



Western Australia.

ANNO QUINQUAGESIMO QUINTO

VICTORIÆ REGINÆ.

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No. XVI.

AN ACT to amend "The Municipal Institutions Act, 1876."

[Assented to, 18th March, 1892.]

BE it enacted by the Queen'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:—

Preamble.

1. THIS Act may be cited as "The Municipal Institutions Act Amendment Act, 1892."

Short Title.

2. IN this Act—

"Governor" means the Officer for the time being administering the Government of Western Australia, acting with the advice of the Executive Council;

Interpretation.

"Gazetted" means published in the Government Gazette of Western Australia.

3. (1.) IT shall not be lawful to levy any rate whatever on any lands or buildings—

Property exempt from rates.

(a.) Belonging to the Crown and not used or occupied for purposes other than public purposes;

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- (b.) Belonging to any public body created by statute, and not used or occupied for purposes other than the purposes of such public body ;
  - (c.) Belonging to any religious body and used or occupied as a place of residence of a minister of religion ;
  - (d.) Belonging to any religious body and used or occupied as a convent, nunnery, or monastery, or by a religious brotherhood or sisterhood ;
  - (e.) Belonging to any religious body and used exclusively as a place of public worship or Sunday school ;
  - (f.) Used exclusively as a hospital, benevolent asylum, orphanage, public school, private school being the property of a religious body, public library, public museum, or mechanics' institute ;
  - (g.) Used or occupied exclusively for charitable purposes ;
- (2.) Nor on any lands permanently appropriated and used for purposes of public recreation or military training.
- (3.) Nor on any lands or buildings hereinbefore mentioned, not used or occupied otherwise than for one or more of the aforesaid purposes.

Provided always, that no buildings otherwise exempted from being rated under this section shall be liable to be rated by reason of being used for the purposes of any bazaar, or as a place of meeting for any religious, charitable, temperance, or benevolent object.

Rate Book for 1892 may include any property not exempted by this Act.

4. NOTWITHSTANDING that the "Rate Book" of any Municipality may have been already made up and completed for the year One thousand eight hundred and ninety-two, the Council may include therein any lands and buildings heretofore exempted from being rated, but not exempted under the next preceding section, and may make up and complete the said book in respect of such lands and buildings, in like manner as the Council are empowered to do in respect of any other rateable property; and all the provisions of "The Municipal Institutions Act, 1876" (hereinafter called the "Principal Act"), and of any Act amending the same shall apply to all such lands and buildings so included in the Rate Book as if the same had been originally included therein under the provisions of the Principal Act.

Governor may alter boundaries of wards.

5. THE Governor may from time to time, on the petition of the Council, by proclamation to be gazetted, alter the boundaries of any Municipality, or of any ward or wards therein, and from time to

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time on petition as aforesaid create a new ward or wards in any Municipality.

6. FOR the purposes of section eight of the Principal Act, the Governor may, by proclamation to be gazetted, declare the number of the population of any Municipality as well when first proclaimed as at any subsequent period, and the number of the members of the Council shall not be increased without such declaration.

Governor may declare number of the population in any Municipality.

7. IN the event of the number of the members of the Council of any Municipality becoming liable to increase under the provisions of section eight of the Principal Act and of this Act, an election of three Councillors shall forthwith be held, and thereupon the same proceedings shall take place, as nearly as may be, as at an annual general election of Councillors. One of such three Councillors shall go out of office on the 30th day of November following their election, another on the 30th day of November succeeding, and the other on the 30th day of November after that.

In case of Council liable to increase election of three Councillors to take place forthwith.

When such Councillors to go out of office.

8. THE Council of a Municipality shall at all times consist of an equal number of members for each ward, and the number of wards in a Municipality shall not exceed one-third of the members of the Council.

Number of Councillors for each ward and number of wards in each Municipality.

9. SECTION ninety-one of the Principal Act relating to the publication of a list of defaulters shall have effect as if there were substituted therein for the words "in the first number of the *Government Gazette* or in two of the local newspapers issued next after the first day of January and July, respectively," the words "in the *Government Gazette* or in two of the local newspapers issued during the months of January and July, respectively."

Amendment on section 91 of the Principal Act.

10. IN Schedule G to the Principal Act, the words "for the term of twelve months" shall be read "for the term of eighteen months."

Amendment on Schedule G to the Principal Act.

11. SECTION ninety-five of the Principal Act is hereby repealed.

Repeal.

12. THIS Act shall be incorporated and read with the Principal Act, and Acts amending the same.

Incorporation.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.