

	<b>Register of Interests Policy</b> <i>Policy No. GOVPOL 10</i>	Version No:	7
		Responsible Officer/s:	Governance Officer
		Classification:	Council
		Issued:	23 April 2014
		Next Review:	March 2027

## 1. Purpose

The purpose of this Policy is to provide direction to Elected Members, staff and the community with regard to the Register of Interest provisions in the *Local Government Act 1999 (the LG Act)*.

## 2. Scope

Elected Members and Council staff identified in this Policy must ensure the requirements of the Policy are met.

Members of the Lower Limestone Coast Regional Assessment Panel must meet the requirements under the *Planning, Development and Infrastructure Act 2016 (the PDI Act)*, however that process is not encapsulated within this Policy.

## 3. Policy

Council is committed to:-

- Open, transparent and accountable governance practices;
- Recognising its responsibilities to current and future communities with regard to minimising and managing risks;
- Promoting community trust and confidence in Council, Elected Members, Council Assessment Panel Members and Council's Administration.
- Assisting Elected Members and Staff to demonstrate their accountability whilst conducting Council business.

Registers of Interests are required by every Council and must be maintained by the Chief Executive Officer. The Register contains information about certain aspects of financial and other activities which Parliament has prescribed must be disclosed and recorded. The type of information to be provided is specifically set out in the LG Act and Regulations.

### 3.1. Elected Members

The application of Register of Interest provisions within the LG Act applies to all Elected Members of the Council.

The Chief Executive Officer (or nominee) will monitor usage of the Register of Interests for Elected Members and ensure that:

- The Register is published on Council's website in accordance with Section 70 of the LG Act; and
- Any other person(s) who seeks a copy of the register firstly completes the Application to Inspect or Obtain a Copy of the Elected Members Register of Interests and then completes the register inspection page upon approval of the application. If copies of the register are sought, the fee stated in Council's Schedule of Fees and Charges must be paid prior to the applicant receiving a copy of the Register.

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### 3.2. Section 41 Independent Committee Members

Council has resolved that the requirement for the completion of Register of Interest returns will not apply to Members of a Council Committee established pursuant to Section 41 of the LG Act.

### 3.3. Council Staff

Pursuant to Section 111(b) of the LG Act, Council declares that the provisions of Chapter 7, Part 4, Division 2, relating to Register of Interests will apply to the following Officers of the Council, in addition to the Chief Executive Officer:-

- Director Corporate Services
- Director Environmental Services
- Team Leader, Environmental Health and Compliance
- Team Leader, Development Services
- Manager Organisational Development
- Works Manager
- Airport Manager
- Growth and Tourism Manager
- Saleyards Manager
- Asset Maintenance & Procurement Officer
- Purchasing Officers

The Chief Executive Officer is authorised with identifying and adding additional staff to this list from time to time between policy reviews, as appropriate.

Completed Register of Interest forms must be submitted to the Chief Executive Officer within 60 days of 30 June each year. The Chief Executive Officer (or their delegate) will receipt the form (by signature and date) before entering it into Council's Staff Register of Interests and ensure that any Elected member who views the register firstly completes the register inspection page.

Staff will ensure that Elected Members and declared staff are provided with a relevant Register of Interests form for their completion within 10 working days of their appointment and no later than 15 July annually.

If an Elected Member or officer fails to submit a return within the time allowed, the Chief Executive Officer is required to notify the Elected Member or officer of the failure. Failure by an Elected Member to submit a return will result in a loss of office pursuant to section 54(1)(g) of the LG Act.

Failure by a staff member to submit a return can constitute a ground for disciplinary action, including dismissal pursuant to section 110 of the LG Act. The Code of Conduct for Employees requires employees to complete a register if they have been declared by Council to be subject to the provisions.

If an Elected Member or a staff member provides information which they know to be false or misleading whether by inclusion or omission of information, they will be

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guilty of an offence and may be liable to a penalty pursuant to sections 69 for Elected Members and 117 for staff of the LG Act.

Under section 67 of the LG Act, members must notify the Chief Executive Officer of a change or variation in the information appearing in the Register in respect of the member or a person related to the member within one (1) month of the change or variation.

### 3.4. Access to the Register

Section 70 of the LG Act prescribes that:

(a1) The chief executive officer must publish the Register on a website determined by the chief executive officer.

(a2) However, the chief executive officer must ensure that the following details are not published under subsection (a1):

(a) a person's residential address;

(b) any other address suppressed from the Register under section 68(4)(a).

This information will be published on Council's official website and will be updated upon the annual completion of Register of Interest forms, and as other updates to member details are submitted.

## 4. Responsibilities

The Chief Executive Officer and Governance Officer must ensure the requirements of this Policy are met.

## 5. References / Other Documents

*Local Government Act 1999*

- Chapter 5, Part 4, Division 2
- Chapter 7, Part 4, Division 2

## 6. Availability of Policy

This Policy will be available on Council's website [www.dcgrant.sa.gov.au](http://www.dcgrant.sa.gov.au). Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

## 7. Review

Council is required to review this Policy within six (6) months after the conclusion of each periodic election. However, Council has the ability to review this Policy at any time if considered desirable. This Policy shall be reviewed by the District Council of Grant at a minimum, once within every four (4) year Council term (or on significant change to legislation or other matters which could affect this policy).

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Action	Date	Minute Reference
Adopted by Council	23 April 2014	14052.7.7
Amended by CEO	25 June 2014	
Amended by CEO	30 March 2015	
Amended	4 April 2016	16038.3.2
Amended	6 May 2019	19061.5
Minor formatting amendments	4 May 2020	Governance Officer
Amended	28 November 2022	22317.2

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**District Council of Grant**

Application to Inspect or Obtain a Copy of the Elected Members Register of Interests

TO THE CHIEF EXECUTIVE OFFICER

- (1) I/We (please print name clearly) .....
- (2) of (must be residential address) .....  
.....
- (3) Telephone Number .....

hereby apply to inspect/obtain a copy of the Register of Interests of the following Elected Member/s of the District Council of Grant:

- (4) .....  
.....  
.....

Signature of Applicant/s .....

Date of Application ..... (5) Fee Paid \$ .....

- (1) Insert full name/s
- (2) Insert full residential address
- (3) Insert contact telephone number
- (4) Insert "All Elected Members" or Individual/s name/s
- (5) If applicable

**Restrictions on publication (Section 71)**

- (1) A person must not:
- (a) publish information derived from a Register unless the information constitutes a fair and accurate summary of the information contained in the Register and is published in the public interest; or
  - (b) comment on the facts set forth in a Register unless the comment is fair and published in the public interest and without malice.
- (2) If information or comment is published by a person in contravention of subsection (1), the person, and any person who authorised the publication of the information or comment, is guilty of an offence.

Maximum penalty: \$10,000.