

# NORTHERN TERRITORY OF AUSTRALIA

## LAJAMANU COMMUNITY GOVERNMENT SCHEME

As in force at 17 March 2004

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# NORTHERN TERRITORY OF AUSTRALIA

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

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## LAJAMANU COMMUNITY GOVERNMENT SCHEME

### Community Government Scheme under the *Local Government Act*

#### **Part I Preliminary**

##### **1 Name of scheme**

This scheme shall be called the *Lajamanu Community Government Scheme*.

##### **2 Commencement**

This scheme shall come into operation on the date on which notice of approval of the scheme is published in the *Gazette*.

##### **3 Repeal and replacement of existing scheme**

This scheme repeals and replaces the Lajamanu Community Government Scheme approved on 9 May 1980 by the Minister for Community Development under section 436(1)(b) of the *Local Government Act* as then in force (which approval was notified in the *Gazette* on 16 May 1980).

##### **4 Council to continue for same area**

- (1) The Lajamanu Community Government Council established by the repealed scheme is hereby continued by that name for the administration of the community government area constituted by that scheme, being the area described in accordance with that scheme in subclause (2).
- (2) The Lajamanu Community Government Area is the area the boundaries of which are as follows – commencing at the northeastern corner of Pastoral Lease 559 (Birringudu); thence northerly and easterly by part of the western and northern boundaries of the Reserve for the use and benefit of the Aboriginal inhabitants of the Northern Territory as notified in Northern Territory

Government *Gazette* (No. 4 of 28 January 1948) to the northeastern corner of the said Reserve; thence southerly by part of the eastern boundary of the said Reserve to a point 25.8 kilometres south of the northeastern corner of the said Reserve; thence east by a line for a distance of 16 kilometres; thence south by a line for a distance of 32 kilometres; thence southeasterly by a line bearing 149° 15' to its intersection with the centreline of the main channel of Winnecke Creek; thence generally southwesterly by the said centreline of the said main channel of the said creek to its intersection with the centreline of the main channel of an unnamed creek; thence generally southwesterly, westerly and northwesterly by the said centreline of the said main channel of the said unnamed creek to its intersection with south latitude 18° 58' 9" and approximate east longitude 130° 17' 50"; thence west by the said latitude to its intersection with the southerly prolongation of the eastern boundary of Pastoral Lease 559 (Birringudu); thence northerly by the said prolongation and the said eastern boundary of the said Pastoral Lease to the point of commencement – being the area outlined in black on the plan in the Schedule, being all that parcel of land at Hooker Creek in the Northern Territory of Australia containing an area of 7,313 square kilometres more or less.

## 5 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 Part IV except clauses 38 and 39, also includes the Electoral Commission and a person appointed to conduct an election under clause 38.

**council** means the Lajamanu Community Government Council.

**election day** means a day specified in or fixed under clause 17(2) for the holding of an election.

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

**polling official** means an official appointed under clause 24.

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

## **Part II                    The council**

### **6                    Members of the council**

- (1) The council shall consist of 12 members, of whom (subject to the provisions of clause 37 with respect to the filling of casual vacancies):
  - (a) 9 shall be either elected in the manner provided by this scheme or declared to be members under clause 21(1); and
  - (b) 3 shall be traditional owners of the community government area, appointed by the council as constituted apart from them at its first meeting after an election day.
- (2) A member of the council holds office for a term expiring immediately before the next election day.
- (3) The members of the council immediately before the commencement of this scheme shall continue in office as such as if elected under this scheme; and the council as constituted at its first meeting after the commencement of this scheme shall appoint as members 3 traditional owners of the community government area, who shall be treated for all the purposes of this scheme as if appointed pursuant to subclause (1)(b).

### **7                    Eligibility of elected members**

- (1) A person is eligible to be nominated for election to the council if he or she:
  - (a) is enrolled as a voter under clause 16, and
  - (b) has ordinarily resided in the community government area:
    - (i) for the 5 years preceding his or her nomination; or
    - (ii) for periods totalling 5 years in the 10 years preceding his or her nomination.
- (2) The office of a member other than a member appointed pursuant to clause 6(1)(b) (or to fill a vacancy in the office of a member so appointed) becomes vacant if he or she ceases to be enrolled under clause 16 or to reside ordinarily in the community government area.

**8 Chairman and Vice-Chairman**

- (1) The Council shall have a Chairman and a Vice-Chairman who shall be elected by the members from among their own number at the council's first meeting after an election day, and thereafter as occasion may require.
- (2) The election of a Chairman and Vice-Chairman at a council's first meeting after an election day shall take place after the council has appointed the members required by clause 6(1)(b).
- (3) Subject to subclause (4), the Chairman and Vice-Chairman shall each hold office during the pleasure of the members of the council.
- (4) The Chairman and Vice-Chairman may resign at any time by giving notice in writing to the clerk, and the office of either shall become vacant if its holder ceases to be a member of the council.
- (5) The Vice-Chairman shall act as Chairman during any vacancy in that office and, subject to any contrary intention in this scheme, shall also perform the functions, exercise the powers and discharge the duties of the Chairman when the latter is absent from the community government area or any meeting of the council.
- (6) The person who was President of the council immediately before the commencement of this scheme shall become its Chairman at that commencement; and the council shall elect its first Vice-Chairman at its first meeting after the commencement of this scheme, and after it has appointed the members required by clause 6(3).

**9 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 Chairman may call a special meeting of the council by giving at least 2 days notice to the other members.
- (4) By giving the Chairman notice requesting a special meeting of the council and stating the reasons for the request, 3 or more members, or 6 or more persons each of whom has attained the age of 18 years and has lived continuously in the community government area for not less than 3 months, may require the

Chairman to call a special meeting of the council; and the Chairman shall call such a meeting for a date not later than 7 days after the date on which the request 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 cause a written notice of the special meeting to be prominently displayed in a place which he or she considers likely to be frequented by residents.
- (6) A notice under subclause (5) shall specify:
  - (a) the date, time and place of; and
  - (b) the reason for the calling of,  
the special meeting.
- (7) A member proposing to be absent from a meeting of the council may authorise in writing any person who has attained the age of 18 years and has lived continuously in the community government area for not less than 3 years to attend the meeting in the member's 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 his or her behalf.
- (8) Where a member is absent in person 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 council may declare him or her to be no longer a member, and his or her office as such to be vacant, and shall instruct the clerk to give notice to that effect accordingly.

## **10 Meetings to be open**

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

**11 Procedure at meetings**

- (1) Meetings of the council shall be presided over by the Chairman, or by the Vice-Chairman in the Chairman's absence, or by a member chosen by the other members in the absence of both the Chairman and the Vice-Chairman.
- (2) The conduct of meetings of the council shall be in accordance with the standing orders determined, from time to time, by the council.
- (3) The council shall keep a record of its proceedings.
- (4) The quorum for a meeting of the council shall be 6, one of whom must (except for the purpose of appointing traditional owners pursuant to clause 6(1)(b) or (3)) be either a traditional owner so appointed or one appointed to fill a vacancy in the office of a traditional owner.
- (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.

**12 Common Seal**

The common seal of the council shall contain an impression of a wallaby, and the words "Lajamanu Community Government Council and "Common Seal".

**Part III Functions and powers of council****13 Functions**

The council may perform the following functions:

- (a) the establishment, development, operation and maintenance of communication facilities for the community government area and in so doing the council may enter into a contract with the Australian Telecommunications Commission to act, for reward, as the agent of the Commission;
- (b) the establishment and maintenance of parks, gardens and recreational areas and the carrying out of landscaping and other associated works;
- (c) the establishment and maintenance of sports facilities, libraries, a cinema, community halls and public toilet and ablution blocks;



- (d) the provision of a service for the collection and disposal of garbage, the maintenance of particular places where garbage is to be dumped, and the control of litter generally;
- (e) the provision and maintenance of sanitation facilities and the removal of health hazards;
- (f) the provision and maintenance of sewerage, drainage and water supply facilities;
- (g) the supply of electricity by contracting with a government department or statutory authority responsible for providing electricity, and acting, for reward, as an agent in respect of the collection of electricity charges;
- (h) the provision of adult education and vocational and other training;
- (j) the provision and maintenance of housing for residents and their families on such terms and conditions as the council thinks fit;
- (k) the provision of relief work for unemployed persons;
- (m) the distribution of social service benefits;
- (n) the promotion and provision of community welfare, health and care facilities for all age groups within the community government area and the provision of appropriately trained staff to provide counselling or temporary assistance;
- (p) the prevention and control of substance abuse;
- (q) the maintenance of a cemetery;
- (r) the control or prohibition of animals within the community government area;
- (s) 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;
- (t) the maintenance of the Lajamanu airstrip and facilities related thereto;

- (u) the hiring out, for reward, of any plant, appliance or equipment belonging to the council and the repair and maintenance, for reward, of any plant, appliance or equipment not owned by the council;
- (w) the contracting of works projects, within or without the community government area;
- (y) the establishment and operation of pastoral and commercial enterprises;
- (z) liaison with, and the giving of advice to, the Wampana Progress Association in the management of the Lajamanu shop, and the provision of non-financial assistance to that Association and to any other commercial interests within the community government area;
- (za) the selling of petroleum products;
- (zb) the establishment and maintenance of a fire-fighting 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;
- (zc) the promotion and development of tourist attractions and facilities within the community government area;
- (zd) the production of and selling of artifacts and souvenirs;
- (ze) the management and control of sites of historic interest;
- (zf) the maintenance and preservation of aboriginal law and custom; and
- (zg) the support and encouragement of artistic, cultural and sporting activities.

#### **14 Powers**

- (1) The council has (in addition to the powers conferred on it by the *Local Government Act*, and in particular its power under section 292 of the Act to make by-laws with respect to the matters there stated) 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 under the Act shall apply to and in relation to rates so declared to the extent that they are capable of doing so and with any necessary modifications.
- (5) Without prejudice to the powers of charging conferred on it by section 272(2) of the Act, the council may for the purpose of raising revenue for the performance of its functions declare charges to be payable by reason of a person residing in the community government area, carrying on of a business in the area or having an interest in ratable land in the area.
- (6) The council may exempt persons, or any class of persons, from all or part of the rates or charges for which they would otherwise have been liable by virtue of this clause.
- (7) The council may contract with the Territory or other person in order to perform any of its functions.

## **Part IV            Elections**

### **15            Eligibility to vote**

A person is eligible to vote at a council election, and entitled to be enrolled as a voter under clause 16, if he or she:

- (a) is 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 6 months immediately before the date on which the election notice is given.

### **16            Roll of electors**

- (1) The clerk shall maintain a roll of the full names and addresses of persons who are eligible to vote at elections.

- (2) The clerk shall close the roll at 12 noon on the Thursday 21 days before election day.
- (3) Except as provided by clause 27(2) or to correct an oversight in the making up of the roll, the clerk shall not add any names to the electoral roll in the period between its closure and the conclusion of the election.
- (4) A resident may inspect the electoral roll at the offices of the council during the time that the offices are open.

#### **17 Dates of elections**

- (1) For the purposes of this clause, ***election*** does not include a by-election.
- (2) The first election shall be held on Thursday, 30 May 1991, and subsequent elections shall be held on a Thursday in May to be fixed by the council in every second calendar year after the end of that year.

#### **18 Notice of elections**

- (1) The clerk shall give not less than 28 days notice before 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 persons, and 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 may be lodged; and
- (e) the date of the election and time and place of polling,

and shall advise that only persons whose names are on the electoral roll will be entitled to vote at the election.

**20 Nominations**

- (1) A person who is enrolled as a voter under clause 16 may nominate any other person so enrolled as a candidate for election to the council.
- (2) A nomination may be either in writing or by word of mouth.
- (3) The clerk shall not accept a nomination unless satisfied:
  - (a) that it sufficiently identifies the proposed candidate;
  - (b) that the proposed candidate is eligible under clause 7(1) to be nominated as a member; and
  - (c) that the proposed candidate has consented to the nomination, and shall, where the nomination is by word of mouth, make a record of the name and description of the person making it, the name and description of the candidate, and the fact that the candidate has consented.
- (4) The acceptance of a nomination by the clerk is conditional upon the clerk being supplied with 2 copies of a recent photograph of the proposed candidate which, in the clerk's opinion, are suitable for display in accordance with subclause (7) and clause 23(3).
- (5) A candidate may withdraw his or her consent to nomination at any time before the close of nominations.
- (6) Nominations of candidates for election shall close at 12 noon on the Thursday 14 days before election day.
- (7) As soon as practicable after nominations have closed, the clerk shall display a list of the names of the candidates, together with a photograph of each of them, in the same places as the election notice.

**21 Declaration or election of members**

- (1) Where at the close of nominations under clause 20(6) the number of candidates does not exceed 9, the clerk shall, by a notice displayed in the same places as the election notice, declare all of the candidates to be members of the council.
- (2) Subject to subclause (3), where at the close of nominations there are more than 9 candidates, an election to decide 9 members shall be held on election day.

- (3) 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 9, subclause (2) shall not require the holding of an election, but subclause (1) shall apply instead as if the candidate had withdrawn before the close of nominations.

## **22 Voting tokens and ballot-papers**

The clerk shall cause to be prepared and printed in sufficient numbers for the purposes of an election tokens for use by those voting in person and ballot-papers for use in postal voting.

## **23 Polling places and voting containers**

- (1) The clerk shall set aside a place as the polling place for an election.
- (2) The polling place shall have within it a voting area in which a voter is able to cast his or her votes without being observed otherwise than by a polling official.
- (3) The clerk shall provide in a voting area, for each candidate, a container for the casting of voting tokens which shall state the name of the candidate, and shall be placed in front of or below a photograph of the candidate supplied in accordance with clause 20(4).

## **24 Polling officials**

- (1) Subject to subclause (2), the clerk may, by notice in writing displayed at the polling place, appoint such persons as he or she thinks fit as polling officials to assist the clerk in conducting an election.
- (2) The clerk shall not appoint as a polling official a member of the council, a candidate, or a spouse or de facto partner of a member or candidate.
- (3) The clerk and polling officials shall conduct voting at the polling place.

## **25 Scrutineers**

- (1) Each candidate may, by notice in writing lodged with the clerk, appoint such persons as the candidate thinks fit to be his or her scrutineers for the purposes of the election.
- (2) One scrutineer for each candidate shall be entitled to remain in the polling place with the clerk or polling officials to observe the conduct of the voting and counting of votes.

**26 Hours of polling**

The clerk shall ensure that the polling place is open and remains open for voting between the hours of 8 o'clock in the morning and one o'clock in the afternoon on the day of an election.

**27 Entitlement to vote**

- (1) A person whose name appears on the electoral roll shall vote at an election, and a person whose name does not appear shall not be entitled to do so.
- (2) Where the clerk is satisfied that a person is eligible under clause 15 to vote, but his or her name has not been entered on the roll, the clerk shall, upon the person signing a declaration that he or she made a claim for enrolment before the closure of the roll under clause 16(2):
  - (a) alter the roll by writing the person's name on the roll;
  - (b) initial the alteration; and
  - (c) then permit that person to vote.

**28 Exhibition of voting containers**

The clerk shall, immediately before the polling place is opened for voting, demonstrate to the satisfaction of at least one person who is eligible to vote but is not a candidate that there are no voting tokens in any of the voting containers.

**29 Presence in polling place**

A voter, other than the clerk, a scrutineer or a polling official, shall remain in the polling place only for so long as is necessary for the voter to vote.

**30 Voting procedure**

- (1) A voter shall state his or her name to the clerk or polling official, who shall check that the name appears on the electoral roll.
- (2) Where a voter's name is on the electoral roll and a line has not been drawn through it, the clerk or official shall draw a line through the voter's name and hand the voter 9 voting tokens.
- (3) After the clerk or official hands the voting tokens to a voter, the voter shall go into the voting area and vote by placing one token in each of the 9 containers relating to the candidates of the voter's choice.

- (4) Each voter shall vote only once at each election.
- (5) Subject to subclause (7), a voter shall enter the voting area alone.
- (6) Subject to subclause (7), no person other than a voter who has been issued with a voting token shall vote with the token.
- (7) Where the clerk or 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 him or her, and the clerk or official shall permit that person to accompany the voter into the voting area and vote on his or her behalf.

### **31 Postal voting**

- (1) A person whose name appears on the electoral roll who:
  - (a) is ill, infirm or for religious reasons unable to attend the polling place; or
  - (b) will be absent from the community government area during the hours when the polling place will be open,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.
- (3) Where, before the date of the election, 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 which has been initialled by the clerk, together with a self-addressed envelope marked with the words "Ballot-paper"; and
  - (b) draw a line through the name of the applicant on the electoral roll.
- (4) Where a person who has applied for a postal ballot-paper receives the ballot-paper, he or she shall vote by placing on it an "X" in the boxes opposite the names of the 9 candidates of his or her choice.
- (5) After an applicant for a postal ballot-paper has voted he or she shall return the ballot-paper in the marked self-addressed envelope to the clerk.



- (6) Where the clerk receives an envelope apparently containing a postal ballot-paper before the close of the poll, the clerk shall retain the envelope unopened and in safe custody until the counting of votes.
- (7) Where the clerk receives an envelope apparently containing a postal ballot-paper after the close of the poll, the clerk shall mark the envelope "rejected", and the vote on that ballot-paper shall not be counted.

### **32 Counting of votes**

- (1) After one o'clock in the afternoon of the day of the election 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 (not being a candidate) who was eligible to vote:
  - (a) open any postal ballot-papers retained by the clerk in accordance with clause 31(6) and, subject to subclause (2), record the number of postal votes received by each candidate; and
  - (b) count the voting tokens received by each candidate.
- (2) In carrying into effect subclause (1)(a), the clerk shall set aside as an informal vote any ballot-paper where the voter has voted for more than 9 candidates, or has failed to make his intentions clear; but a paper shall not be set aside by reason only that the voter has marked it otherwise than in accordance with clause 31(4), or has voted for less than 9 candidates.
- (3) 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 or other persons who attended the count; and
  - (c) the total number of votes received by each candidate.

### **33 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.

- (2) A notice under subclause (1) shall:
  - (a) list the candidates;
  - (b) state the total number of votes received by each candidate; and
  - (c) subject to subclause (3), declare the 9 candidates with the most votes elected as members of the council.
- (3) To the extent that compliance with subclause (2)(c) is impossible by reason of 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 required by subclause (1) shall state that the successful candidate or candidates was or were selected by lot.

#### **34 Transmission of details to minister**

- (1) Not more than 7 days after the first meeting of a new council, the clerk shall forward to the Minister:
  - (a) where there has been an election – the certificate signed under clause 32(3), and a copy of the notice given under clause 33(1);
  - (b) where there has not been an election – details of the declarations made under clause 21(1); and
  - (c) in either case – details of the members appointed pursuant to clause 6(1)(b).
- (2) Not more than 7 days after the first meeting of the council after the commencement of this scheme, the clerk shall forward to the Minister details of the members appointed pursuant to clause 6(3).

#### **35 Re-count**

- (1) The clerk, at any time before a candidate is declared to be elected, may, on the written request of a candidate or of his or her own motion, re-count the votes cast for each of the candidates.
- (2) A request under subclause (1) shall contain a statement of the reasons for the request.

**36 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 the consequences of which may hamper the electoral process,

the clerk may adjourn polling at an election from day to day to a maximum of 21 days beginning with the day of the election.
- (2) The clerk shall take such steps as he or she 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(1) shall apply as from the time when voting is finally concluded, and clause 6(2) (in relation to members of the former council) shall have effect as if references to election day were references to the day on which voting is finally concluded.

**37 Vacancies in membership**

- (1) Subject to clause 39, where the office of a member of the council is or becomes vacant for any reason whatever, the vacancy shall be filled:
  - (a) in the case of a member appointed, or required to be appointed, pursuant to clause 6(1)(b) or (3) (or a member previously appointed under this paragraph) – by a traditional owner of the community government area appointed by the council; and
  - (b) in any other case (but subject to subclauses (2) and (3)) – by the holding of a by-election.
- (2) In a case falling within subclause (1)(b), it shall not be necessary for a by-election to be held if the vacancy arises less than 6 months before the latest day for the holding of the next election.
- (3) In a case falling within subclause (1)(b), the council may, instead of holding a by-election, appoint a person eligible for election under clause 7(1) to fill the vacancy whenever it arises.

- (4) The procedure for the calling and conduct of a by-election shall conform, as far as is practicable and with the necessary modifications, with the provisions of this scheme relating to the calling and conduct of an election.
- (5) The clerk shall notify the Minister in writing of the making of any appointment under subclause (1)(a) or (3).

### **38 Conduct of elections where clerk a councillor**

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.

### **39 Resignation of council**

- (1) If all the members of the council cease to be members, or a quorum for 2 consecutive meetings of the council is not present at times for meetings of the council under this scheme, 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) The date determined by the clerk for the election of a new council shall be as soon as is practicable, and in any case not later than 3 months after the event giving rise to the determination.
- (3) 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 his or her assistant.
- (4) A council elected under subclause (2), shall hold office for the remainder of the term for which the previously elected council would have been in office had that previously elected council remained in office for its full term.

Schedule

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**Schedule**

clause 4(2)

See hard copy for plan

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**ENDNOTES**
**1 KEY**

Key to abbreviations

<b>amd = amended</b>	<b>od = order</b>
<b>app = appendix</b>	<b>om = omitted</b>
<b>bl = by-law</b>	<b>pt = Part</b>
<b>ch = Chapter</b>	<b>r = regulation/rule</b>
<b>cl = clause</b>	<b>rem = remainder</b>
<b>div = Division</b>	<b>renum = renumbered</b>
<b>exp = expires/expired</b>	<b>rep = repealed</b>
<b>f = forms</b>	<b>s = section</b>
<b>Gaz = Gazette</b>	<b>sch = Schedule</b>
<b>hdg = heading</b>	<b>sdiv = Subdivision</b>
<b>ins = inserted</b>	<b>SL = Subordinate Legislation</b>
<b>lt = long title</b>	<b>sub = substituted</b>
<b>nc = not commenced</b>	

**2 LIST OF LEGISLATION*****Lajamanu Community Government Scheme***

Notified	16 May 1980
Commenced	16 May 1980

***Lajamanu Community Government Scheme (Replacement)***

Notified	10 April 1991
Commenced	10 April 1991

***Law Reform (Gender, Sexuality and De Facto Relationships) Act 2003 (Act No. 1, 2004)***

Assent date	7 January 2004
Commenced	17 March 2004 (s 2 and Gaz G11, 17 March 2004, p 8)

***Electoral (Consequential Amendments) Act 2004 (Act No. 12, 2004)***

Assent date	1 March 2004
Commenced	15 March 2004 (s 2, s 2 <i>Electoral Act 2004</i> (Act No. 11, 2004) and Gaz S6, 15 March 2004)

**3 LIST OF AMENDMENTS**

cl 5	amd Act No. 12, 2004, s 7
cl 24	amd Act No. 1, 2004, s 63