

**s. 2.6**

(5) If the district's name incorporates its designation, the designation is not repeated in the corporate name of the local government.

Example:

district's name : Albany (Town)  
corporate name : Town of Albany

(6) Proceedings may be taken by or against the local government in its corporate name.

**Local governments to be run by elected councils**

**2.6.** (1) Each local government is to have an elected council as its governing body.

(2) The offices on the council of the local government of a city or town are those of the mayor, the deputy mayor and the councillors.

(3) The offices on the council of the local government of a shire are those of the president, the deputy president and the councillors.

(4) The Governor may, by order, appoint a person to be the commissioner of a local government until the offices of members of the council are filled for the first time and the council holds its first meeting.

**The role of the council**

**2.7.** (1) The council —

- (a) directs and controls the local government's affairs; and
- (b) is responsible for the performance of the local government's functions.

- (2) Without limiting subsection (1), the council is to —
- (a) oversee the allocation of the local government's finances and resources; and
  - (b) determine the local government's policies.

**The role of the mayor or president**

**2.8.** (1) The mayor or president —

- (a) presides at meetings in accordance with this Act;
- (b) provides leadership and guidance to the community in the district;
- (c) carries out civic and ceremonial duties on behalf of the local government;
- (d) speaks on behalf of the local government;
- (e) performs such other functions as are given to the mayor or president by this Act or any other written law; and
- (f) liaises with the CEO on the local government's affairs and the performance of its functions.

(2) Section 2.10 applies to a councillor who is also the mayor or president and extends to a mayor or president who is not a councillor.

**The role of the deputy mayor or deputy president**

**2.9.** The deputy mayor or deputy president performs the functions of the mayor or president when authorized to do so under section 5.34.

**The role of councillors**

**2.10.** A councillor —

- (a) represents the interests of electors, ratepayers and residents of the district;
- (b) provides leadership and guidance to the community in the district;
- (c) facilitates communication between the community and the council;
- (d) participates in the local government's decision-making processes at council and committee meetings; and
- (e) performs such other functions as are given to a councillor by this Act or any other written law.

***Division 3 — How offices on the council are filled***

**Alternative methods of filling the office of mayor or president**

**2.11.** (1) When an order is made under section 2.1 declaring an area of the State to be a district, the Governor is, by order, to specify whether the first mayor or president of the local government is to be —

- (a) elected by electors of the district under Part 4; or
- (b) elected by the council from amongst the councillors under Schedule 2.3, Division 1.

(2) A local government may change\* the method of filling the office of mayor or president used by the local government to the other method mentioned in subsection (1) (a) or (b).

\* *Special majority required.*