

**LOCAL GOVERNMENT ACT 1993—REGULATION**

(Relating to by-elections for popularly elected mayors)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Local Government Act 1993, has been pleased to make the Regulation set forth hereunder.

EDWARD PICKERING, M.L.C.,  
Minister for Local Government  
and Co-operatives.

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The Local Government (Savings and Transitional) Regulation 1993 is amended by inserting after clause 13 the following clause:

**Casual vacancy in office of popularly elected mayor**

13A. (1) This clause applies to the council of an area whose mayor, immediately before 1 July 1993, was a mayor or president elected to that office by the electors.

(2) If a by-election is required to be held to fill a casual vacancy in the office of mayor and the person elected to that vacant office does not separately hold the office of councillor, the number of councillors that the council is taken to have is the number of councillors authorised by or under section 23 or 24 of the old Act immediately before 1 July 1993 plus the mayor.

(3) At a meeting of a council to which subclause (2) applies, the mayor does not have an original vote (except in respect of the election of a member to a county council).

(4) This clause has effect until the day appointed for the next ordinary election of the mayor and councillors.

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**EXPLANATORY NOTE**

The object of this Regulation is to provide for the number of councillors a council is taken to have under the Local Government Act 1993 if a vacancy occurs in the office of a popularly elected mayor who, under the Local Government Act 1919, was also a councillor.

The Regulation adopts the regime that was provided for in sections 23, 24 and 87 (4A) of the former Act.

The Regulation is a transitional regulation and will have no effect after the next ordinary council elections (proposed to be held in September 1995).

The Regulation is made under clause 2 of Schedule 7 to the Local Government Act 1993.

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