An Ordinance to amend the Local Government Act 1995 (W.A.) (C.I.)

1. Short title
1.1 This Ordinance may be cited as the Local Government Act 1995 (W.A.) (C.I.) (Amendment) Ordinance 1996.¹

2. Commencement
2.1 This Ordinance is taken to have commenced on 1 July 1996.
3. Amendment

3.1 The Local Government Act 1995 (W.A.) (C.I.) is amended as set out in this Ordinance.

4. Section 1.4 (Interpretation)

4.1 Definition of “owner”:

After subparagraph (e) (iii), insert:

“(iv) holds a lease granted under the Lands Ordinance 1987 that authorises mining or mineral extraction (including any assignment or sublease of such a lease); or”.

5. Section 4.29 (Eligibility of residents to be enrolled)

5.1 Omit the section, substitute:

Eligibility of residents to be enrolled

“4.29. A person is eligible to be enrolled to vote at elections for the district of Christmas Island if the person is enrolled, or is qualified for enrolment, in respect of the District constituted by the Territory under subsection 79 (2) of the Commonwealth Electoral Act 1918.”.

6. Section 4.30 (Eligibility of non-resident owners and occupiers to be enrolled)

6.1 Omit the section, substitute:

Eligibility of non-resident owners and occupiers to be enrolled

“4.30. A person is eligible to be enrolled to vote at elections for the district of Christmas Island if the person:

(a) is enrolled, or is qualified for enrolment, under the Commonwealth Electoral Act 1918, otherwise than in respect of the District constituted by the Territory under subsection 79 (2) of that Act; and
(b) owns or occupies rateable property within the Territory; and
(c) has made, under subsection 4.32, an electoral eligibility claim:
   (i) that has been accepted; and
   (ii) that has not ceased, under section 4.33, to have effect.”.

[Note: The Note following subsection 4.39 (3) is omitted and the following Note substituted:
“[Note: For those steps, see section 4.29 (in relation to eligibility based on being resident in the Territory) or 4.30 and 4.32 (in relation to eligibility based on being an owner or occupier of rateable land in the Territory].”]

7. New section 4.71A
7.1 After section 4.71, insert in Stage 5 of Division 9 of Part 4:

Forms may include translations, etc.

“4.71A. A ballot paper or other form may include a translation into, or a summary in, a language other than English of its contents.”.

8. Schedule 9.3 (Transitional provisions)
8.1 Clause 1 (Interpretation)
Definition of “former provisions”:
Omit the definition, substitute:
“‘former provisions’ means:
   (a) the Local Government Act 1960 (W.A.) (C.I.); and
   (b) the Local Government (Transition) Ordinance 1992;
as in force immediately before the commencement day;”.

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NOTE