

1. POLICY CERTIFICATION

Policy title:	Council Vacancy Policy
Policy number:	CL008
Category:	Policy
Classification:	Council
Status:	Approved

2. PURPOSE

This Policy outlines Council's position on filling Council vacancies in the event that one occurs during a term of a sitting Council's office.

3. ORGANISATIONAL SCOPE

The Council Vacancy Policy applies to sitting and prospective Elected Members of Roper Gulf Regional Council.

4. POLICY STATEMENT

The role, function and maintenance of Local Government in the Northern Territory is prescribed and regulated by the *Local Government Act 2019* (the Act) and its statutory instruments. The composition and membership of Councils, and associated requirements is outlined at Chapter 4 of the Act.

Members of Council are elected at General Elections for a term of four (4) years. This policy outlines Council's position on vacancies that occur in the event of, for whatever reason, a Member of Council ceases their Membership prior to the official expiry of that term.

So as to uphold the effective representation of its constituents, Council will endeavor to ensure that all its Elected Member positions are occupied by eligible, fit and proper community representatives.

5. DEFINITIONS

Act	<i>Local Government Act 2019</i> and its Statutory Instruments.
Appointment	The appointment of a qualified individual, by majority vote of Council, to fill a vacancy on Council for the remainder of the current Council term.
By-election	An election, other than a regular election, held to fill a vacancy on Council and that is conducted in accordance with the Act
CEO	Chief Executive Officer
Council	Roper Gulf Regional Council
Deputy Mayor	Deputy Principal Member
Member	A member of the Council
Mayor	Principal Member
RGRC	Roper Gulf Regional Council
Vacancy	When a seat on Council has become vacant in a manner prescribed by Chapter 4 of the Act.

6. PRINCIPLES

6.1 Vacancy of a Council Office

If a Council vacancy occurs earlier than 18 months before the expiry of the term of the sitting Council, a by-election must be held within the ward of the respective vacancy, so as to elect a new Elected Member to fill that vacancy.

If a Council Vacancy occurs during a period of less than 18 months but more than six (6) months before the expiry of the term of the sitting Council, it will appoint a person to fill that vacancy for the remainder of the term.

Council shall, in accordance with Section 54 (2) (b) of the *Local Government Act 2019* leave a vacancy open if it occurs during a period of less than six (6) months prior to the expiry of the term of the sitting Council.

Prospective Members, be it for election or appointment must meet the office eligibility requirements set out by Chapter 4 of the Act.

6.2 Vacancy of the office of Mayor

If the Office of Mayor becomes vacant prior to the expiry of the term of the sitting Council, Council will appoint one of its existing Elected Members to that office by way of a vote to be passed as a formal Resolution of Council.

Council will then deal with the vacancy caused by the appointment of one of its Elected Members to the office of Mayor in accordance with the principles outlined at Clause 6.1 of this Policy.

7. Applicable law

Cited Acts	<i>Local Government Act 2019</i>
Cited Case Law	<i>Nil</i>

8. DOCUMENT CONTROL

Policy number	CL008
Policy Owner	Manager Corporate Compliance
InfoXpert ID	670899
Endorsed by	
Date approved	September 2016
Revisions	
Amendments	May 2021
Next revision due	May 2024

9. CONTACT PERSON

Position **Manager Corporate Compliance**
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Roper Gulf Regional Council

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