



ANNO TRICESIMO SECUNDO
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VICTORIA

Constitution (Corporations' Franchise) Act 1983

No. 9937

An Act to make provision with respect to the franchise for certain corporations in municipal elections, to amend the *Constitution Act 1975*, and for other purposes.

[Assented to 9 September 1983]

BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):

Short title. 1. (1) This Act may be cited as the *Constitution (Corporations' Franchise) Act 1983*.

Commencement. (2) This Act shall be deemed to have come into operation on 27 April 1983.

Amendment of No. 8750. New s. 74B (4A). 2. After sub-section (4) of section 74B of the *Constitution Act 1975* there shall be inserted the following sub-section:

"(4A) Notwithstanding the provisions of sub-section (4), where on the entitlement date a corporation is the sole owner or sole occupier of more than one rateable property in a riding or ward that corporation may exercise the right of entitlement conferred by sub-section (4) in respect of only one of those rateable properties."

3. Where on or before the entitlement date in 1983 a corporation has made more than one application for enrolment by appointment in respect of more than one rateable property solely owned or solely occupied by that corporation in a riding or ward pursuant to section 74B (4) of the *Constitution Act 1975*, the following provisions shall apply:

Transitional.
Multiple
applications by
corporation.

- (a) The municipal clerk shall accept only one of the applications;
- (b) As between applications which specify a different name the municipal clerk shall accept the application which specifies the name which appears first in alphabetical order before any other name so specified;
- (c) As between applications which specify the same name the municipal clerk shall accept one application at random;
- (d) The municipal clerk shall advise the corporation in writing as to the—
 - (i) acceptance; and
 - (ii) rejection—

of any application pursuant to the powers conferred on the municipal clerk by this section.

4. The municipal clerk may make any necessary corrections on a voters' list for the purpose of omitting the name of any person the subject of an application for enrolment by appointment which application the municipal clerk is required to reject under section 3.

Transitional.

5. (1) For the purposes of sections 3 and 4, unless inconsistent with the context or subject-matter, words and expressions used in those sections shall as the case may require be given the same meaning as those words and expressions are given pursuant to Part IIA. of the *Constitution Act 1975* and the *Local Government Act 1958*.

(2) This Act shall be read and construed as one with the *Local Government Act 1958*.