

LG301*

Local Government Act 1995

Local Government (Functions and General) Amendment Regulations (No. 2) 2000

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Local Government (Functions and General) Amendment Regulations (No. 2) 2000*.

2. The regulations amended

The amendments in these regulations are to the *Local Government (Functions and General) Regulations 1996**.

[* *Published in Gazette 26 June 1996, pp. 2771-97.*
*For amendments to 30 March 2000 see 1998 Index to
Legislation of Western Australia, Table 4, pp. 191-2, and
Gazette 25 February 2000.]*

3. Part 4B inserted

After regulation 24G the following Part is inserted —

“

Part 4B — Regional local governments

24H. Modification of s. 6.21(2) — s. 3.66(5)

Section 6.21(2) applies to a regional local government as if it were as follows —

“

- (2) Where, under section 6.20(1), a regional local government borrows money, obtains credit or arranges for financial accommodation to be extended to the

regional local government that money, credit or financial accommodation is only to be secured —

- (a) by the regional local government giving security over the financial contributions of the participants to the regional local government's funds as set out or provided for in the establishment agreement for the regional local government;
 - (b) by the regional local government giving security over Government grants which were not given to the regional local government for a specific purpose; or
 - (c) by a participant giving security over its general funds to the extent agreed by the participant.
- (2a) Despite subsection (2)(a) and (c), security cannot be given over —
- (a) the financial contributions of a particular participant to the regional local government's funds; or
 - (b) the general funds of a particular participant,

if the participant is not a party to the activity or transaction for which the money is to be borrowed by, the credit is to be obtained for, or the financial accommodation is to be extended to, the regional local government.

”.

24I. Modification of s. 6.23(1) — s. 3.66(5)

Section 6.23(1) applies to a regional local government as if it were as follows —

“

- (1) In relation to a regional local government a receiver is entitled to receive whichever of the following over which security has been given in a particular case —
 - (a) the financial contributions of the participants to the regional local government's funds as set out or provided for in the establishment agreement for the regional local government;
 - (b) Government grants which were not given to the regional local government for a specific purpose;
 - (c) the general funds of a participant to the extent that those funds secure either money borrowed by, credit obtained for, or financial accommodation extended to, the regional local government.

”.

”.

4. Regulation 30 amended

- (1) Regulation 30(2a) and (2b) are deleted from their respective positions after regulation 30(1) and regulation 30(2a) is inserted after regulation 30(2) instead and regulation 30(2b) is inserted after regulation 30(2a).
- (2) After regulation 30(2)(e) a semicolon is inserted.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.