

Queensland



ANNO NONO

ELIZABETHAE SECUNDAE REGINAE.

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No. 23.

An Act to Amend "The City of Brisbane Acts, 1924 to 1959," in certain particulars.

[ASSENTED TO 14TH NOVEMBER, 1960.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. (1.) This Act may be cited as "*The City of Brisbane Acts Amendment Act of 1960.*"

Principal Act.

(2.) "*The City of Brisbane Acts, 1924 to 1959,*" are in this Act referred to as the Principal Act.

Collective title.

(3.) The Principal Act and this Act may be collectively cited as "*The City of Brisbane Acts, 1924 to 1960.*"

Amendment of s. 5.

2. Subsection one of section five of the Principal Act is repealed and the following subsection is inserted in lieu thereof, namely:—

"(1.) On and from the conclusion of the triennial election of the Mayor and alderman to be holden in the year one thousand nine hundred and sixty-one, the City

shall be governed by a Council composed of twenty-nine aldermen, consisting of the Mayor and twenty-eight other aldermen."

3. Subsection three of section nine of the Principal Act is amended by inserting before the words "returning officer" the word "chief". Amendment
of s. 9 (3).

4. Section fourteen of the Principal Act is repealed and, in lieu of that repealed section, the following section is inserted:— Repeal of
and new
s. 14.

"[14.] (1.) For the purposes only of the election of aldermen other than the Mayor, the City shall be, and is hereby, divided into twenty-eight electoral wards. Electoral
wards and
election of
aldermen
therefor.

One alderman shall be returned to the Council for each such ward.

(2.) The names set out in the first column of the Table to this subsection shall be the names of the aforesaid twenty-eight electoral wards respectively and the boundaries of each such electoral ward shall be the boundaries of that one of the twenty-eight electoral districts into which the Metropolitan Zone (being the City) is presently divided under and in pursuance of "*The Electoral Districts Act of 1958*," which is named opposite and relative to that electoral ward in the second column of the said Table.

TABLE.

Names of Electoral Wards.	Electoral Districts.	Names of Electoral Wards.	Electoral Districts.
Ashgrove ..	Ashgrove	Mount Coot-tha	Mount Coot-tha
Aspley	Aspley	Mount Gravatt	Mount Gravatt
Baroona	Baroona	Norman	Norman
Belmont	Belmont	Nudgee	Nudgee
Brisbane	Brisbane	Nundah	Nundah
Bulimba	Bulimba	Salisbury	Salisbury
Chatsworth ..	Chatsworth	Sandgate	Sandgate
Clayfield	Clayfield	Sherwood	Sherwood
Greenslopes ..	Greenslopes	South Brisbane	South Brisbane
Hawthorne	Hawthorne	Toowong	Toowong
Ithaca	Ithaca	Wavell	Wavell
Kedron	Kedron	Windsor	Windsor
Kurilpa	Kurilpa	Wynnum	Wynnum
Merthyr	Merthyr	Yeronga	Yeronga

(3.) Subject to this subsection, if and so often as the boundaries of the electoral districts named in the second column of the Table to subsection two of this section, or of any two or more of those electoral districts, are changed in pursuance of a complete or partial redistribution thereof made under "*The Electoral Districts Act of 1958*," then, and in every such case, the boundaries of the respective electoral wards set out in the first column of the said Table opposite and relative to the electoral districts affected by the complete or partial redistribution in question shall, by virtue of that redistribution, be deemed to be also changed so that the boundaries of those electoral wards shall respectively become and be the new boundaries as defined by that redistribution of the electoral districts affected thereby.

If upon a complete or partial redistribution as aforesaid the name appearing in the Table to subsection two of this section of any electoral district is changed then the said Table shall be read by substituting that changed name for the name appearing as aforesaid."

Repeal of
and new
s. 14A.

5. The Principal Act is amended by repealing section 14A and inserting in lieu of that repealed section, the following section:—

Present
Council.

"[14A.] (1.) In this section the term "present Council" means Brisbane City Council as duly constituted and subsisting on the twenty-first day of September, One thousand nine hundred and sixty (hereinafter in this section referred to as the "said date").

(2.) The amendments made by "*The City of Brisbane Acts Amendment Act of 1960*" to this Act shall not affect the power or authority of the present Council, which shall continue until the conclusion of the triennial election of the Mayor and aldermen next held after the passing of "*The City of Brisbane Acts Amendment Act of 1960*."

(3.) Every alderman (other than the Mayor) of the present Council shall continue to represent the electoral ward as constituted and as represented by him immediately prior to the said date until he dies, resigns, or his office as alderman is otherwise vacated, or the triennial election of the Mayor and aldermen next held after the passing of "*The City of Brisbane Acts Amendment Act of 1960*" is concluded.

(4.) If an alderman, other than the Mayor, of the present Council dies, resigns, or his office is otherwise vacated prior to the conclusion of the triennial election of the Mayor and aldermen next held after the passing of "*The City of Brisbane Acts Amendment Act of 1960*," the Governor in Council shall by Order in Council published in the *Gazette* determine—

- (a) Whether or not such vacancy shall be filled ;
and
- (b) If such vacancy is to be filled, whether the separate election for filling it shall be held—
 - (i.) For the electoral ward in which the vacancy has arisen as constituted immediately prior to the passing of "*The City of Brisbane Acts Amendment Act of 1960*" ; or
 - (ii.) For such one of the electoral wards set out in the Table to subsection two of section fourteen of this Act as in the opinion of the Governor in Council would render the separate election substantially fair.

(5.) In determining the matters referred to in this subsection, the Governor in Council shall have regard to—

- (a) The period between the date when a separate election for filling the vacancy could be held, and the date of the triennial election of the Mayor and aldermen to be next held after the passing of "*The City of Brisbane Acts Amendment Act of 1960*" ;
- (b) The practicability of preparing the electoral roll for and of conducting the separate election and the costs thereof having regard to the period referred to in paragraph (a) of this subsection.

(6.) The Governor in Council may by Order in Council published in the *Gazette* take and do all such steps and things as he deems necessary or convenient to provide for, regulate and control the holding of any separate election referred to in subsection four of this section including provisions for the appointment of a returning officer or for the preparation of the roll of the electors entitled to vote at such separate election.

(7.) Section eighteen of this Act applies subject to this section."

Repeal of
s. 14B.

6. Section 14B of the Principal Act is hereby repealed.

Amendments
of s. 16 (2).

7. Subsection two of section sixteen of the Principal Act is amended by—

(a) Inserting in paragraph (a) before the words “returning officer”, the word “chief”; and

(b) Repealing in paragraph (b) the word “assistant”.

Amendments
of s. 17.

8. Section seventeen of the Principal Act is amended by—

(a) Inserting in subsection four before the words “returning officer”, the word “chief”; and

(b) In subsection five repealing the words “The returning officer and the assistant returning officers” and inserting, in lieu of those repealed words, the words “The chief returning officer and the returning officers”.

Amendment
of s. 18 (2).

9. Subsection two of section eighteen of the Principal Act is amended by inserting before the words “returning officer”, where appearing in the second paragraph, the word “chief”.