



ANNO TERTIO

GEORGII VI REGIS.

A.D. 1939.

No. 43 of 1939.

An Act to amend the Local Government Act, 1934-1938.

[Assented to 21st December, 1939.]

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, 1939". Short titles.

(2) The Local Government Act, 1934-1938, as amended by this Act, may be cited as the "Local Government Act, 1934-1939".

(3) The Local Government Act, 1934-1938, is hereinafter referred to as "the principal Act".

2. Section 105 of the principal Act is amended—

(a) by inserting at the end of paragraph i. of subsection (1) thereof the words "or in the form No. 2a in the fifth schedule, as the case may require" :

(b) by adding at the end of paragraph vi. of subsection (1) thereof the following proviso :—

Provided further that no person who, pursuant to section 100, is enrolled on the voters' roll as the representative of a company, shall be entitled to be nominated as aforesaid unless all rates payable to the council (including any fine

Amendment of
principal Act,
s. 105—
Nominations.

added thereto pursuant to this Act) upon all land within the area for the payment of which the company is liable have been paid as aforesaid:

- (c) by striking out the words " he was " in the fourth and fifth lines of paragraph VIIA of subsection (1) thereof (as enacted by section 14 of the Local Government Act Amendment Act, 1938) and by inserting in lieu thereof the words " his name was included in the assessment book as " :
- (d) by adding at the end of paragraph VIIA of subsection (1) thereof (as enacted by section 14 of the Local Government Act Amendment Act, 1938) the following passage :—

Provided that if the person to be nominated is enrolled upon the voters' roll in any area pursuant to section 100 as the representative of a company, he shall not be entitled to be nominated for the office of mayor, alderman, or councillor in the area unless for the whole of the period of six months immediately prior to the day of nomination, the company was included in the assessment book as the owner or occupier of ratable property within the area :

Amendment of
principal Act,
s. 173—
Assessment.

3. (1) Section 173 of the principal Act is amended by striking out the words " for a term of seven years " in the third line of subsection (5) thereof and by inserting in lieu thereof the words " from year to year ".

(2) The amendment made by this section shall be deemed to have effect from the first day of July, nineteen hundred and thirty-nine.

Amendment of
principal Act
ss. 251, 252
and 264—

Liability for
rates.

4. (1) Section 251 of the principal Act is amended by striking out subsections (1) and (2) thereof and by inserting in lieu thereof the following subsection :—

(1) The occupier for the time being of the property rated and also the owner for the time being of the property rated shall be liable to the payment of the rates.

(2) Subsection (1) of section 105 of the principal Act is amended by striking out the words " whether primarily or otherwise, but " in the seventh and eighth lines of paragraph VI. thereof.

(3) Section 252 of the principal Act is amended by striking out the words " Subject to the last preceding section " in the first line thereof.

(4) Section 264 of the principal Act is amended—

(a) by striking out the words " for the payment whereof the owner of the property rated is liable and the

occupier is not liable ” in the first and second lines thereof, and by inserting in lieu thereof the words “ in respect of any property.”

(b) by striking out subsection (4) thereof.

5. Section 274 of the principal Act is amended by striking out the words “ or encumbrance ” in the sixth line thereof and by inserting in lieu thereof the words “ encumbrance or charge ”.

Amendment of principal Act, s. 274—
Transfer of land.

6. Section 276 of the principal Act is amended—

Amendment of principal Act, s. 276—
Duties of Registrar-General.

(a) by striking out the words “ free from any mortgage, lease, tenancy, or encumbrance, except as is mentioned in section 277 ” in paragraph (b) of subsection (2) thereof :

(b) by inserting after the word “ request ” in the second line of subsection (3) thereof the words “ and upon payment of such fees and charges as would have been payable if the request had been an application to bring the land conveyed under The Real Property Act, 1886 ” :

(c) by adding at the end of subsection (3) thereof the following passage :—

Before issuing a certificate of title as aforesaid the Registrar-General may require the council to deposit with him a plan or map of the land conveyed, as if the request had been an application to bring the land conveyed under The Real Property Act, 1886.

(d) by striking out the words “ or encumbrance ” in the fifth line of subsection (4) thereof and by inserting in lieu thereof the words “ encumbrance or charge ”.

7. (1) Part XIV. of the principal Act is amended by inserting therein after section 281 the following sections :—

Amendment of principal Act, Part XIV.—

281a. (1) If any land is offered for sale by auction pursuant to this Part, but no bid is made for the land at the auction, the council, with the consent of the Commissioner of Crown Lands, shall have power by transfer (where the land is under The Real Property Act, 1886), and by deed (where the land is not under The Real Property Act, 1886) to transfer or convey an estate in fee simple in the land to His Majesty. The Commissioner of Crown Lands shall not give consent as aforesaid unless he is satisfied that there is no reasonable prospect of selling the land pursuant to this Part within a reasonable time.

Power to transfer land to Crown.

Local Government Act Amendment Act, 1939.

(2) Where the land is under The Real Property Act, 1886, the transfer shall be executed under the common seal of the council and shall be in the form No. 4 in the eleventh schedule, or in a form to the like effect, and where the land is not under The Real Property Act, 1886, the conveyance shall be executed under the common seal of the council, and shall be registered under the Registration of Deeds Act, 1935.

(3) Upon the transfer being lodged with him, or the conveyance being registered, the Registrar-General shall make any entry in any register book or other book of the Lands Titles Registration Office or the General Registry Office which may be necessary or proper to evidence that the land is vested in His Majesty. Notwithstanding the provisions of The Real Property Act, 1886, upon the making of such entry the land shall be deemed to be Crown lands free from any mortgage, lease, tenancy, encumbrance, or charge, and shall be dealt with as Crown lands under the Crown Lands Act, 1929.

If the land is under The Real Property Act, 1886, the Registrar-General shall cancel any certificate of title relating to the land by indorsing thereon "Cancelled, the within land having been acquired by the Crown," and the land shall, for the purpose of The Real Property Act, 1886, and until again alienated from the Crown, be dealt with and regarded in all respects as if it had never been alienated from the Crown.

If the land is not under The Real Property Act, 1886, the Registrar-General may require the council to deposit with him a plan or map of the land as if an application had been made to bring the land under The Real Property Act, 1886.

(4) No stamp duty shall be payable upon any such transfer or conveyance and no fee of any kind shall be payable upon lodging or registering any such transfer or conveyance in the Lands Titles Registration Office or the General Registry Office.

(5) Section 277 shall not apply to any transfer or conveyance made pursuant to this section.

(6) A transfer or conveyance expressed to be in exercise of the power conferred by this section shall, if accompanied by a statutory declaration by the clerk that the provisions of this Part have been complied with, be accepted by the Registrar-General as sufficient evidence that the power has been duly exercised.

(7) No transfer or conveyance made in professed exercise of the power conferred by this section shall be impeachable on the ground that no case had arisen to authorize the exercise of the power or that due notice was not given or that the power was otherwise improperly or irregularly exercised, but any person damnified by an unauthorized or improper or irregular exercise of the power shall have his remedy in damages against the council by which the power was exercised.

281b. (1) If any land is offered for sale by auction pursuant to this Part, but no bid is made for the land at the auction, the council, with the consent of the Commissioner of Crown Lands, shall have power by transfer (where the land is under The Real Property Act, 1886), and by deed (where the land is not under The Real Property Act, 1886) to transfer or convey an estate in fee simple in the land to the council. The Commissioner of Crown Lands shall not give his consent as aforesaid unless he is satisfied that there is no reasonable prospect of selling the land pursuant to this Part within a reasonable time and the said consent may be given on the condition that the council will pay the whole or any part of any sum secured by or payable under any mortgage, lease, tenancy, encumbrance, or charge such as is mentioned in section 277.

Power to transfer land to council.

(2) Where the land is under The Real Property Act, 1886, the transfer shall be executed under the common seal of the council and shall be in the form No. 5 in the eleventh schedule, or in a form to the like effect.

(3) Where the land is not under The Real Property Act, 1886—

(a) the conveyance shall be executed under the common seal of the council :

(b) the council shall forward the conveyance to the Registrar-General together with a request in writing to the Registrar-General to issue to and in the name of the council, a certificate of title under The Real Property Act, 1886, for the said land.

The Registrar-General shall, on receipt of any such conveyance and request, and without any further evidence of title or the necessity of publishing any notice of the said request, forthwith issue to the council a certificate of title as aforesaid. Before issuing any certificate of title as aforesaid the Registrar-General may require the council to deposit with him a plan or map of the land conveyed, as if the request had been an application to bring the land conveyed under The Real Property Act, 1886.

Local Government Act Amendment Act, 1939.

(4) A transfer or conveyance expressed to be in exercise of the power conferred by this section shall, if accompanied by a statutory declaration by the clerk that the provisions of this Part have been complied with, be accepted by the Registrar-General as sufficient evidence that the power has been duly exercised.

(5) No stamp duty shall be payable upon any such transfer or conveyance and no fee of any kind shall be payable upon lodging any such transfer or conveyance in the Lands Titles Registration Office or the General Registry Office.

(6) Notwithstanding the provisions of The Real Property Act, 1886, the registration of a memorandum of transfer as aforesaid or issue of a certificate of title as aforesaid, shall vest in the council an indefeasible estate in fee simple in the land free from any mortgage, lease, tenancy, encumbrance, or charge (including such as mentioned in section 277). Section 277 shall not apply to any transfer or conveyance made pursuant to this section.

(7) No transfer or conveyance made in professed exercise of the power conferred by this section shall be impeachable on the ground that no case had arisen to authorize the exercise of the power or that due notice was not given or that the power was otherwise improperly or irregularly exercised, but any person damnified by an unauthorized or improper or irregular exercise of the power shall have his remedy in damages against the council by which the power was exercised.

(2) Section 282 of the principal Act is amended—

(a) by inserting after the word “ Part ” in the first line thereof the words “ or any transfer or conveyance made pursuant to section 281a or 281b ”; and

(b) by inserting after the word “ sale ” in the fifth line thereof the words “ or transfer or conveyance.”

Amendment of
principal Act,
s. 299—
Grants.

8. Subsection (4) of section 299 of the principal Act (as enacted by section 7 of the Highways Act Amendment Act, 1938) is amended by adding at the end thereof the following paragraph :—

Nothing in this section shall be deemed to limit any power conferred by any Act whereby there may be deducted from any grant payable under this section any amount payable by the council pursuant to such Act.

9. Section 309 of the principal Act is amended by striking out the word "two" in the fifth line of subsection (2) thereof and by inserting in lieu thereof the word "six."

Amendment of principal Act, s. 309—
Verification of alignment.

10. Division XIV. of Part XVII. of the principal Act is amended by inserting therein after section 365 the following section :—

Amendment of principal Act, Part XVII.—

365a. (1) The council may by notice in writing authorize the owner or occupier of any land abutting on any public street or road to plant trees or shrubs in the street or road.

Power to authorize owners of land to plant trees on roadsides.

(2) The council may by notice in writing authorize any such owner or occupier to enclose wholly or partly with any fence any such trees or shrubs.

(3) The council may by notice in writing revoke any such authority and may upon such revocation remove any such fence.

(4) The council shall not give any authority under this section unless it is satisfied that the trees or shrubs, or fence, as the case may be, will not unduly obstruct the public traffic.

(5) The council shall not give any authority under this section in respect of any street or road which is maintained by the Commissioner of Highways unless the Commissioner of Highways approves in writing of the giving of the authority. The Commissioner of Highways may, at any time, revoke any such approval whereupon the council shall revoke any authority given in pursuance of the approval so revoked.

(6) Any authority granted under this section may be granted subject to any terms and conditions thought fit by the council and (without limiting the foregoing provisions of this subsection) may provide that the owner or occupier by whom any trees or shrubs are planted may be entitled to the whole or any portion of any produce of the trees or shrubs.

(7) The provisions of subsections (2) and (3) of section 315 shall apply with respect to any trees or shrubs planted pursuant to this section.

11. (1) Section 373 of the principal Act is amended by inserting therein after the word "council" in the first line thereof the words "or metropolitan district council".

Amendment of principal Act, s. 373—
Prohibited areas.

Local Government Act Amendment Act, 1939.

(2) The following heading is inserted in the principal Act before section 373 :—

(bb) Provisions applicable to municipalities and metropolitan districts only.

Amendment of
principal Act,
s. 449—
Overdraft.

12. Section 449 of the principal Act is amended by adding at the end thereof the following subsection :—

(5) If before the passing of the Local Government Act Amendment Act, 1939, any amount was advanced on overdraft by a bank to a council and the amount so advanced was greater than the amount authorized by any provision of this section to be advanced, the advance shall be deemed to have been legally made in accordance with the powers conferred by this section, but except as is hereinafter provided in this subsection, no further advance shall be obtained by the council unless or until the amount of the overdraft is reduced below the amount authorized by the appropriate provision of this section to be advanced.

In any case where, at the passing of the Local Government Act Amendment Act, 1939, a council has obtained an advance by overdraft in excess of the amount authorized by any provision of this section to be advanced, and the Minister is satisfied that it is necessary in the financial interests of the council so to do, the Minister, on the recommendation of the Auditor-General, may authorize either or both of the following :—

- i. The Minister may from time to time, and for such period as is necessary to meet the financial position of the council and no longer, by notice in writing declare that the amount which may be advanced on overdraft shall be the amount fixed by the Minister (which may be in excess of the amount authorized by such provision of this section to be advanced on overdraft) and any advance or advances to the amount fixed by the Minister may be made to the council by a bank : but no notice as aforesaid shall have operation after the expiration of five years from the passing of the Local Government Act Amendment Act, 1939 :
- ii. The Minister may by notice in writing authorize the council to borrow money on the security of the general rates by the issue of debentures for the purpose of repaying the whole or any portion of

the amount of the overdraft and thereupon the council may, without obtaining the consent of the ratepayers of the area, borrow money to the amount so authorized on the security of the general rates by the issue of debentures and shall apply the whole of the moneys so borrowed for the said purpose. All moneys so borrowed by means of debentures shall be deemed to be money borrowed for the purpose of the execution of permanent works and undertakings within the area, and, subject to this section, all the provisions of Part XXI. (except sections 425 to 430, both inclusive) shall apply with respect to all such moneys borrowed as aforesaid and to all such debentures issued as aforesaid.

13. Part XXI. of the principal Act is amended by inserting therein after section 449 the following section :—

Amendment of principal Act—

449a. (1) The council may obtain advances from any bank by overdraft to the amount of any deposit receipts for money due to the council by that bank.

Overdraft against fixed deposit.
Cf. Vic. 3720, 1928, s. 436.

(2) Any such advance shall not be taken into consideration in ascertaining the amount of advances which the council may obtain from any bank pursuant to section 449.

14. (1) Division II. of Part XXIV. of the principal Act is amended by inserting therein after section 504 the following section :—

Amendment of principal Act, Part XXIV.—

504a. (1) The council may sell or hire electric lines, fittings, apparatus, and appliances for lighting, heating, and motive power, and for all other purposes for which electricity can or may be used (in this section called "electric fittings"), and may instal, connect, repair, maintain, and remove the same, and with respect thereto may demand and take such remuneration or rents and charges, and may make such terms and conditions, as may be agreed upon.

Sale of electric fittings.
Cf. U.K., 16 & 17, Geo. 5, c. 51, s. 48.

(2) The exercise of the powers given by this section shall be subject to the following restrictions :—

i. The council shall not manufacture electric fittings :

ii. The council shall not sell electric fittings except—

(a) to a consumer or a person who intends to be a consumer of electricity supplied by the council ; or

Local Government Act Amendment Act, 1939.

(b) to a contractor who requires the fittings to enable him to supply them to a person who is or intends to be a consumer of electricity supplied by the council :

III. The prices charged by the council for the sale of any electric fittings shall not be less than the recognized retail prices unless the sale is to a contractor, in which case the prices shall not be less than the recognized trade prices, and if any question arises as to what are the recognized retail or trade prices, that question shall be determined by the Minister :

IV. The council shall so adjust the charges to be made by the council under this section as to meet any expenditure incurred by the council in the exercise of the powers given by this section (including interest upon and sinking fund charges in respect of money borrowed for the purposes of this section) :

V. The total sums received and expended by the council under this section in each financial year, including interest upon and sinking fund charges in respect of money borrowed for the purposes of this section, shall be shown separately in the annual statement of the accounts of the electric light works of the council.

(3) The purposes of this section shall be deemed to be purposes for which the council may borrow money.

(4) In this section " contractor " means a person engaged in the business of selling and installing electric fittings.

(2) The amendment made by this section shall be deemed to have effect from the second day of November, nineteen hundred and thirty-four.

Amendment of
principal Act,
s. 548—
Duties of
owners and
occupiers.

15. Section 548 of the principal Act is amended by adding at the end of subsection (1) thereof the words " and shall keep all private lanes, passages, and ways adjacent thereto clear of weeds ".

Amendment of
principal Act,
Part
XXXVIII.—

Power of
council to
repair and
maintain
school yards.

16. Part XXXVIII. of the principal Act is amended by inserting therein after section 666 the following section :—

666a. (1) The council may, with the consent of the Minister of Education, construct, repair, or maintain any yard of any public school within the area.

(2) The council may enter into any arrangement with the Minister of Education for the construction, repair, or maintenance of any yard of any public school within the area. Any such arrangement may provide that the cost of the work shall be paid to the council by the said Minister or that part only of the cost shall be so paid.

(3) In this section "public school" means a public school within the meaning of the Education Act, 1925-1935.

17. Paragraph (47) of section 667 of the principal Act is amended— Amendment of principal Act, s. 667 (47)—

- (a) by striking out the words "or with loads exceeding a particular weight" in subdivision v. thereof and by inserting after the word "manner" in the penultimate line of the said subdivision the words "or vehicles the weight of which and the load (if any) thereof exceeds a particular weight"; Weight of vehicles.
- (b) by inserting after the word "laden" in the third line of subdivision vi. thereof the words "or exceeding the weight"; and
- (c) by inserting after the word "paragraph" in the second line of subdivision via. thereof (as enacted by section 82 of the Local Government Act Amendment Act, 1938) the words "or which may reasonably be suspected of exceeding the weight mentioned in subdivision v. or vi. of this paragraph," and by striking out the word "laden" in the fifth line of the said subdivision and by striking out the words "of the load" in the seventh line of the said subdivision.

18. Section 669 of the principal Act is amended by adding at the end of paragraph (15) thereof the words "and other lodging houses." Amendment of principal Act, s. 669—
Lodging houses.

19. (1) Section 669 of the principal Act is amended by inserting after subdivision vi. of paragraph (19) thereof the following subdivision :— Amendment of principal Act, ss. 669, 670—

- via. Subject as aforesaid, for prohibiting any but nightmen and their labourers licensed or appointed by the council from removing nightsoil from or disposing of nightsoil upon any property: and for requiring nightsoil to be removed from any property by nightmen or their labourers licensed or appointed by the council: Removal of nightsoil.

(2) Section 670 of the principal Act is amended by striking out the words "for compelling occupiers to accept the service of nightmen so licensed or appointed, and to pay for such services the fees fixed by the council" in subdivision I. of paragraph (9) thereof and by inserting in lieu thereof the words "for prohibiting any but nightmen and their labourers licensed or appointed by the council from removing nightsoil from or disposing of nightsoil upon any property: and requiring nightsoil to be removed from any property by nightmen or their labourers licensed or appointed by the council".

Amendment of principal Act, s. 691—

Regulations as to qualification of clerks, etc.

20. Section 691 of the principal Act is amended by inserting after the word "Australia" in the twelfth line of paragraph (f) thereof the words "and for providing for the cancellation of such certificates by such committees and the grounds upon and the manner in which such cancellation may be effected".

Amendment of principal Act—

Prohibition of traffic on unsafe bridge or road.

21. Part XLII. of the principal Act is amended by inserting therein after section 779 the following section:—

779a. (1) If the council is satisfied that by reason of any temporary conditions occasioned by floodwaters or any similar cause, any bridge, street or road is unsafe for traffic, either generally or for any kind of traffic, or would be damaged unduly if used by traffic generally or by any kind of traffic, the council may cause a notice or notices to be displayed upon such bridge, street or road stating either—

(a) that the bridge, street or road is closed to the passage of all traffic; or

(b) that the bridge, street or road is closed to all traffic of any kind specified in the notice.

If notice is given as provided by paragraph (b), the notice may specify that the bridge, street or road is closed to use by vehicles of any description or by any vehicles the total weight of which and the load thereof exceeds a specified weight, or both.

(2) Any person who, without the consent of the council or any authorized officer of the council, drives or propels any vehicle, or drives, rides, or leads any horse or cattle, or rides or propels any cycle or motor cycle over or across any bridge, street or road contrary to such notice shall be guilty of an offence and liable to a penalty not exceeding five pounds.

22. Part XLII. of the principal Act is amended by inserting Amendment of principal Act— therein after section 781 the following section :—

781a. Any person who without the consent of the Advertising, etc. in streets. council—

- (a) in any street, road, or public place drives any vehicle which is used wholly or mainly for the display of any announcement or advertisement ; or
- (b) in any street, road, or public place carries any placard, board, or other thing displaying any announcement or advertisement ; or
- (c) in any street, road, or public place, amplifies or reproduces or causes to be amplified or reproduced for the purpose of making any announcement or advertisement, any words or other sounds by means of any apparatus or device, whether electrical, mechanical, or of any other kind whatsoever ; or
- (d) in any place other than a street, road, or public place amplifies or reproduces or causes to be amplified or reproduced for the purpose of making any announcement or advertisement, any words or other sounds by means of any apparatus or device, whether electrical, mechanical, or of any other kind whatsoever, so that the words or sounds are audible in any street, road, or public place,

shall be guilty of an offence and liable to a penalty not exceeding five pounds.

23. Part XLII. of the principal Act is amended by inserting Amendment of principal Act— therein after section 782 the following section :—

782a. (1) The council may by resolution declare that any part of any street or road shall be set aside as a track for bicycle traffic and may cause a notice or notices to be displayed near such track indicating that it is set aside for bicycle traffic. Penalty for driving vehicle, etc., on bicycle track.

(2) Any person who, without the consent of the council or any authorized officer of the council, drives or propels any vehicle, or drives, rides, or leads any horse or cattle, or rides or propels any motor cycle over or across any such track for bicycle traffic (except at any part of such track which is intersected by any part of a street or road not being such a track) shall be guilty of an offence and liable to a penalty not exceeding five pounds.

Local Government Act Amendment Act, 1939.

(3) In any proceedings for an offence against this section, the offence shall not be deemed to be proved to have been committed unless evidence is given that at the relevant time a notice was displayed near the track which gives reasonable indication that the track was set aside for bicycle traffic.

Amendment of principal Act, Part XLII.—

24. Part XLII. of the principal Act is amended by inserting therein after section 789 the following section :—

Duty of owner of vehicle to give information to identify driver.

789a. (1) Any owner of any vehicle shall, if required by a member of the police force or any inspector or officer of the council, truly answer any question put to him which may lead to the identification of the person who was driving that vehicle on any occasion when an offence under this Act or any by-law is alleged to have been, or is suspected of having been, committed.

(2) Any owner who refuses to answer, or fails to answer truly, any such question shall be guilty of an offence and liable to a penalty not exceeding five pounds.

(3) In this section " owner " includes a bailee.

Amendment of principal Act—

25. Part XLVI. of the principal Act is amended by inserting therein after section 880 the following section :—

Cutting of trees.

880a. (1) A council shall not cause any tree growing in any street, road or in any land under the care, control or management of the council to be cut down or otherwise destroyed except pursuant to a resolution of the council.

(2) In this section " tree " means any bush or tree which is fifteen feet or more in height.

Amendment of principal Act—

26. The fifth schedule to the principal Act is amended—

Fifth schedule.

(a) by striking out the words " I have been an " in the paragraph commencing " I, the above-named candidate " in the form No. 2 thereof (as amended by section 14 of the Local Government Act Amendment Act, 1938) and by inserting in lieu thereof the words " my name has been included in the assessment book as the " :

(b) by inserting therein after form No. 2 thereof the following form :—

Form No. 2a.

Section 105.

Nomination of Mayor, Alderman, or Councillor where the Person Nominated is the Representative of a Company.

{ Municipal Corporation of
{ District Council of

Local Government Act Amendment Act, 1939.

(1).....Ward.

We, the undersigned, do hereby nominate (2).....
who is the representative of the (3).....
pursuant to section 100 of the Local Government Act, 1934, and who is also a director
of that company and of the age of 21 years or more, as a candidate for the office of mayor
or alderman or councillor (if as councillor for a ward for.....ward).

The said company is an owner (or occupier) of ratable property within the Municipality
(or District) situated at (4).....

((5) The name of the said (6).....
as the representative of the said company appears on the voters' roll as No.....
for.....ward].

.....(7)

.....(7)

I, the above-named candidate do hereby consent to the above nomination, and I do
hereby declare that the (3).....
has been included in the assessment book as the owner or occupier of ratable property
within the Municipality (or District) for the whole of the period of six months immed-
istely prior to the day of nomination.

.....

(1) If a district is not divided into wards or if the nomination is for mayor or alderman
this line may be omitted or left blank.

(2) Insert the Christian names and surname and residence and occupation.

(3) Insert the name of the company of which the candidate is the representative on
the voters' roll.

(4) Insert the situation of property.

(5) Insert if there is a voters' roll for the area.

(6) Insert the name of the candidate.

(7) Signature and residence and occupation and number on the voters' roll.

Local Government Act Amendment Act, 1939.

Amendment of principal Act— Eleventh schedule.

27. The eleventh schedule to the principal Act is amended by adding at the end thereof the following forms :—

Section 281a.

Form No. 4.

Memorandum of Transfer.

The Corporation of the City [or Town] of... [or The District Council of...] in exercise of the power conferred upon the council of the said Corporation [or District] by section 281a of the Local Government Act, 1934-1939, hereby transfers to His Majesty... an estate of fee simple in all that piece of land, etc. [describe the land]. Given under the common seal of The Corporation of the City [or Town] of... [or The District Council of...] the... day of..., 19....

The seal of the Corporation or District Council.

The common seal of the said Corporation (or District Council) was hereto affixed on the date hereof in the presence of—

.....Mayor (or Chairman).

.....Town (or District) Clerk.

I hereby consent to the above transfer.

.....Commissioner of Crown Lands.

Section 281b.

Form No. 5.

Memorandum of Transfer.

The Corporation of the City [or Town] of... [or The District Council of...] in exercise of the power conferred upon the council of the said Corporation [or District] by section 281b of the Local Government Act, 1934-1939, hereby transfers to the said The Corporation of the City [or Town] of... [or The District Council of...] an estate of fee simple in all that piece of land, etc. [describe the land].

Given under the common seal of The Corporation of the City [or Town] of... [or The District Council of...] the... day of..., 19....

The seal of the Corporation or District Council.

Local Government Act Amendment Act, 1939.

The common seal of the said Corporation (*or* District Council) was hereto affixed on the date hereof in the presence of—

.....Mayor (*or* Chairman).

.....Town (*or* District) Clerk.

I hereby consent to the above transfer.

.....Commissioner of Crown Lands.

28. The principal Act is amended in the manner shown in the schedule to this Act. Amendment of principal Act.

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

C. M. BARCLAY-HARVEY, Governor.

THE SCHEDULE.

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1934-1938.

Section Amended.	How Amended.
Section 21	The words "or uniting any wards" in the second and third lines are struck out.
Section 34	The word "of" is substituted for the word "or" in the fourth line.
Section 82 (2) ...	The words "or the Local Government Areas (Re-arrangement) Act, 1929" in the second and third lines are struck out.
Section 137 (4) ..	The word "nor" is substituted for the word "not" second occurring in the fifth line.
Section 163	The words "officer or" in the first line are struck out. The words "or any officer of the council" are inserted after the word "council" in the second line. The words "officer or" occurring in the sixth and seventh and the eleventh lines are struck out. The words "or officer" are inserted after the word "aforesaid" occurring in the seventh and the eleventh lines.
Section 344	The words "or section 344a" are inserted after the figures "343" in the third line and in the last line.
Section 833	The word "by" is substituted for the word "of" in the fifth line.