



Queensland

# Local Government (De-amalgamation Implementation) Amendment Regulation (No. 1) 2013

## Subordinate Legislation 2013 No. 177

made under the

*Local Government Act 2009*

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**1 Short title**

This regulation may be cited as the *Local Government (De-amalgamation Implementation) Amendment Regulation (No. 1) 2013*.

**2 Regulation amended**

This regulation amends the *Local Government (De-amalgamation Implementation) Regulation 2013*.

**3 Amendment of s 4 (Achievement of purpose)**

Section 4(c), ‘fresh’—  
*omit.*

**4 Amendment of pt 2, hdg (Fresh elections for new local governments)**

Part 2, heading, ‘Fresh elections’—  
*omit, insert—*

**Elections**

**5 Amendment of s 7 (Application of pt 2)**

Section 7, ‘fresh elections’—  
*omit, insert—*

elections (*new local government elections*)

**6 Replacement of ss 8 and 9**

Sections 8 and 9—  
*omit, insert—*

**8 Conduct of elections**

- (1) Except to the extent this section or section 9 provides otherwise, the new local government elections must be conducted under the Local

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Government Electoral Act as if they were quadrennial elections for a local government.

- (2) The elections must be conducted as if the new local governments and the new local government areas come into existence on the commencement of this section.
- (3) For the purposes of conducting the elections—
  - (a) the Minister may, by gazette notice, fix a day for the elections for a new local government; and
  - (b) the cut-off day for compiling a voters roll for the elections for a new local government is—
    - (i) at least 5 days, but not more than 7 days, after the publication in a newspaper, under section 9, of notice of the day of the elections; or
    - (ii) a later day fixed by the Minister by gazette notice.
- (4) Without limiting subsection (1)—
  - (a) a function or power conferred, or obligation imposed, on a person under the Local Government Electoral Act in relation to a quadrennial election for a local government is conferred or imposed on the person in relation to the new local government elections; and
  - (b) the Court of Disputed Returns may, under the Local Government Electoral Act, hear and decide an application to dispute the election of a person at a new local government election; and
  - (c) the Court of Appeal may, under the Local Government Electoral Act, hear and decide an appeal against a decision of the court mentioned in paragraph (b).

## **9 Notice for elections**

As soon as practicable after the Minister fixes the day for the elections for a new local government, the returning officer must publish, in a newspaper circulating generally in the new local government area for the new local government and in the other ways that the returning officer may consider appropriate, notice of—

- (a) the day fixed; and
- (b) the cut-off day for the voters roll for the elections.

## **7 Amendment of s 11 (Remuneration of councillors)**

Section 11(3)(b), ‘a fresh election’—

*omit, insert—*

an election

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### ENDNOTES

- 1 Made by the Governor in Council on 12 September 2013.
- 2 Notified in the gazette on 13 September 2013.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Local Government, Community Recovery and Resilience.

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Authorised by the Parliamentary Counsel