

# CONSTITUTION.

No. 88 of 1979.

AN ACT to amend the Constitution Act, 1889-1978.

[Assented to 11th December, 1979.]

BE 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 *Constitution Act Amendment Act, 1979*.

Short title  
and citation.

(2) In this Act the Constitution Act, 1889-1978, is referred to as the principal Act.

Reprinted as  
approved 29th  
April, 1971  
and amended  
by Act No. 59  
of 1978.

(3) The principal Act as amended by this Act may be cited as the Constitution Act, 1889-1979.

Section 1  
amended.

2. Section 1 of the principal Act is amended by adding after the passage "PART IIIA.—THE GOVERNOR." the passage "PART IIIB.—LOCAL GOVERNMENT."

Part IIIB  
added

3. The principal Act is amended by adding immediately after section 51 the following new Part—

PART IIIB.—LOCAL GOVERNMENT.

Elected local  
governing  
bodies.

52. (1) The Legislature shall maintain a system of local governing bodies elected and constituted in such manner as the Legislature may from time to time provide.

(2) Each elected local governing body shall have such powers as the Legislature may from time to time provide being such powers as the Legislature considers necessary for the better government of the area in respect of which the body is constituted.

Certain laws  
not affected.

53. Section fifty-two of this Act does not affect the operation of any law—

(a) prescribing circumstances in which the offices of members of a local governing body shall become and remain vacant; or

(b) providing for the administration of any area of the State—

(i) to which the system maintained under that section does not for the time being extend; or

(ii) when the offices of all the members of the local governing body for that area are vacant; or

- (c) limiting or otherwise affecting the operation of a law relating to local government; or
  - (d) conferring any power relating to local government on a person other than a duly constituted local governing body. .
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