



# Indian Ocean Territories Government Gazette

Territory of Christmas Island

Territory of Cocos (Keeling) Islands

No. 05/2010, Tuesday, 15 June 2010

Published by Authority

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## LOCAL GOVERNMENT ACT 1995 (WA)(CI)

### SHIRE OF CHRISTMAS ISLAND

#### STANDING ORDERS AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Local Government Act 1995 (WA)(CI)*, and under all other powers enabling it, the Council of the Shire of Christmas Island resolved on 25 May 2010 to make the Shire of Christmas Island Standing Orders Amendment Local Law 2010.

The Shire of Christmas Island Standing Orders Local Law 2000 as published in the *Government Gazette* on 18 February 2000 is referred to as the principal local law. The principal local law is amended as follows:

1. Clause 1.3 – Interpretation

In subclause (1) of Clause 1.3, insert in the appropriate alphabetical order the definition: "Act" means the *Local Government Act 1995 (WA)(CI)*;"

2. Clause 1.3 - Interpretation

In subclause (1) of Clause 1.3, delete the word "Christmas" in the definition of "CEO" and substitute the word "Christmas".

3. Clause 1.3 – Interpretation

In subclause (1) of Clause 1.3, insert in the appropriate alphabetical order the definition: "Local Government" means the Shire of Christmas Island;"

4. Clause 1.3 – Interpretation

In subclause (1) of Clause 1.3, insert in the appropriate alphabetical order the definition: "member" means the President or a councillor and includes in the case of a committee, a member of the committee who is not the President or a councillor;"

5. Clause 3.3 – Order of Business

Delete subclause (1) of Clause 3.2 and substitute the following subclause:

- "(1) Unless otherwise decided by the Council the order of business at any ordinary meeting of the Council is to be as follows –
- (a) Declaration of Opening/Announcement of Visitors
  - (b) Record of Attendance/Apologies/Leave of Absence/Declaration of Financial/Impartiality/Proximity Interests
  - (c) Response to Previous Public Questions Taken on Notice
  - (d) Public Question Time
  - (f) Application for Leave of Absence
  - (g) Petitions/Deputations/Presentations
  - (h) Confirmation of Minutes of Previous Meetings/Business Arising from the Minutes of Previous Meetings
  - (i) Announcements by Presiding Member without Discussion
  - (j) Reports of Committees
  - (k) Reports of Officers
  - (l) Elected Members Motions of which previous notice has been given
  - (m) New business of an urgent nature introduced by decision of the meeting
  - (n) Closure of the Meeting"

**6. Clause 3.9 - Motions of which Previous Notice has been Given**

In paragraph (a) of subclause (4) of Clause 3.9, delete the word and bracket "Presidnet]" and substitute the word "President"

**7. Clause 4.2 – Confidentiality of Information Withheld**

In subclause (2) of Clause 4.2, the two times they appear, delete the words "employee of the Council" and substitute the words "employee of the Local Government".

**8. Clause 4.2 – Confidentiality of Information Withheld**

In subclause (2) of Clause 4.2, delete the words and amount "Penalty \$5,000".

**9. Clause 8.4 – Adverse Reflection**

In subclause (2) of Clause 8.4, delete the words "employee of the Council" and substitute the words "employee of the Local Government".

**10. Clause 8.4 – Adverse Reflection**

In subclause (2) of Clause 8.4, delete the words and amount "Penalty \$1,000".

**11. Clause 12.7 - Council (or Committee) to Meet Behind Closed Doors - Effect of Motion**

In subclause (4) of Clause 12.7, delete the words and amount "Penalty \$5,000".

**12. Clause 14.1 – Implementation of a Decision**

In paragraph (b) of subclause (3) of Clause 14.1, delete the words "employee of the Council" and substitute the words "employee of the Local Government".

**13. Clause 15.8 - Precedence of Person Presiding**

In subclause (1) of Clause 15.8, delete the words and amount "Penalty \$500".

**14. Clause 18.3 - Enforcement**

After Clause 18.2, add the following Clause:

**18.3 Enforcement**

- (1) The Presiding Member of any Council or committee meeting is authorised to enforce the Standing Orders during the course of the meeting and to liaise with the CEO where appropriate regarding the appropriate action to be taken for any breach.
- (2) No action shall be taken by the Shire of Christmas Island to institute legal proceedings for an alleged breach of the Standing Orders unless by resolution of Council.
- (3) Council may resolve to deal with any alleged breach of the Standing Orders through the application of the procedures contained within the *Local Government (Rules of Conduct) Regulations 2007*.
- (4) Penalties under the Standing Orders are as per the Act and the Regulations.

**14. Clause 19.1 - The Council's Common Seal**

In subclause (2) of Clause 19.1, delete the brackets and words "[insert "Mayor" or "President"]" and substitute the word "President".

Dated: ... 25/5/10 .....

The Common Seal of the Shire of Christmas Island was affixed under the authority of a resolution of Council in the presence of:



*Clive Thomson*

Cl G. THOMSON, Shire President

D. NIELSEN, Acting Chief Executive Officer

*D. Nielsen*