

Circular Details	Circular No 16-42 / 3 November 2016 / A515866
Previous Circular	16/30 Local Government Amendment (Governance and Planning) Act 2016
Who should read this	Councillors / General Managers / Complaints Coordinators/ Conduct Reviewers
Contact	Council Governance Team – 02 4428 4100
Action required	Response to OLG

Review of the Model Code of Conduct and Procedures for the Administration of the Model Code of Conduct

What's new or changing

- The recent amendments to the *Local Government Act 1993* (the Act) will see the pecuniary interest provisions of the Act and the *Local Government (General) Regulation 2005* incorporated into the *Model Code of Conduct for Local Councils in NSW* (the Model Code).
- Once commenced, these reforms will consolidate all ethical standards for council officials into a single statutory instrument. They will also mean that breaches of pecuniary interest obligations by councillors are treated as misconduct under the Act and will be subject to the “three strikes” misconduct rules.
- As part of the process of incorporating the pecuniary interest obligations in the Act and Regulation into the Model Code, the Office of Local Government is undertaking an implementation review of the Model Code and the associated *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* (the Procedures).
- The Office is also undertaking a review of the requirements for the disclosure of interests by councillors and designated persons in returns of interests currently submitted under section 449 of the Act

What this will mean for your council

- The Office is seeking the assistance of councils and conduct reviewers in undertaking its review. In particular, the Office is seeking suggestions for improvement from councils and conduct reviewers in relation to the following:
 - The ethical standards prescribed under the Model Code.
 - The operation of the Procedures.
 - Requirements for the disclosure of interests by councillors and designated persons in returns of interests currently submitted under section 449 of the Act.

Key points

- Submissions may be made by email to olg@olg.nsw.gov.au.
- Submissions should be labelled “code of conduct review” and marked to the attention of the Office’s Council Governance Team.
- Council complaints coordinators should bring this circular to the attention of their council’s conduct reviewers so that they may make submissions.

- Submissions should be made before **2 December 2016**.

Where to go for further information

- For further information, contact the Office's Council Governance Team on 02 4428 4100.



Tim Hurst
Chief Executive