



**LOCAL GOVERNMENT FINANCE AUTHORITY (BOARD
MEMBERSHIP) AMENDMENT ACT 1998**

No. 51 of 1998

SUMMARY OF PROVISIONS

1. Short title
2. Amendment of s. 7—Constitution of the Board
3. Amendment of s. 8—Terms and conditions of office
4. Amendment of s. 10—Procedures, etc., of the Board
5. Amendment of s. 13—Allowances and expenses for members
6. Amendment of s. 34—Annual report
7. Statute law revision amendments

SCHEDULE

Further Amendments of Principal Act



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ELIZABETHAE II REGINAE

A.D. 1998

No. 51 of 1998

An Act to amend the Local Government Finance Authority Act 1983.

[Assented to 3 September 1998]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Local Government Finance Authority (Board Membership) Amendment Act 1998*.

(2) The *Local Government Finance Authority Act 1983* is referred to in this Act as "the principal Act".

Amendment of s. 7—Constitution of the Board

2. Section 7 of the principal Act is amended—

(a) by striking out from subsection (1) "The Board" and substituting "Subject to this section, the Board";

(b) by inserting after subsection (3) the following subsection:

(3a) The Board may co-opt as an additional member or as additional members of the Board one or two persons with financial expertise to assist the Board in the performance of its functions.

Amendment of s. 8—Terms and conditions of office

3. Section 8 of the principal Act is amended by inserting after subsection (7) the following subsection:

(8) The following provisions apply with respect to the appointment of a co-opted member of the Board:

(a) an appointment will be made on conditions determined by the Board and may be limited in accordance with the terms of the instrument of appointment; and

- (b) an appointment may be terminated at any time by resolution of the Board or the Authority.

Amendment of s. 10—Procedures, etc., of the Board

4. Section 10 of the principal Act is amended by striking out subsection (1) and substituting the following subsection:

- (1) A quorum at a meeting of the Board consists of one-half of the total number of its members (ignoring any fraction resulting from the division) plus one.

Amendment of s. 13—Allowances and expenses for members

5. Section 13 of the principal Act is amended by inserting after subsection (2) the following subsection:

- (3) The Board may determine to pay to co-opted members of the Board amounts that are additional to the allowances payable under subsection (1).

Amendment of s. 34—Annual report

6. Section 34 of the principal Act is amended by inserting in subsection (3) "within 12 sitting days after his or her receipt of the report" after "Parliament".

Statute law revision amendments

7. The principal Act is further amended in the manner indicated in the schedule.

SCHEDULE
Further Amendments of Principal Act

Provision Amended	How Amended
Section 3	
After definition of "council representative"	Insert new definition as follows: "LGA" means the Local Government Association of South Australia;.
Definition of "the Local Government Association"	Strike out this definition.
Definition of "prescribed local government body"	Strike out paragraph (b) and substitute new paragraph as follows: (b) the LGA;.
Definition of "representative member"	Strike out "Local Government Association" and substitute "LGA".
Section 7(1)(b)	Strike out "Local Government Association" and substitute "LGA".
Section 7(1)(e)	Strike out "Secretary-General of the Local Government Association" and substitute "Secretary of the LGA".
Section 7(4)	Strike out "Authority" and substitute "Board".
Section 8(1)	Strike out "the first day of" and substitute "1".
Section 8(6)	Strike out "Where" and substitute "If".
Section 9	Strike out this section and substitute new section as follows: Presiding Member 9. The Presiding Member and Deputy Presiding Member of the Board will be appointed by the Board from the representative members of the Board.
Section 10(2)	Strike out this subsection and substitute new subsection as follows: (2) The Presiding Member will, if present at a meeting of the Board, preside at that meeting and, in the Presiding Member's absence, the Deputy Presiding Member will preside, and in the absence of both the Presiding Member and the Deputy Presiding Member, the members present will decide who is to preside at the meeting.
Section 10(5a)	Strike out "notwithstanding" and substitute "despite the fact".
Section 12(1)(a)	Strike out "shall" and substitute "must".
Section 12(1)(b)	Strike out "shall" and substitute "must".
Section 12(2)	Strike out "Notwithstanding subsection (1), where" and substitute "Despite subsection (1), if".
Section 12(4)	Strike out "Where" and substitute "If".
Section 13(2)	Strike out "Secretary-General of the Local Government Association must be paid to the Local Government Association" and substitute "Secretary of the LGA must be paid to the LGA".
Section 14(4)	Strike out "Where" and substitute "If".

Section 15(1)	Strike out "Every" and substitute "Each".
Section 17(1)	Strike out "Chairman" and substitute "Presiding Member".
Section 17(2)	Strike out this subsection and substitute new subsection as follows: (2) If the Presiding Member of the Board is absent from a general meeting of the Authority, the Deputy Presiding Member will preside, and in the absence of both the Presiding Member and the Deputy Presiding Member, the council representatives present will decide who is to preside at the meeting.
Section 20	Strike out "Where" and substitute "If".
Section 21(1)(b)	Strike out "Local Government Association" and substitute "LGA".
Section 26	Strike out "Notwithstanding" and substitute "Despite".
Section 28(1)	Strike out "Chairman" and substituting "Presiding Member".
Section 29(2)(a)	Strike out this paragraph and substitute new paragraph as follows: (a) the LGA;.
Section 29(2)(b)	Strike out "a department" and substitute "an administrative unit".
Section 29(2)	Strike out "Association, council or department" and substitute "LGA, council or administrative unit".
Section 31A(4)	Strike out "Local Government Association" twice occurring and substitute, in each case, "LGA".
Section 31A(5)	Strike out this subsection.
Section 32A	Strike out "under the hand of the Chairman of the Board (or where the Chairman is unavailable, the Deputy Chairman)" and substitute "signed by the Presiding Member of the Board (or if the Presiding Member is unavailable, the Deputy Presiding Member)".
Section 34(1)	Strike out "the thirtieth day of" and substitute "30". Strike out "thirtieth day of" and substitute "30". Strike out "Local Government Association" and substitute "LGA".

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

E. J. NEAL Governor