

THE REPUBLIC OF KIRIBATI

(No. 5 of 1987)

I assent,

U. Tabai
Beretitenti
22/11/1987

AN ACT TO AMEND THE LOCAL GOVERNMENT ACT
1984 AND FOR CONNECTED PURPOSES

Commencement:

22/12/1987

MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti.

Short title and commencement

1(1) This Act may be cited as the Local Government (Amendment) Act 1987.

(2) This Act shall be deemed to have come into operation on 1st January 1987.

Amends Act No. 2 of 1984

2. Section 9 of the Local Government Act 1984 is hereby amended by -

- (a) adding a new subsection (4) after subsection (3) as follows -

"(4) No ex officio member of a council referred to in sections 7 and 8 of this Act shall under any circumstances whatsoever contest for election to a council";

- (b) by the repeal of the word "and" and the substitution therefor of a comma in the first line of subsection (1);

- (c) by the repeal of the comma after the figure "(3)" in the first line of subsection (1) and the substitution therefor of the word and figure "and (4)".

This printed impression has been carefully examined by me with the Bill which passed the Maneaba ni Maungatabu on 8th December, 1987 and is found by me to be a true and correctly printed copy of the said Bill.



Clerk to the Maneaba ni
Maungatabu

I certify that the above Act, was on the 8th day of December, 1987 passed the Maneaba ni Maungatabu on a certificate of urgency under section 68(3)(a) of the Constitution.



Speaker

Published by exhibition -

- (a) at the Public Office of the Beretitenti this 22nd day of December 1987.



Secretary to the Cabinet

- (b) at the Maneaba ni Maungatabu this 22nd day of December 1987.



Clerk to the Maneaba ni
Maungatabu.

THE LOCAL GOVERNMENT (AMENDMENT) ACT 1987

EXPLANATORY MEMORANDUM

This short Act seeks to amend section 9 of the Local Government Act 1984 (Act No. 2 of 1984) in order to disqualify ex officio members of local government councils from contesting for elections to such councils,

It will be recalled that under the said Local Government Act every elected member of the Maneaba ni Maungatabu for an electoral district the whole or part of which lies within the area of authority of a council (whether a town or urban council or otherwise) shall be a member of the council ex officio.

As the law now stands there is nothing to prevent any ex officio member from contesting for election to a council of which he is already, in law, a member.

The purpose of this Act is to make it clear beyond doubt that ex officio members of councils are not entitled under any circumstances, to contest for election to such councils.

This amendment has retrospective effect from 1st January 1987. The effect is that is passed to law all such elections to councils by ex officio members since 1st January 1987 have no effect.

Michael Neaua Takabwebwe
The Attorney General

LEGAL REPORT

I hereby certify that in my opinion none of the provisions of the above Act conflict with the Constitution and that the Beretitenti may properly assent to the Act.

Michael N. Takabwebwe
The Attorney General
15th December, 1987

THE LOCAL GOVERNMENT (AMENDMENT) ACT 1987

EXPLANATORY MEMORANDUM

This short Act seeks to amend section 9 of the Local Government Act 1984 (Act No. 2 of 1984) in order to disqualify ex officio members of local government councils from contesting for elections to such councils,

It will be recalled that under the said Local Government Act every elected member of the Maneaba ni Maungatabu for an electoral district the whole or part of which lies within the area of authority of a council (whether a town or urban council or otherwise) shall be a member of the council ex officio.

As the law now stands there is nothing to prevent any ex officio member from contesting for election to a council of which he is already, in law, a member.

The purpose of this Act is to make it clear beyond doubt that ex officio members of councils are not entitled under any circumstances, to contest for election to such councils.

This amendment has retrospective effect from 1st January 1987. The effect is that is passed to law all such elections to councils by ex officio members since 1st January 1987 have no effect.

Michael Neaua Takabwebwe
The Attorney General

LEGAL REPORT

I hereby certify that in my opinion none of the provisions of the above Act conflict with the Constitution and that the Beretitenti may properly assent to the Act.

Michael N. Takabwebwe
The Attorney General
15th December, 1987