



ANNO DECIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1966

No. 66 of 1966

An Act to amend the Local Government Act, 1934-1966.

[Assented to 24th November, 1966.]

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, 1966". Short title.

(2) The Local Government Act, 1934-1966, as amended by this Act, may be cited as the "Local Government Act, 1934-1966".

(3) The Local Government Act, 1934-1966, is hereinafter referred to as "the principal Act".

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

3. Section 158 of the principal Act is amended—

(a) by striking out the words "and to the auditor" in subsection (1) thereof ;

and

(b) by inserting therein after subsection (1) thereof the following subsection :—

(1a) The council shall pay to the auditor such minimum remuneration as the Minister, on the recommendation of the Auditor-General, may fix.

Amendment of
principal Act,
s. 158—
Salaries,
allowances,
and
commissions
to mayor,
chairman and
officers.

Amendment of
principal Act,
s. 286—
Payment of
council
moneys
into
bank.

4. Section 286 of the principal Act is amended by striking out subsections (3), (4) and (5) therein and inserting in lieu thereof the following subsections :—

(3) Except as provided in this section, every payment on behalf of the council of any amount exceeding ten dollars shall be by cheque on the council's bank, signed by the mayor or chairman or by any councillor, and countersigned in each case by the clerk or some other officer of the council appointed by the council for the purpose.

(4) Payments not exceeding ten dollars may be made out of a petty cash account, which shall be replenished from time to time by cheques for that purpose as aforesaid.

(5) The council may by resolution authorize the keeping of an advance account and may authorize such payments therefrom as are specified generally or specifically by resolution of the council. All cheques drawn against such advance account shall be signed by the clerk and countersigned by some other officer or person appointed by the council for the purpose. Payments made by cheques drawn against the advance account shall be subject to confirmation by the council at its meeting next immediately following such payments. The advance account shall be replenished from time to time by cheques for that purpose signed in accordance with subsection (3) of this section.

(6) Wages may be paid by cheque drawn on the council's bank, signed and countersigned in accordance with subsection (3) of this section, or against the advance account, signed and countersigned in accordance with subsection (5) of this section or by cash obtained by cashing a cheque for that purpose signed and countersigned as aforesaid.

Repeal and
re-enactment
of s. 295 of
principal Act—
Inspection
of accounts.

5. Section 295 of the principal Act is repealed and re-enacted as follows :—

295. (1) The accounts and other records and procedures of any council may be inspected from time to time by an officer or officers appointed by the Minister for the purpose

(2) The council shall cause to be produced and laid before an officer or officers so appointed, the accounts, together with proper vouchers in support of the same, and all books, papers and writings in the custody or power of the council relating thereto, and any other record required, and the clerk and any other officer shall answer all enquiries put to him relating to the accounts, records and other procedures.

(3) Any officer appointed to carry out inspections pursuant to subsection (1) of this section shall submit a report on his inspection to the Minister who shall supply a

copy thereof to the Auditor-General and to the Mayor or Chairman of the Council.

(4) The accounts of any council may be inspected from time to time by the Auditor-General or an officer or officers of his Department and the Auditor-General or his officer or officers may at any time audit the said accounts. The Auditor-General or his officer or officers shall, in respect of the said accounts and the audit thereof, have all the powers conferred on the Auditor-General by the Audit Act, 1921-1959.

(5) Where a report of the Auditor-General, his officer or officers or any officer or officers appointed by the Minister under subsection (1) of this section, reveals to the satisfaction of the Minister that any council has not complied with any provision of this or any other Act, the Minister may give such directions to the council in connection therewith as he considers desirable and any council shall comply with any directions made by the Minister in that behalf.

6. Section 691 of the principal Act is amended—

(a) by striking out paragraph (a) therein and inserting in lieu thereof the following paragraphs :—

- (a) prescribing accountancy and finance methods and systems and making their use by councils and by their officers compulsory ;
- (a1) prescribing books of accounts, forms and records and making their use by councils and by their officers compulsory ;
- (a2) prescribing the manner in which councils and their officers must use any prescribed books, forms, methods, records and systems and the period for which any book, form or record must be retained by the council ;
- (a3) requiring councils to adopt annual budgets and prescribing the manner and extent to which the estimated items of expenditure and the estimated items of revenue must be set out in those budgets ;
- (a4) requiring clerks to supply the councils at least four times per year with a budgetary statement and prescribing the details of estimated and actual expenditure and revenue that must be set out in each budgetary statement.

Amendment of
principal Act,
s. 691—

Power of
Governor to
make
regulations.

(b) by inserting at the end thereof the following subsections (the previous portion of the section as amended by this section being designated as subsection (1) thereof):—

(2) Every regulation made under paragraphs (a), (a1) and (a2) of subsection (1) of this section shall be—

(a) published in the *Gazette* ;

and

(b) laid before both Houses of Parliament within fourteen days after such publication, if Parliament is then in session, and if not, then within fourteen days after the commencement of the next session of Parliament.

(3) If no notice of a motion to disallow any such regulation is given in either House of Parliament within fourteen sitting days after the regulation was laid before that House of Parliament, the regulation shall take effect on the day following the fourteenth sitting day after it was so laid before that House or the fourteenth sitting day after it was laid before the other House, whichever occurs later, but if any notice of motion to disallow the regulation has been so given in either House or both Houses of Parliament, the regulation shall come into effect only if and when that motion or those motions is or are negatived.

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

J. M. NAPIER, Governor's Deputy.