

MUNICIPAL CORPORATIONS.

5° GEO. VI., No. XI.

No. 11 of 1941.**AN ACT to amend the Municipal Corporations Act, 1906-1940.**

[Assented to 24th October, 1941.]

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.
cf. No. 41
of 1940, s. 3.

1. This Act may be cited as the *Municipal Corporations Act Amendment Act, 1941*, and shall be read as one with the Municipal Corporations Act, 1906-1940 (No. 32 of 1906 as reprinted pursuant to the Amendments Incorporation Act, 1938, in Volume I. of the Reprinted Acts of the Parliament of Western Australia and amended by the Acts No. 19 of 1939 and No. 41 of 1940), hereinafter referred to as the principal Act.

Amendment
of s. 25.

2. Section twenty-five of the principal Act is amended by inserting in subsection (1) after paragraph (h) a new paragraph, as follows:—

(h1) for the alteration and adjustment of the boundaries of conterminous municipal districts or of any conterminous municipal district and road district, with the common seal of the municipality.

Provided that nothing in this paragraph shall affect the powers of the Governor under section twenty-six of this Act.

Amendment
of s. 85.

3. Section eighty-five of the principal Act is amended, as follows:—

(a) by deleting from subsection (1) the words "to the rateable value" in line five of the said

subsection and inserting in lieu thereof the words “to the annual rateable value or the unimproved capital value (according to the system of rating adopted by the council);”

- (b) by deleting the scale at the end of subsection (1) and inserting in lieu thereof a scale, as follows:—

Annual Rateable Value.	Number of Votes.
Not exceeding twenty-five pounds ..	one
Over twenty-five pounds and not exceeding fifty pounds	two
Over fifty pounds and not exceeding seventy-five pounds	three
Over seventy-five pounds	four

Unimproved Capital Value.	Number of Votes.
Not exceeding one hundred and fifty pounds	one
Exceeding one hundred and fifty pounds and not exceeding three hundred pounds	two
Exceeding three hundred pounds and not exceeding six hundred pounds	three
Exceeding six hundred pounds ..	four

- (c) by deleting from subsection (3) the words “to the rateable value” in line three of the said subsection, and inserting in lieu thereof the words “to the annual rateable value or the unimproved capital value (according to the system of rating adopted by the council);”

- (d) by deleting the scale at the end of subsection (3) and inserting in lieu thereof a scale as follows:—

Annual Rateable Value.	Number of Votes.
Not exceeding fifty pounds	one
Exceeding fifty pounds	two

Unimproved Capital Value.	Number of Votes.
Not exceeding three hundred pounds	one
Exceeding three hundred pounds ..	two

4. Section ninety-three of the principal Act is amended by deleting from subsection (1) the words “four

^{Amendment}
of s. 93.

o'clock in the afternoon" in line three of the said subsection and inserting in lieu thereof the words "twelve o'clock noon."

Amendment
of s. 95.

5. Section ninety-five of the principal Act is amended as follows:—

- (a) by deleting from subsection (1) the words "four o'clock in the afternoon" in line two of the said subsection and inserting in lieu thereof the words "twelve o'clock noon."
- (b) by deleting from subsection (4) the words "day of nomination" in line five of the said subsection and inserting in lieu thereof the words "time fixed for nominations on the nomination day."

Amendment
of s. 110.

6. Section one hundred and ten of the principal Act is amended, as follows:—

- (a) by deleting subsection (6) and inserting in lieu thereof a subsection, as follows:—
 - (6) All ballot papers and counterfoils used under this section shall be in the form prescribed in the Tenth Schedule to this Act and be issued by the Minister, and no other form shall be used, and the Minister shall supply to the town clerk of every municipality or to the returning officer of every municipality, or other person appointed by the Minister for the purpose, such number of ballot papers and counterfoils as shall be necessary, and such town clerk, returning officer, or other person aforesaid shall be charged with the duty of keeping the safe custody thereof pending the use of the same at an election. Every ballot paper issued during any year shall bear a distinct number and its counterfoils shall bear the same number;
- (b) by inserting in paragraph (b) of subsection (8) after the word "paper" in line seven of the said paragraph the words "indorse thereon the number of votes to which the voter is entitled and."

7. Section one hundred and thirteen of the principal Act is amended by inserting in subsection (1) after the word "shall" in line one of the said subsection the words "within seven days." Amendment of s. 113.

8. Section four hundred and three of the principal Act is amended by adding to subsection (3) a proviso, as follows:— Amendment of s. 403.

Provided that this subsection shall not apply when the person appealing is a pensioner or other person who has claimed and obtained under the provisions of the Pensioners (Rates Exemption) Act, 1922-1938, exemption from liability for the payment of rates under this Act.

9. The principal Act as amended by this Act may be cited as the Municipal Corporations Act, 1906-1941. Citation of principal Act as amended.
