

Local Government (City of Richmond) Bill 1982

NOTES ON CLAUSES

PART I.—PRELIMINARY—CLAUSES 1 AND 2

Clause 1 is a clause in the usual form containing provisions relating to the short title and the commencement of the Act. The Act is to be read and construed as one with the *Local Government Act 1958*.

Clause 2 is an interpretation provision.

PART II.—ESTABLISHMENT OF COMMISSION—CLAUSES 3 TO 6

Clause 3:

Sub-clause (1) provides that there is to be a Commission for the City of Richmond.

Sub-clause (2): The Governor in Council may appoint a person to be a Commissioner or not more than three persons to be Commissioners.

Sub-clause (3) provides that additional Commissioners may be appointed but the total number of Commissioners is not to exceed three.

The remainder of the clause deals with filling of vacancies and the payment of the Commissioners.

Clause 4: A Commissioner is not to engage in paid employment outside the duties of his office without the consent of the Minister. The clause also contains the standard provisions concerning vacancies on the Commission.

Clause 5 deals with the appointment of a Chairman and Deputy Chairman of the Commission if more than one Commissioner is appointed.

Clause 6 contains the standard provisions concerning any defect or irregularity in the appointment of a Commissioner.

PART III.—FUNCTIONS AND POWERS OF COMMISSION—CLAUSES 7 TO 9

Clause 7 makes provision for the Council of the City of Richmond to be dismissed, the Mayor and Councillors of the City of Richmond to go out of office and for the Commission to be deemed to be the Council and assume the responsibilities of the Council.

Clause 8: The Commission is to ensure that the functions of the Corporation of the City of Richmond are carried out in the most efficient and economic manner possible. It is also to report and advise the Minister for Local Government at intervals of not more than three months, and at more frequent intervals as may be requested by the Minister, on the exercise and discharge of its functions and duties.

Clause 9 deals with the meetings of the Commission. It is to hold at least one meeting a month.

PART IV.—RESTORATION OF ELECTED COUNCIL—CLAUSES 10 TO 12

Clause 10:

Sub-clause (1) provides that the Governor in Council shall as soon as he deems appropriate in the interests of the inhabitants and ratepayers of the City of Richmond fix a day for the holding of an election at which the whole of Council is to be elected.

Sub-clauses (2) and (3) provide that the *Local Government Act 1958* is to apply to the election.

Clause 11 provides that all the costs and expenses reasonably incurred or incidental to the execution of the Act are to be paid out of the municipal fund of the City of Richmond.

Clause 12:

Sub-clause (1): The Town Clerk of the City of Richmond is to call the first meeting of the new Council at 7.30 p.m. on the third day after the day on which the Returning Officer declares the candidates at the election held pursuant to section 10 to be elected.

The remainder of the clause refers to the re-instatement of the Council and the going out of office of the Commission.