

5 GEO. V. No. 19, 1914. *Rockhampton Harbour Board, &c., Act.*

An Act to Further Amend "The Rockhampton Harbour Board Acts, 1895 to 1910."

5 GEO. V.
No. 19.
THE
ROCK-
HAMPTON
HARBOUR
BOARD ACTS
AMENDMENT
ACT OF 1914.

[ASSENTED TO 10TH NOVEMBER, 1914.]

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 Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Rockhampton Harbour Board Acts Amendment Act of 1914*," and shall be read as one with "*The Rockhampton Harbour Board Acts, 1895 to 1910*."* Short title and construction of Act.

2. Section eight of "*The Rockhampton Harbour Board Act, 1895*,"† as enacted by section two of "*The Rockhampton Harbour Board Act, 1895, Amendment Act of 1897*,"‡ is repealed, and the following section is inserted in lieu thereof:—

[8.] (1.) The Board shall consist of eleven members. Constitution of Board.
The members of the Board shall be elected as follows:—

- (a) Four of such members shall be elected by the ratepayers who are entitled to vote at the election of aldermen of the city of Rockhampton.
- (b) One of such members shall be elected by the ratepayers who are entitled to vote at the election of aldermen of the town of North Rockhampton.
- (c) One of such members shall be elected by the ratepayers who are entitled to vote at the election of aldermen of the town of Mount Morgan.
- (d) One of such members shall be elected by the ratepayers of the Shires of Fitzroy and Livingstone.
- (e) Two of such members shall be elected by the Councillors of the Shires of Banana, Bauhinia, Belyando, Calliungal, Clermont, Duaringa, Emerald, and Peak Downs.

* 59 Vic. No. 23 and amending Acts, *supra*, pages 3971 *et seq.*

† 59 Vic. No. 23, *supra*, page 3971.

‡ 61 Vic. No. 20, *supra*, page 3993.

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- (f) Two of such members shall be elected by the Councillors of the Shires of Aramac, Blackall, Barcaldine, Barcoo, Diamantina, Ilfracombe, Isisford, Kargoolnah, Longreach, and Tambo.

(2.) Subject to this Act, each member shall hold office for three years. At the conclusion of every triennial election after the first, all the late members of the Board assigned to the aforesaid respective Areas shall go out of office, unless they or any of them are re-elected.

(3.) With respect to the election of members by the ratepayers of the Areas of Rockhampton, North Rockhampton, and Mount Morgan, the following provisions shall apply:—

Such members shall be elected by the ratepayers of such Areas respectively in manner provided by “*The Local Authorities Acts, 1902 to 1913*”*; and, notwithstanding anything contained in the Principal Act, the following provisions of the said Acts, namely—

PART III.—*Subdivision II.—Qualification of Members: Subdivision III.—Retirements and Vacancies* (except section seventeen thereof): *Subdivision IV.—Ouster from Office: Subdivision V.—Qualification of Voters*: PART IV.—ELECTION OF MEMBERS: and the Rules as to Elections contained in the Third Schedule to that Act,

shall be applied accordingly, so far as the same are applicable, subject, however, to the following modifications:—

- (a) Elections shall be held in every third year in the respective Areas, at the same time and place as elections under and for the purposes of the said Acts are held, but separate ballot-papers and ballot-boxes shall be provided and used;
- (b) No ratepayer shall be entitled to give more than three votes at any election of members of the Board for any of such Areas.

(4.) With respect to the election of members by the groups of Local Authorities mentioned in paragraphs (d), (e), and (f) of subsection one hereof, the provisions set forth in the First Schedule to this Act shall be observed.

Schedule I.

* 2 Edw. VII. No. 19 and amending Acts, *supra*, pages 1860 *et seq.*, 5653, and 5918.

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If at any time the boundaries of any of the Areas of the aforesaid groups of Local Authorities are changed and a new Area is created comprising land forming part of any of the said Areas, the member or members assigned to the group so affected shall continue to be so assigned, and the said group shall include the Local Authority of the new Area, and the members thereof shall join in the election of the member or members assigned to the said group.

(5.) If within one month from the time appointed an insufficient number of members is elected, the Governor in Council shall by Order in Council appoint some fit and proper person or persons to be a member or members.

(6.) If at any time a vacancy in the Board is caused by death, resignation, or otherwise, of a member, such vacancy shall be filled as soon as may be in manner hereinbefore provided by the election or appointment of another member, who shall hold office until the date of the next triennial election :-

Provided that if any such vacancy occurs within three months before a triennial election such vacancy shall not be filled up, and the previous occupant of the seat shall be deemed to be still a member and included in those going out of office at such election.

(7.) If any member refuses or neglects to act, or to attend any duly convened meeting of the Board, all lawful acts and proceedings of the Board shall be as valid and effectual as if they had been done or authorised by the full Board.

(8.) No proceedings of the Board shall be invalidated by reason of any defect in the appointment or election or of any disqualification of any member, or by reason of there being any vacancy in the number of such members at the time of such proceedings.

3. Sections nine to seventeen, both inclusive, and the First and Second Schedules of "*The Rockhampton Harbour Board Act, 1895*,"* are repealed. Repeal of certain enactments.

The Schedule to this Act is inserted as the First Schedule of "*The Rockhampton Harbour Board Act, 1895*."*

Sections eight and eleven to twenty, both inclusive, of "*The Rockhampton Harbour Board Act, 1895, Amendment Act of 1897*"† are repealed.

* 59 Vic. No. 23, *supra*, page 3971.

† 61 Vic. No. 20, *supra*, page 3993.

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THE SCHEDULE.

[*Schedule I.*]

RULES FOR ELECTION OF A MEMBER OR MEMBERS BY A
GROUP OF LOCAL AUTHORITIES.

1. The time and place of every election shall be appointed by the Governor in Council by notice in the *Gazette*: Provided that such time shall be so fixed as to be as soon as practicable after the conclusion of the annual elections of members of the Local Authorities comprising the group.

2. The Governor in Council may appoint a returning officer to take the poll at any such election. Every such appointment shall be notified in the *Gazette*.

3. For the purpose of enabling the returning officer to compile a roll of persons entitled to vote at such election, the clerk of every Local Authority of the group shall, at least twenty-one days before the day appointed for the election, deliver to the returning officer a correct list of the names and addresses of all members of the Local Authority of which he is clerk, certified as correct by writing under his hand.

The returning officer shall from such lists compile a roll of persons entitled to vote at the election.

4. Such roll shall show the names in alphabetical order and numbered consecutively of all persons so entitled to vote, and when signed by the returning officer shall be the roll by reference to which the title of every person to vote at such election shall, save as next hereinafter provided, be finally determined.

But no person named on such roll who, at the date of the election, has ceased to hold office as a member of a Local Authority of the group shall be entitled to vote.

5. If any clerk fails or neglects to deliver any list hereby required to be delivered to the returning officer within the prescribed time, or delivers an incorrect list, he shall be liable to a penalty not exceeding ten pounds.

6. After compiling such roll the returning officer shall forthwith send through the post office to every person named in such roll a notice specifying the date and place appointed for the election, and requiring the nomination of candidates.

7. In order that a person may become a candidate he shall be nominated by at least one member of a Local Authority comprised in the group. The nomination paper shall be in writing and signed by the person nominating the candidate, in the following form:—

Nomination Paper.

Rockhampton Harbour Board.

To the Returning Officer.

SIR,—I hereby nominate [*name in full*], of [*address and occupation*], 19 .
candidate for election as a member of the abovenamed Board at the ensuing
elections for the group of Local Authorities of one of which I am a member.

Dated at , the day of , 19 .

[*Signature.*]

Local Authority of

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Such nomination paper shall be delivered or sent to the returning officer so as to reach him at least two days before the day appointed for the election. No person who is not so nominated shall be or be deemed to be a candidate at the election.

8. If no more persons are so nominated than are required to be elected at such election, the returning officer shall, at twelve o'clock noon on the day so appointed and at the place so appointed, declare them or him to be duly elected, and they or he shall be elected accordingly.

9. If more persons are so nominated than are required to be elected, the returning officer shall, on the day so appointed, proceed as follows :—

He shall prepare a ballot-paper in writing in the following form :—

Ballot-paper.

Rockhampton Harbour Board.

Election of one member [or two members] by a group of Local Authorities, namely [*set out the Local Authorities*]. 19 .

I vote for—

ADDISON, JAMES

BAKER, JOHN CHARLES

FISHER, WILLIAM

[*Signature of voter.*]

NOTE.—This ballot-paper must be delivered or posted to the returning officer at [*place of election*] so as to reach him before five o'clock afternoon on the day of 19 [*day of the count*]

and shall post one ballot-paper, previously initialled by him, to each of the voters of the group.

Before posting the same he shall fill in the particulars of the place of election and of the date on which the count is to be made.

The voter, upon receipt of a ballot-paper, shall record his vote by placing a cross in the square opposite to the name or names of the candidate or candidates for whom he votes, and signing his name. He shall then post the same, addressed to the returning officer at the place of election named therein, and within such time that it will in ordinary course of post reach the returning officer before five o'clock afternoon on the date named therein as the day of the count.

On the aforesaid day the returning officer shall attend at the said place, at five o'clock afternoon, and shall open and count all the votes given for each candidate which have then reached him, and shall forthwith declare the candidate or candidates who has or have received the greatest number of votes to be elected, and he or they shall be elected accordingly.

10. At the election every person whose name is included in the roll shall be entitled to one vote only.

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11. Whenever necessary, owing to the fact that the number of votes for any two or more candidates is found to be equal, the returning officer shall decide by his casting vote which shall be elected.

12. The returning officer shall forthwith report to the Board the names of the members elected.

13. The Board shall repay to the returning officer all expenses reasonably incurred by him in connection with the election.

5 Geo. V.
No. 31.
THE
TOWNSVILLE
HARBOUR
BOARD ACTS
AMENDMENT
ACT OF 1914.

An Act to Further Increase the Limits of the Borrowing Powers of the Townsville Harbour Board.

[ASSENTED TO 23RD DECEMBER, 1914.]

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 Queensland in Parliament assembled, and by the authority of the same, as follows :—

Short title
and
construction
of Act.

1. This Act shall be read as one with "*The Townsville Harbour Board Acts, 1895 to 1910*,"* and may be cited as "*The Townsville Harbour Board Acts Amendment Act of 1914*."

Enlargement
of borrowing
powers.

2. In section twenty-six of "*The Townsville Harbour Board Act, 1895*,"† as amended by "*The Townsville Harbour Board Acts Amendment Act of 1910*,"‡ the words "Three hundred and fifty thousand pounds," where they twice occur, are repealed, and the words "Four hundred and fifty thousand pounds" are inserted in lieu thereof.

LONGREACH SCHOOL OF ARTS.

See SCHOOLS OF ARTS.

MOUNT GARNET RAILWAY.

See RAILWAYS.

MOUNT RUSSELL TO CECIL PLAINS RAILWAY.

See RAILWAYS.

MOURILYAN TRAMWAY.

See RAILWAYS.

* 59 Vic. No. 24 and amending Acts, *supra*, pages 3997 *et seq.*

† 59 Vic. No. 24, *supra*, page 3997.

‡ 1 Geo. V. No. 8, *supra*, page 4025.