

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1992, No. 26*

By-laws under the *Local Government Act*

The Alice Springs Town Council, in pursuance of the powers conferred on it by the *Local Government Act* and in accordance with section 204(2) and (3) of the Act, at a meeting held on 30 March 1992, made the following By-laws and, for the purposes of section 63(2)(a) of the *Interpretation Act*, authorised Allan Raymond McGill, the Clerk, to sign them.

Dated 10 April 1992.

A.R. McGill
Clerk

AMENDMENTS OF ALICE SPRINGS (COUNCIL MEETINGS
AND PROCEDURES) BY-LAWS

1. PRINCIPAL BY-LAWS

The Alice Springs (Council Meetings and Procedures) By-laws are in these By-laws referred to as the Principal By-laws.

2. MAYORAL MINUTE

By-law 8 of the Principal By-laws is amended -

- (a) by omitting "signed by him" and substituting "signed by the mayor"; and
- (b) by omitting "and may be adopted by motion put by him".

3. DEPUTATION

By-law 10 of the Principal By-laws is amended by omitting clause (5) and substituting the following:

"(5) Only one person representing the deputation will ordinarily be heard at a meeting of the council unless -

- (a) the mayor permits other persons in the group comprising the deputation to be heard; and

* Notified in the *Northern Territory Government Gazette* on 1 July 1992.

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- (b) there is no objection by a member present at the meeting to other persons in the group being heard."

4. MOTION TO BE SECONDED

By-law 15 of the Principal By-laws is amended -

- (a) by adding at the end of clause (2) the following:

"or may reserve the right to speak to it immediately after it has been seconded"; and

- (b) by adding at the end the following:

"(3) A member who seconds a motion or an amendment to a motion may, if the mover has reserved the right to speak to the motion or amendment immediately after it has been seconded, reserve the right to speak in support of his or her seconding immediately after the mover has finished speaking for the first time."

5. REPEAL AND SUBSTITUTION

By-laws 16 and 17 of the Principal By-laws are repealed and the following substituted:

"16. MOTION AND AMENDMENT TO MOTION

"At a meeting of the council, a member shall not put more than one motion or one amendment to the motion at any one time.

"17. METHOD OF TAKING VOTE - DIVISIONS

"(1) A motion or amendment to a motion shall be moved and seconded by members present at the meeting at which the motion or amendment is considered before the motion or amendment is put to the vote.

- "(2) The mayor shall call -

- (a) firstly, for votes for the motion or amendment to the motion; and

- (b) secondly, for votes against the motion or amendment to the motion,

and may do so as often as the mayor considers it necessary to enable him or her to form and declare an opinion as to whether there is a majority of affirmative or negative votes.

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"(3) A member present and voting may request that his or her name be recorded in the minutes as having voted for or against a motion or amendment to the motion, and the clerk shall comply with the request.

"(4) A member may, immediately after a vote on a motion or an amendment to a motion has been taken, call for a division in respect of the voting.

"(5) Where a division is called under clause (4), the members who voted in the affirmative when the vote was taken shall stand in their places and the clerk shall record their names in the minutes of the meeting.

"(6) Where a division is called under clause (4), it shall not operate to vary the result of a vote taken by a show of hands."

6. LIMITATION IN RELATION TO NUMBER OF SPEECHES

By-law 23 of the Principal By-laws is amended -

(a) by omitting clause (1) and substituting the following:

"(1) Subject to these By-laws, a member who moves a motion may -

- (a) speak to the motion;
- (b) speak to a proposed amendment to the motion;
- (c) speak in reply to an amendment to the motion;
- (d) reply to a question asked, or provide an explanation, relative to the motion; and
- (e) speak in reply to the substantive motion, as amended.

"(1A) After the member has replied to a substantive motion, as amended, except to ask questions seeking clarification of the content or wording of the substantive motion, a member may not speak to the motion or amendment.

"(1B) Subject to these By-laws, a member who moves an amendment to a motion may -

- (a) speak to the amendment;
- (b) speak to an amendment subsequently proposed; and

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- (c) reply to a question asked, or provide an explanation, relative to the amendment.";
- (b) by omitting from clause (3) "question" and substituting "motion or amendment to a motion"; and
- (c) by omitting from clause (4)(b) "be permitted by the members present at the meeting of the council, to".

7. PRIORITY OF SPEAKING

By-law 24 of the Principal By-laws is amended by omitting "rise" and substituting "signify their intention".

8. PERSONAL REFLECTIONS ON MEMBERS OR OFFICERS

By-law 25 of the Principal By-laws is amended by adding at the end "or an officer".

9. QUESTION OF ORDER

By-law 26(1)(c) of the Principal By-laws is amended by inserting after "expression" the words "or mode of behaviour that is".

10. MOTION, &c., TO BE REJECTED IF OUT OF ORDER

By-law 28 of the Principal By-laws is amended by omitting "the members at the meeting" and substituting "the council".

11. NEW BY-LAW

The Principal By-laws are amended by inserting after by-law 28 the following:

"28A. MOTION OF DISSENT

"(1) A member at a meeting of the council may, without notice, move a motion of dissent in relation to a ruling by the mayor on a point of order.

"(2) Where, under clause (1), a motion is moved, further consideration of the matter in relation to which the ruling of the mayor was made shall be suspended until after the motion is put.

"(3) Where a motion moved under clause (1) is carried, the matter in relation to which the ruling of the mayor was made shall -

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- (a) proceed as if the ruling had not been made; or
- (b) where, as a result of the ruling the matter was discharged as out of order, be restored to the business paper and be dealt with in the normal course of business."

12. REMOVAL OF PERSONS

By-law 31(2) of the Principal By-laws is amended by inserting after "clause (1)" the words "is guilty of an offence and".

13. NEW BY-LAW

The Principal By-laws are amended by inserting in Part III after by-law 35 the following:

"35A. PUBLIC PARTICIPATION AT MEETING OF COMMITTEE

"A meeting of a committee is not open, and minutes of a meeting of a committee are not available, to a member of the public except where the committee, or the council, by resolution, so orders."

14. REPEAL AND SUBSTITUTION

By-law 38 of the Principal By-laws is repealed and the following substituted:

"38. OFFENCES

"A person shall not contravene or fail to comply with these By-laws.

Penalty: \$500."

The common seal of the Alice Springs Town Council was affixed hereto in pursuance of a resolution of the Council passed on 30 March 1992, authorising the seal to be so affixed.

Leslie I. Oldfield
Mayor

A.R. McGill
Clerk
