

# THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 21 of 1935.

## AN ORDINANCE

To amend the Advisory Council Ordinance 1930-1932.

**B**E it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909* and the *Seat of Government (Administration) Act 1910-1933*, as follows:—

1.—(1.) This Ordinance may be cited as the *Advisory Council Ordinance (No. 2) 1935*. Short title and citation.

(2.) The *Advisory Council Ordinance 1930-1932* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Advisory Council Ordinance 1930-1935*.

2. The *Advisory Council Ordinance 1935* is repealed. Repeal.

3. Section four of the Principal Ordinance is amended by omitting the words “The Assistant Secretary (Property and Surveys)” and inserting in their stead the words “Surveyor-General and Chief Property Officer”. Constitution of Advisory Council.

4. Section six of the Principal Ordinance is amended by omitting sub-section (1.) and inserting in its stead the following sub-sections:— Filling of vacancies.

“(1.) In the event of a vacancy occurring in the office of an elected member of the Council, the vacancy shall, subject to this section, be filled in the following manner:—

(a) where the number of candidates at the last preceding election of members of the Council was greater than three, the Minister shall, in accordance with the regulations, appoint to the vacant office any person who was a candidate at that election but was not elected; and

(b) where no person who was a candidate at the last preceding election of members of the Council is available for appointment in pursuance of this section, the Minister may appoint to the vacant office any resident of the Territory qualified for election as a member of the Council.

"(1A.) A person appointed in pursuance of the last preceding sub-section shall, subject to this Ordinance, hold office for the remainder of the term of the elected member whose office is vacated.

"(1B.) A person appointed in pursuance of sub-section (1.) of this section shall be deemed to be an elected member of the Council."

5. Sections eight and nine of the Principal Ordinance are repealed and the following section inserted in their stead:—

Chairman and  
Deputy  
Chairman of  
Council.

"8.—(1.) At the first meeting of the Council held after an election, at the first meeting of the Council held in each calendar year, and whenever the office of Chairman or Deputy Chairman becomes vacant, the members of the Council shall elect one of their number to be Chairman, and one of their number to be Deputy Chairman, of the Council.

"(2.) If, at any election of the Chairman or Deputy Chairman, there is an equality of votes, it shall be decided by lot which of the members having an equal number of votes shall be Chairman or Deputy Chairman, as the case may be.

"(3.) The Chairman or Deputy Chairman may resign his office by writing addressed to the Minister.

"(4.) The Chairman or Deputy Chairman shall, subject to their continuing to be members of the Council, hold office until the thirty-first day of December next following their election to their respective offices.

"(5.) The Chairman shall preside at all meetings of the Council at which he is present.

"(6.) In the absence of the Chairman from any meeting of the Council, the Deputy Chairman shall, if he is present, preside at that meeting.

"(7.) In the absence of both the Chairman and Deputy Chairman from any meeting of the Council, the members of the Council present shall elect one of their number to preside at that meeting.

"(8.) The person presiding at any meeting of the Council shall have a vote in the event of an equality of voting, but not otherwise."

6. After section sixteen of the Principal Ordinance the following section is inserted:—

Report by  
Council.

"16A. The Council shall, once in each year, furnish to the Minister a report in relation to its proceedings and to such matters affecting the Territory as it thinks fit."

Dated this twelfth day of December, 1935.

ISAAC A. ISAACS

Governor-General.

By His Excellency's Command,

T. PATERSON

Minister of State for the Interior.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.