member, director, manager or secretary of a company, or a partner in a firm, which, before that date, in the ordinary course of business and in good faith, sold goods to, supplied services to, or did work for the municipality, or for any person who had entered into a contract with the municipality.

(6) Subsection (5) of this section does not apply to or in relation to any person in respect of the office of mayor, president, or councillor of a municipality if, after the first day of July, 1977 but before the coming into operation of the Local Government Act Amendment Act, 1977, a date had been fixed for an election to fill a vacancy in that office.

(7) Notwithstanding the provisions of this Act as in force from time to time before the coming into operation of the Local Government Act Amendment Act, 1977 and notwithstanding subsection (6) of this section, proceedings in connection with the prosecution of an offence against this Act shall not be instituted or maintained against a person for acting or continuing to act as a mayor, or president, or councillor of a municipality at or after a time when a company of which he was a member, director, manager or secretary, or a firm in which he was a partner, in the ordinary course of business and in good faith, sold goods to, supplied services to, or did work for the municipality, or for any person who had entered into a contract with the municipality. .

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