

NORTHERN TERRITORY OF AUSTRALIA
WUGULARR COMMUNITY GOVERNMENT SCHEME

As in force at 17 March 2004

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NORTHERN TERRITORY OF AUSTRALIA

This reprint shows the Community Government Scheme as in force at 17 March 2004. Any amendments that may come into operation after that date are not included.

WUGULARR COMMUNITY GOVERNMENT SCHEME

Community Government Scheme under the *Local Government Act*

PART 1 – PRELIMINARY

1. Name of scheme

The name of this scheme is the Wugularr Community Government Scheme. (*See* back note 1)

2. Commencement

This scheme shall come into operation on 1 July 1993.

3. Repeal, replacement and transitional

(1) In this clause "Old Scheme" means the Barunga-Wugularr Community Government Scheme as approved under section 250(1)(b) of the *Local Government Act* on 16 October 1986 and of which notice was given in the *Gazette* of 21 October 1986.

(2) This scheme repeals and replaces the Old Scheme in relation to the Wugularr ward of the Old Scheme, that ward now constituting the community government area under this scheme.

(3) Those members of the Barunga-Wugularr Community Government Council (as established under the Old Scheme) representing the Wugularr ward and in office immediately before the commencement of this scheme shall continue in office as if each of them had been elected to the Wugularr Community Government Council under this scheme.

(4) As soon as practicable after this scheme comes into operation the clerk shall hold a by-election to elect a sufficient number of members to the council to make up the difference between the number continued under subclause (3) and the number required under clause 8(1).

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(5) The term of office of a member continued or elected under this clause expires upon the declaration of the result of the next election (not being a by-election).

4. Definitions

In this scheme, unless the contrary intention appears –

"candidate" means a person who has been nominated and accepted, under clause 20, as a candidate for election to the council and who has not withdrawn his or her consent to the nomination before the close of nominations;

"clerk", for the purposes of clause 3(4) and Part 4, except clauses 40 and 41, includes the Chief Electoral Officer and a person appointed to conduct an election under clause 40;

"council" means the Wugularr Community Government Council;

"election day" means a day specified in or fixed under clause 17;

"election notice" means a notice under clause 18(1) that an election is to be held;

"elector" means a person enrolled or entitled to be enrolled on the electoral roll;

"electoral roll" means the roll prepared in accordance with clause 16;

"language group" means a language group named in clause 8(1);

"member" means a member of the council and includes its President and Vice-President and a person authorised under clause 10(7);

"polling official" means an official appointed under clause 25;

"polling place" means a place set aside under clause 23 for the purpose of an election;

"voter" means a person intending and entitled to vote at an election.

5. Community government area

The community government area to which this scheme applies is all that parcel of land near the Town of Katherine in the Northern Territory of Australia outlined on the plan in Schedule 1, containing an area of 3185 km² more or less and bounded by lines as follows: commencing at the northeastern corner of Northern Territory Portion 1636; thence southerly, westerly, again southerly, again westerly, again southerly, again westerly, generally northwesterly and

northerly by an eastern, a southern, an eastern, a southern, an eastern, a southern, a southwestern and a western boundary of the said Portion to its most western northwestern corner; thence easterly by a northern boundary of Northern Territory Portion 1636 and its prolongation easterly to intersect Meridian of East Longitude 132⁰ 55" 30"; thence north by the said Meridian to intersect a northern boundary of Northern Territory Portion 1636; thence easterly, northerly and again easterly by part of a northern, a western and a northern boundary of the said Portion to the point of commencement.

PART 2 – COUNCIL

6. Community Government Council

The name of the community government council which administers the community government area is the Wugularr Community Government Council.

7. Common Seal

The common seal of the council shall contain the words "Wugularr Community Government Council" and "Common Seal".

8. Members of council

(1) The council shall consist of 9 members, who shall be declared, appointed or elected in the manner provided by this scheme and shall include 4 persons from the Jawoyn language group and one person from each of the Mangarrai, Mara, Myilly, Rambarrnga and Ritharrngu language groups.

(2) Subject to this scheme, the term of office of a member expires upon the declaration of the result of the next election (not being a by-election).

(3) The office of a member becomes vacant if the member ceases to be enrolled as an elector, or if he or she ceases to be ordinarily resident in the community government area.

9. President and Vice-President

(1) The Council shall have a President and a Vice-President, who shall be elected in that order by the members from amongst themselves at the council's first meeting after its election and, after that, as occasion may require.

(2) Subject to subclause (3), the President and Vice-President each hold office during the pleasure of the members of the council.

(3) The President or Vice-President may resign at any time by giving notice in writing to the clerk, and the office of that member shall become vacant from the date on which notice is given.

(4) The Vice-President (or, in the absence of the Vice-President, a member elected by the council to act temporarily) shall act as President during any vacancy in that office and shall also perform the functions, exercise the powers and discharge the duties of the President when the President is absent from the community government area or a meeting of the council.

10. Meetings of council

(1) The council shall meet to transact its business not less than once each month.

(2) The date and time of a council meeting shall be as decided by a previous meeting or, in default of that, by the clerk or, where necessary, the Minister or a person authorised by the Minister for that purpose.

(3) The President may call a special meeting of the council by giving at least 2 days notice to the members.

(4) By giving the President notice in writing requesting a special meeting of the council and stating the reasons for the request –

(a) 3 or more members; or

(b) 6 or more electors,

may require the President to call a special meeting of the council, and the President shall call that meeting for a date not later than 7 days after the day on which notice is received, and shall notify the members accordingly.

(5) Where, under subclause (3) or (4), a special meeting is to be held, the clerk shall notify the members and shall cause written notice of the special meeting to be displayed at the office of the council and at the store within the community government area.

(6) A notice under subclause (5) shall specify the date, time and place of the special meeting and the reason for it being called.

(7) A member proposing to be absent from a meeting of the council may authorise in writing an elector belonging to the same language group to attend the meeting in his or her place and, subject to and in accordance with any restrictions or instructions specified in the authorisation, to exercise the member's powers at the meeting (including the power to vote) on the member's behalf.

(8) Where a member is absent from 3 consecutive meetings of the council –

(a) without the prior consent of the council; or

(b) for reasons which the council does not accept as satisfactory,

the clerk shall declare that person to be no longer a member, and the office to be vacant.

11. Meetings to be open

Meetings of the council shall be open to persons who are not members or officers or employees of the council unless the council determines that a meeting, or part of a meeting, is to be closed.

12. Procedure at meetings of council

(1) Meetings of the council shall be presided over by the President, or, where the President is absent, by the Vice-President, or, where both persons are absent, by a member chosen by the other members present.

(2) Subject to any standing orders made from time to time by the council, the council shall determine its own procedure for meetings.

(3) The council shall keep a record of its proceedings.

(4) The quorum for a meeting of the council shall be a majority of the members then in office.

(5) Questions before a meeting of the council shall be decided by a majority of the votes of the members then in office and, in the event of an equality of votes, the matter shall be taken to have been defeated.

PART 3 – FUNCTIONS AND POWERS OF COUNCIL

13. Functions

The council may perform the following functions:

- (a) the establishment and maintenance of parks, gardens and recreational areas and the carrying out of landscaping and other associated works;
- (b) the establishment and maintenance of sports facilities, swimming pools, libraries and museums, cinemas, community halls, public toilets and ablution blocks;
- (c) the provision of services for the collection and disposal of garbage, the maintenance of particular places where garbage is to be dumped, the control of litter generally, the provision and maintenance of sanitation, sewerage, drainage and water supply facilities and the removal of health hazards;
- (d) the collection, as an agent and for reward, of electricity, water and sewerage charges;

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- (e) the receipt of money, grants or gifts of property paid or made to the council;
- (f) the provision of adult education and vocational and other training;
- (g) the provision and maintenance of housing for residents and their families on such terms and conditions as the council thinks fit;
- (h) the management of community employment programs;
- (j) the promotion and provision of community welfare, health and care facilities for all age groups;
- (k) the prevention and control of substance abuse;
- (m) the provision and maintenance of cemeteries;
- (n) the control or prohibition of animals;
- (p) the development and maintenance of roads within the community government area (including the provision of street lighting and traffic control devices) and, for reward, the development and maintenance of roads outside the community government area;
- (q) the provision and maintenance of flood control devices and watercourse crossings;
- (r) the provision and maintenance of airstrips and related facilities;
- (s) the hiring out, for reward, of any vehicle, plant, appliance or equipment belonging to the council and the repair and maintenance, for reward, of any vehicle, plant, appliance or equipment not owned by the council;
- (t) the contracting of works projects (including the provision of services and the maintenance of capital works and undertakings) within or outside the community government area;
- (u) the establishment and operation of pastoral and commercial enterprises;
- (w) the establishment and maintenance of a firefighting service, including the acquisition of property and equipment and training of personnel for the service, and the protection of the community government area from fire;
- (y) the promotion and development of tourist attractions, the provision and maintenance of tourist facilities and the production and selling of artifacts and souvenirs; and

- (z) the management and control of sites of historic interest, and the support and encouragement of artistic, cultural and sporting activities.

14. Powers

(1) The council has power to do all things necessary or convenient for the performance of its functions including the orderly running and control of the community government area.

(2) Subject to subclause (3), all land within the community government area is ratable, and the council may declare and levy rates in relation to it for the purpose of raising revenue for the performance of its functions.

(3) Land is not ratable by virtue of subclause (2) if it is land of a description which would be exempt from rating by a council of a municipality under section 97 of the Act.

(4) Liability for the payment of rates declared by virtue of subclause (2) shall be determined in accordance with section 122 of the Act, and all other provisions with respect to rates contained in the Act or regulations made under it shall, to the extent that they are capable of doing so and with any necessary changes, apply to and in relation to rates so declared.

(5) Without prejudice to the powers of charging conferred on the council by section 272(2) of the Act, charges are payable by reason of a person's residence in the community government area, or his or her carrying on a business in the area or having an interest in rateable land in the area, whether that person uses any service provided or not, and all other provisions with respect to charges contained in the Act or regulations made under it shall, to the extent that they are capable of doing so and with any necessary changes, apply to and in relation to charges so declared.

(6) The council may exempt persons, or any class of persons, from all or part of the charges for which they would otherwise have been liable by virtue of this clause.

(7) The council may, where a group gives its consent, take control of and manage activities of that group which are consistent with the council's functions.

(8) The council may contract with the Territory or other person in order to perform any of its functions.

PART 4 – ELECTIONS

15. Eligibility to vote

A person is eligible to vote at a council election if that person –

- (a) is enrolled or is eligible to be enrolled as an elector within the meaning of the *Electoral Act*; and
- (b) has ordinarily resided in the community government area for not less than 12 months continuously immediately before the closure of rolls under clause 16(4).

16. Electoral roll

(1) The clerk shall maintain, by such means as is thought fit (including by electronic means or the use of an electoral roll under the *Electoral Act*), an electoral roll of the full names and addresses of persons who are eligible to vote at elections.

(2) A resident may inspect the electoral roll at the office of the council when it is open.

(3) A person who is otherwise eligible but is not enrolled may apply for enrolment in such manner as the clerk approves.

(4) The clerk shall close the electoral roll at 12 noon on the day occurring 21 days before election day.

(5) Except as provided by clause 28(2) or to correct an oversight in the making up of the electoral roll, the clerk shall not add any name to the roll in the period between its closure and the conclusion of the election.

17. Date of election

(1) For the purposes of this clause, "election" does not include a by-election.

(2) The first election shall be held on Thursday 10 August 1995, and subsequent elections shall be held on a Thursday in August to be fixed by the council in every second calendar year after the end of that year or, where an election is held under clause 41, in August in every second calendar year after the date of that election.

18. Notice of elections

(1) The clerk shall give not less than 28 days notice before an election day that an election is to be held.

(2) An election notice shall be prominently displayed at such places in the community government area as the clerk considers likely to reasonably ensure that all residents who are eligible to vote have notice of the election.

19. Content of election notice

An election notice shall specify –

- (a) the date of the closure of the electoral roll;
- (b) the persons who may nominate other persons, and who may be nominated, as candidates;
- (c) the date and time by which nominations of candidates must be lodged with the clerk;
- (d) the manner in which nominations are to be lodged; and
- (e) the date of the election and time and place of polling,

and shall also contain a statement that only persons whose names are on the electoral roll are entitled to vote at the election.

20. Nominations

(1) A person is eligible for nomination as a member of the council if he or she is enrolled under clause 16.

(2) A person who is enrolled under clause 16 may, by lodging a written nomination with the clerk, nominate for election to the council another enrolled person or persons belonging to the same language group.

(3) The clerk shall not accept a nomination unless satisfied –

- (a) that it sufficiently identifies the proposed candidate;
- (b) that it specifies whether the candidate is of the same language group as the person making the nomination; and
- (c) that the proposed candidate is eligible under subclause (1) to be nominated and has consented to the nomination.

(4) A candidate may withdraw consent to his or her nomination at any time before the close of nominations.

(5) Nominations of candidates for election shall close at 12 noon on the day occurring 14 days before election day.

(6) As soon as practicable after nominations have closed, the clerk shall display a list of the names of the candidates in the same places as the election notice.

21. Declaration, appointment or election of members

(1) Where, at the close of nominations under clause 20(5), no more than 4 persons belonging to the Jawoyn language group and no more than 1 person belonging to each of the Mangarrai, Mara, Myilly, Rambarrnga and Ritharrngu language groups to be represented on the council under clause 8(1) have been nominated as candidates (disregarding any nomination that has lapsed), the clerk shall, by a notice displayed in the same places as the election notice, declare those persons to be members of the council.

(2) Where at the close of nominations there are more than 4 persons belonging to the Jawoyn language group or more than one person belonging to each of the Mangarrai, Mara, Myilly, Rambarrnga or Ritharrngu language groups as candidates, an election to decide between or among them shall be held on election day.

(3) Where fewer than 4 persons belonging to the Jawoyn language group and no one person belonging to each of the other 5 language groups are declared members under subclause (1), the council may appoint as many persons of the relevant language group to be members of the council as are necessary to make up the number to 9, and for this purpose a quorum shall equal the number of members declared under subclause (1).

(4) A person may only be appointed under subclause (3) if he or she is eligible for nomination and agrees to be appointed.

(5) Where persons have agreed under subclause (4) to be appointed as members of the council, the clerk shall, by a notice displayed in the same place as the election notice, declare those persons to be appointed members of the council.

(6) If a candidate dies between the close of nominations and election day, and the effect of the death is to reduce the number of candidates to the number of members required for the relevant language group, subclause (2) shall not require the holding of an election for that language group but subclause (1) shall apply instead as if the candidate had withdrawn before the close of nominations.

22. Ballot-papers

(1) Where an election is to be held under clause 21(2) in relation to one or more language groups the clerk shall cause ballot-papers to be printed in sufficient numbers for the purposes of the election in accordance with the examples given in the form in Schedule 2.

(2) A ballot-paper shall, as indicated in Schedule 2, relate to all 6 language groups, including any for which a member has been declared under clause 21(1) and any from which no candidate has been nominated, and shall show in relation to each, as illustrated in the Schedule –

- (a) the names of its candidates, in an order decided by the clerk by ballot, alongside boxes for the placing of votes;
- (b) if it is one for which a member has been declared, his or her name under the words "Elected unopposed"; and
- (c) if it is without a candidate, the words "No nominations".

(3) The number of candidates for which a voter is instructed by the ballot-paper to vote shall be 9 minus the number of declared members (if any) and the number of language groups (if any) from which no candidates have been nominated.

23. Polling place

(1) The clerk shall set aside a polling place for the purpose of an election.

(2) A polling place shall have separate polling booths constructed so as to screen a voter from observation (other than by a polling official or a person authorised under clause 31(8)) while marking a ballot-paper.

24. Ballot-box

The clerk shall provide within the polling place a ballot-box which shall be securely fastened and have a slit in the upper side through which ballot-papers may be put into the ballot-box.

25. Polling officials

(1) Subject to subclause (2), the clerk may, by notice in writing, appoint polling officials to assist in conducting an election.

(2) The clerk shall not appoint a member of the council, a candidate, or a spouse or de facto partner of a member or candidate, to be a polling official.

(3) The clerk and polling officials shall conduct voting at the polling place.

26. Scrutineers

(1) Each candidate may, by notice in writing, appoint persons to be scrutineers for the candidate for the purposes of the election.

(2) One scrutineer for each candidate is entitled to remain in the polling place with the clerk or polling officials to observe the conduct of the voting and counting of votes.

27. Hours of polling

The clerk shall ensure that the polling place is open and remains open for voting between the hours of 8 am and 4 pm on the day of an election.

28. Entitlement to vote

(1) Subject to subclause (2), a person whose name appears on the electoral roll shall vote and a person whose name does not appear on the roll shall not be entitled to vote at an election.

(2) Where the clerk is satisfied that a person whose name has not been entered on the roll is eligible under clause 15 to vote the clerk shall, upon the person signing a declaration that an application for enrolment was made before the closure of the roll under clause 16(4) –

- (a) alter the roll by entering the person's name on it;
- (b) initial the alteration; and
- (c) then permit that person to vote.

29. Exhibition of ballot-box

The clerk or polling official shall, immediately before the polling place is opened for voting and in the presence of a person who is eligible to vote but is not a candidate, exhibit the ballot-box empty, securely fasten its cover, and ensure that it remains securely fastened during the hours of polling.

30. Presence in polling place

A voter, and any person assisting the voter under clause 31(8), other than the clerk, a polling official or scrutineer, shall remain in the polling place only for the time necessary to vote.

31. Voting procedure

- (1) A voter shall state his or her name to the clerk or polling official, who shall –
- (a) check that the name appears on the electoral roll; and
 - (b) if a line has not been drawn through that name, draw a line through it, initial the back of a ballot-paper and hand it to the voter.

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(2) The voter shall take the ballot-paper into an unoccupied polling booth and secretly vote by indicating the candidates of the voter's choice in accordance with the instructions included on the ballot-paper pursuant to clause 22 and Schedule 2.

(3) Where the voter spoils a ballot-paper or marks it in a way that was not intended, the voter may return it to the clerk or official who shall write "spoilt" across the front of it, initial the back of a new ballot-paper and give that ballot-paper to the voter.

(4) The clerk shall retain spoilt ballot-papers to be dealt with under clause 37.

(5) Subject to subclause (8), when the voter has completed the ballot-paper the voter shall fold it to conceal the names of the candidates and place it in the ballot-box.

(6) Each voter shall vote only once at each election.

(7) Subject to subclause (8), a voter shall enter a booth alone, and shall not mark a ballot-paper issued to another person.

(8) Where the clerk or polling official in charge of the polling place is satisfied that a voter is, for any reason, unable to vote without assistance, the voter may appoint a person to assist and the clerk or official shall permit that person to accompany the voter into a booth and mark the ballot-paper in accordance with the voter's instructions and desposit it in the ballot-box.

32. Postal voting

(1) A person whose name appears on the electoral roll who –

(a) is ill, infirm or for religious reasons unable to attend a polling place;

(b) will be absent from the community government area during the hours when the polling place will be open; or

(c) will be unable to attend a polling place in person on election day,

may apply in person or in writing to the clerk for a postal ballot-paper.

(2) An application in writing for a postal ballot-paper shall give an address to which the ballot-paper may be posted or delivered by hand in a sealed envelope.

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(3) Where, before election day, the clerk receives an application for a postal ballot-paper and the name of the applicant is on the electoral roll, the clerk shall –

- (a) hand or send to the applicant a ballot-paper, initialled by the clerk, together with a self-addressed envelope marked with the words "Ballot-paper"; and
- (b) write the letters "PBP" against the name of the applicant on the electoral roll.

(4) An applicant who has received a postal ballot-paper shall vote in accordance with clause 31(2) (other than the requirement to enter a booth).

(5) After an applicant for a postal ballot-paper has voted, the ballot-paper is to be returned in the marked self-addressed envelope to the clerk.

(6) Where the clerk, on or before 4 pm on election day, receives an envelope apparently containing a postal ballot-paper the clerk shall, during the hours of polling, place that envelope, unopened, in the ballot-box and the envelope shall be opened and the vote counted in accordance with clause 33.

(7) Where the clerk, after 4 pm on election day, receives an envelope apparently containing a postal ballot-paper, the clerk shall mark the envelope "rejected" and the votes on that ballot-paper shall not be counted.

33. Counting of votes

(1) After 4 pm on election day and as soon as voting has finished, the clerk and polling officials shall, in the presence of a scrutineer or at least one other person who is eligible to vote but is not a candidate –

- (a) open the ballot-box, count the number of ballot-papers (including postal ballot-papers) and prepare a written statement which sets out the number of ballot-papers in the box as compared with the number of names on the electoral roll which have lines drawn through them or against which the letters "PBP" have been written; and
- (b) after the statement has been prepared, count the votes received by each candidate.

(2) During the counting of votes the clerk shall, subject to subclause (3), set aside as an informal vote a ballot-paper where the voter has failed to comply with clause 31(2) or 32(4).

(3) A ballot-paper shall not be set aside under subclause (2) by reason only that the voter has marked it otherwise than in the manner required by clause

31(2) or 32(4) if, or to the extent that, in the opinion of the clerk, the voter's intention is clearly shown.

(4) The clerk shall, immediately after counting the votes, sign a certificate stating –

- (a) the names of the polling officials who assisted in the count;
- (b) the names of the scrutineers who attended the count;
- (c) the total number of formal ballot-papers;
- (d) the total number of votes received by each candidate;
- (e) the number of postal votes issued by the clerk and the number of them included in the count; and
- (f) the total number of informal votes.

34. Declaration of result

(1) The clerk shall, as soon as practicable after the votes have been counted, declare the result of the election by a notice displayed in the same places as the election notice is or was displayed.

(2) A notice under subclause (1) shall –

- (a) list the names of the candidates from each of the language groups in the order in which they appeared on the ballot-paper and state the number of votes received by each; and
- (b) subject to subclause (3), declare the candidates with the most votes elected as the members of the council.

(3) Subject to subclause (4), the candidates to be elected are, in the case of the Jawoyn language group, the 4 candidates with the most votes and, in the case of each of the 5 other language groups, the candidate with the most votes.

(4) Where there is an equality of votes between 2 or more candidates the clerk shall arrange for lots to be drawn to decide which of them shall be declared elected, and the notice under subclause (1) shall state that the successful candidate or candidates was or were selected by lot.

35. Transmission of details to Minister

Not more than 10 days after an election day, the clerk shall forward to the Minister –

- (a) the certificate signed by the clerk under clause 33(4);

- (b) a copy of the notice given by the clerk under clause 34(1); and
- (c) details of any declarations made by the clerk under clause 21(1).

36. Re-count

(1) The clerk may, if the clerk thinks it desirable or on the written request of a candidate, re-count the votes at any time before a candidate is declared to be elected.

(2) A request under subclause (1) shall contain a statement of the reasons for the request.

37. Retaining ballot-papers

After the counting of the votes has been completed, the clerk shall keep the ballot-papers in a sealed package unopened for 6 months and shall then destroy the unopened package.

38. Adjournment of polling in emergency

(1) If it appears to the clerk to be necessary or desirable to do so by reason of –

- (a) riot or open violence;
- (b) fire, storm, tempest or flood or a similar occurrence; or
- (c) any other event which, in the opinion of the clerk, may temporarily prevent or discourage significant numbers of voters from voting on a day set aside for an election,

the clerk may adjourn polling at an election from day to day to a maximum of 21 days.

(2) The clerk shall take such steps as the clerk considers necessary and practicable to inform persons entitled to vote of an adjournment under subclause (1).

(3) Where polling has been adjourned under subclause (1), clause 32(6) and (7) and clause 33(1) shall have effect as if the reference to election day were a reference to the day on which voting is finally concluded.

39. Vacancies in membership

(1) Subject to subclause (2) and clause 41, where the office of a member is or becomes vacant for any reason the council shall, by resolution, appoint an elector to fill the vacancy.

(2) In the case of a vacancy arising less than 6 months before the next election day the council may make an appointment under subclause (1) but shall not be required to do so.

(3) In making appointments under subclause (1), the council shall comply with the requirements in clause 8(1) as to the representation from each of the relevant language groups.

40. Conduct of election where clerk a member

Where a new council is to be elected under this scheme and the clerk is also a member of the existing council, the Minister may appoint another person to perform the functions of the clerk in relation to that election.

41. Resignation of council

(1) If all the members of the council cease to be members, or a quorum is not present on 2 consecutive occasions at the place and within one hour after the time specified for a council meeting, the clerk shall be deemed to constitute the council for the purposes of –

- (a) determining the date of an election of a new council; and
- (b) exercising a power of the council under this scheme.

(2) Subject to this scheme, when the clerk determines under subclause (1)(a) the date of an election of a new council, the date determined shall be as soon as is practicable, and in case not later than 3 months after the event giving rise to the determination.

(3) Notwithstanding subclause (2), if the period of 3 months referred to in that subclause expires during the month of August in which a general election of members would otherwise be held, the clerk shall determine the date of the election to be a day of that month.

(4) The term of office of a council elected under subclause (2) shall expire on the declaration of the result of the next election held as determined under clause 17(2).

(5) For the purposes of exercising a power of the council in pursuance of subclause (1)(b), the clerk shall appoint a person whose name appears on the electoral roll as an assistant to the clerk.

SCHEDULE 1

Clause 5

WUGULARR COMMUNITY GOVERNMENT AREA

BESWICK LOCALITY

See hard copy for plan

SCHEDULE 2

Clause 22

EXAMPLE OF FORM OF BALLOT PAPER

Wugularr Community Government Council

BALLOT PAPER

You must vote by placing an "X" in the box opposite the name of 4 candidates of the Jawoyn language group and an "X" in the box opposite the name of a candidate from each of the other language groups for which candidates are shown.

JAWOYN

- (Name of Candidate)
- (Name of Candidate)
- (Name of Candidate)
- (Name of Candidate)
- (Name of Candidate)

MANGARRAI

Elected unopposed

(Name of member)

MARA

No nominations

(and so on as appropriate for the other language groups).

Wugularr Community Government Scheme

Notes

1. The Wugularr Community Government Scheme, under the *Local Government Act* and amendments made by other legislation, the details of which are specified in the following table:

Scheme	Date of approval	Date notified in the <i>Gazette</i>	Date of commencement
Original	16 Oct 1986	21 Oct 1986	21 Oct 1986
Replacement	1 July 1993	1 July 1993	1 July 1993
Act No. 1, 2004	–	–	17 Mar 2004 (a)

(a) See section 2 and *Gazette* G11, dated 17 March 2004, p. 8.

Table of Amendments

Clause

25. Amended by Act No. 1, 2004
