

No. , 1901.

A BILL

To make better provision in respect of the division of municipalities ; and for that purpose to amend the Municipalities Act, 1897.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Municipalities (Division) Act, 1901." Short title.

2. (1) When, after the commencement of this Act, a municipality is divided under section twenty-five of the Principal Act, and the new municipalities thereby created have been proclaimed, the council of the municipality so divided shall continue in office for the whole of such municipality until the first elections of aldermen for each of the new municipalities has taken place. Adjustment on division of municipality.

(2) The new municipality may be proclaimed with or without wards.

(3) Where any municipality so divided is subject to any debts, liabilities, obligations, or duties, the debts of the original municipality, which have before such separation been proportionally adjusted as between the proposed divisions, shall, upon the constitution of the new municipalities, attach to each of the new municipalities, in accordance with such adjustment, and, except where any suit or action is pending in any court in respect of such debts, each of the new municipalities shall be liable only for that portion of the debts of the original municipality which upon such adjustment is attached to the new municipality, and shall not be liable for the whole of such debts. And the debts attached to any municipality on any such adjustment shall be deemed to be secured only upon the rates of such municipality, and not upon the rates of the original municipality.

Any other liabilities, obligations, and duties of the original municipality shall attach to and be continued in the new municipalities in accordance with any adjustment under the said section, and shall not attach to or be continued in the original municipality.

(4) Any assets, rights, and powers of a municipality so divided shall attach to and be continued in the new municipalities in accordance with any adjustment under the said section, and shall not attach to or be continued in the original municipality.

(5) And there shall be saved to such new municipalities the same rights to recover rates, to maintain or to continue actions, to recover the amounts of judgments, and to issue executions thereon, and to institute or carry on any proceedings or works as existed in the original municipality in respect of property or persons in or connected with such municipality.