



New South Wales

# Local Government Amendment (Pecuniary Interests Disclosures) Bill 2020

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Local Government Act 1993* to require returns disclosing interests lodged by certain persons with the general manager of a council under a code of conduct to be published on the council's website.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

**Clause 3** amends the *Local Government Act 1993* by inserting new section 440AAC. The proposed section requires councillors, delegates and designated persons who have lodged with the general manager of a council a return disclosing interests required under a code of conduct to publish the return on the council's website. The return must be published within 14 days of lodgment with the general manager.

The homepage of the council's website must have a prominent link to the electronic page of the website on which the returns are published.

In proposed section 440AAC, *delegate* is defined to mean a person to whom a function of the council has been delegated under section 377 of the *Local Government Act 1993* and *designated person* is defined to mean—

- (a) the general manager of the council, or
- (b) a person occupying a senior staff position in the council, or

- (c) a person, or a person of a class, prescribed by the regulations.



New South Wales

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# Local Government Amendment (Pecuniary Interests Disclosures) Bill 2020

No. , 2020

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## **A Bill for**

An Act to amend the *Local Government Act 1993* to require returns disclosing interests lodged by certain persons with the general manager of a council under a code of conduct to be published on the council's website.

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<b>The Legislature of New South Wales enacts—</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Local Government Amendment (Pecuniary Interests Disclosures) Act 2020</i> .	3 4
<b>2 Commencement</b>	5
This Act commences on the date of assent to this Act.	6
<b>3 Amendment of Local Government Act 1993 No 30</b>	7
<b>Section 440AAC</b>	8
Insert after section 440AAB—	9
<b>440AAC Publication of returns disclosing interests under code of conduct</b>	10
(1) A councillor, delegate or designated person who has lodged with the general manager a return disclosing interests required under a code of conduct must publish the return on the council’s website.	11 12 13
(2) The return must be published within 14 days of lodgement.	14
(3) The council must ensure there is a prominent link on the homepage of the council’s website to the electronic page on which the returns are published.	15 16 17
(4) In this section—	18
<i>delegate</i> means a person to whom a function of the council has been delegated under section 377.	19 20
<i>designated person</i> means the following—	21
(a) the general manager of the council,	22
(b) a person occupying a senior staff position in the council,	23
(c) a person, or a person of a class, prescribed by the regulations.	24