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# VICTORIÆ REGINÆ.

A.D. 1896.

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No. 660.

An Act to authorise the Union of two or more Municipal Corporations, and for other purposes.

[*Assented to, December 19th, 1896.*]

**B**E it Enacted by the Governor, with the advice and consent of the Parliament of South Australia, as follows:

1. This Act may be cited as "The Municipal Corporations Amendment Act, 1896," and shall be incorporated with "The Municipal Corporations Act, 1890," hereinafter called the principal Act. Short title and incorporation.

2. Any two or more Municipal Corporations may petition the Governor for the union of their respective municipalities. Petition for union of municipalities.

3. No such petition shall be presented by two or more Municipal Corporations until after a poll of the ratepayers in each of such municipalities shall have been taken, affirming a proposition in favor of such amalgamation, and of the intention to hold which poll one month's previous public notice shall have been given by each such Council, nor unless such petition be accompanied by a certificate under the hand of each of the mayors and town clerks respectively of such municipalities of the result of such poll in each such municipality. Poll of ratepayers to be taken before petition presented.

4. Every such petition shall state the proposed name of the municipality to be formed by the union of the municipalities mentioned in the petition, the proposed name of the corporation of such municipality, What petition to state.

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municipality, and the boundaries of the wards into which it is proposed to be divided.

Certain provisions of principal Act to apply.

5. The provisions of sections 10, 11, and 12 of the principal Act shall apply to every such petition.

Union of municipalities.

6. The Governor may, by Proclamation—

- I. Unite the municipalities mentioned in the petition into one municipality:
- II. Assign a name to the municipality formed by such union, and to the corporation of such municipality:
- III. Define the boundaries of, and give a name to, each of the wards of such municipality:
- IV. Declare without any further petition that the provisions of Part XVIII. of the principal Act, respecting aldermen, shall be applicable to such municipality.

Governor may apportion property, &c.

7. The Governor may, from time to time, by Proclamation, apportion, settle, or adjust any property rights, liabilities, or matters which he shall consider ought to be apportioned, settled, or adjusted in consequence of the exercise by him of any of the foregoing powers.

Effect of union of municipalities.

8. Upon the union of municipalities, the municipality formed by such union shall include an area being the aggregate of the areas of the municipalities united; and the corporation of the municipality so formed shall be deemed to be one and the same corporation as the corporation of each of the municipalities by the union of which it was formed; and all rights and duties of the corporations of such municipalities against or owing to each other shall be extinguished, and all property rights and liabilities vested, possessed, or incurred, and all matters and things not otherwise provided for, made, or done in, by, or on behalf of the corporation of any of the municipalities so united shall vest in and attach to and be deemed to have been made or done by or on behalf of the corporation of the municipality formed by such union.

Effect of union on by-laws.

9. Upon any union of municipalities, all by-laws and regulations in force in any of the municipalities united at the time of the union, whether made under the principal Act or any Act thereby repealed, or any other Act, which are applicable to the altered circumstances, shall become by-laws and regulations respectively of the municipality formed by such union, and may be repealed or altered by the council of such municipality; but, until so repealed or altered, every such by-law and regulation shall remain in force in the territorial area only in which it was in force previous to such union; and every by-law and regulation which cannot be restricted to any particular territorial area shall be deemed inapplicable, and all by-laws and regulations which are inapplicable to the altered circumstances shall be by such union repealed.

10. When

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**10.** When municipalities are united, the mayor and council of the municipality formed by such union shall, until the conclusion of the next annual election, consist of the mayors of the municipalities united, and all the councillors of such municipalities, or any councillors who may be elected in their places to fill any extraordinary vacancies. The mayors of the municipalities united shall decide by lot which of them shall be mayor of the municipality formed by such union. At the conclusion of the next annual election the mayor and all the councillors shall go out of office.

Effect of union on mayor and council.

**11.** Notwithstanding anything contained in the principal Act, it shall be lawful for the Governor to assign the name of "The City of \_\_\_\_\_" to any municipality, and the name of "The Corporation of the City of \_\_\_\_\_" to the corporation of such municipality, when the number of inhabitants according to the latest census in such municipality shall exceed twenty thousand, the blank being filled in in each case with the distinctive name of the particular municipality and corporation.

Name of city may be given to any municipality.

**12.** The Council of a municipality shall become and be jointly liable with the District Council of any adjoining district for the care, control, and maintenance of any ferry used as a means of communication between a jetty or landing-place in each such municipality or district, such ferry having been proclaimed by the Governor a public ferry by notice in the *Government Gazette*; such Proclamation to determine the proportion in which the cost is to be apportioned between the local bodies concerned.

Joint control and liability over ferries.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

T. F. BUXTON, Governor.