



ANNO PRIMO

EDWARDI VIII REGIS.

A.D. 1936.

No. 2331.

An Act to amend the Local Government Act, 1934, and for other purposes.

[Assented to, 3rd December, 1936.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Local Government Act Amendment Act, 1936". Short titles.

(2) The Local Government Act, 1934 (which is hereinafter referred to as "the principal Act") and this Act may be cited together as the "Local Government Acts, 1934 and 1936". No. 2156 of 1934.

2. This Act is incorporated with the principal Act, and the principal Act and this Act shall be read as one Act. Incorporation.

3. Section 99 of the principal Act is amended by striking out the word "six" in the fourteenth line thereof and by inserting in lieu thereof the word "twelve". Amendment of principal Act, s. 99—
Payment of rates before exercising voting rights.

4. Section 101 of the principal Act is amended by adding thereto the following subsections :— Amendment of principal Act, s. 101—
Voting by trustees.

(4) No person shall be enrolled on the voters' roll as the trustee or attorney of an owner of ratable property unless the owner is a living person.

(5) If a company or body corporate is enrolled as the trustee or attorney of the owner of any ratable property, the company or body corporate may nominate one person

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to exercise the rights of a voter in respect of such property, and such person may vote once in respect of such property. The nomination shall be made in manner provided by section 100 and that section shall, with the necessary modifications, apply to the nomination and the rights of persons so nominated.

Amendment of
principal Act,
s. 117—
Payment of
rates.

5. Section 117 of the principal Act is amended by striking out the word “six” in the seventh line thereof and by inserting in lieu thereof the word “twelve”.

Amendment of
principal Act,
s. 173—
Assessment
of machinery.

6. Section 173 of the principal Act is amended by inserting therein after subsection (3) thereof the following subsection:—

(3A) If an assessment of any ratable property made pursuant to paragraph 1. of subsection (2) or paragraph 1. of subsection (3) involves directly or indirectly the assessing of any machinery, then in assessing the ratable property the allowance from the estimated gross annual rental thereof in respect of outgoings shall not be limited to one-fourth of such gross annual rental, and shall include the outgoings mentioned in subsection (5) and depreciation.

In this subsection “machinery” includes all machinery, plant, mains, poles, wires, pipes, and other things used for the purposes of any mill, manufactory, or premises of a similar character, or of any electricity, gas, or other public utility undertaking.

Amendment of
principal Act,
s. 200—
Payment of
rates at
certain polls.

7. Section 200 of the principal Act is amended by striking out the word “six” in the seventh line thereof and by inserting in lieu thereof the word “twelve”.

Amendment of
principal Act,
s. 259—
Fine.

8. Section 259 of the principal Act is amended—

(a) by inserting after the word “a” in the first line thereof the word “metropolitan”; and

(b) by inserting after the word “by” in the third line thereof the words “any other municipal council or by”.

Amendment of
principal Act,
s. 436—
Limits of
borrowing.

9. Section 436 of the principal Act is amended by striking out the words “notwithstanding that the total amount so borrowed exceeds the estimated cost as stated in the scheme when submitted or as amended” and by inserting in lieu thereof the following passage:—

“The total amount so borrowed after the passing of the Local Government Act Amendment Act, 1936, may (whether the authorisation is given before or after the passing of the Local Government Act Amendment Act,

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1936) exceed the estimated cost as stated in the scheme when submitted or as amended by any amount not exceeding ten per centum of the said estimated cost.”

10. The principal Act is amended by inserting therein after section 704 thereof the following section :—

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of principal
Act—

704A. If any ratable property ceases to be ratable under this Act, and, at the time the property ceased to be ratable property any amounts were, under this Act or any repealed Act, payable in respect of the property or a charge upon the property, all such amounts shall cease to be a charge upon the property and shall not be recoverable by the council from any person who subsequently becomes the owner or occupier of the property.

Non-recovery
of rates when
property ceases
to be ratable.

11. Section 809 of the principal Act is amended by striking out the word “six” in the fifth line thereof and by inserting in lieu thereof the word “twelve”.

Amendment of
principal Act,
s. 809—
Payment of
rates at polls.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. DUGAN, Governor.