

Disclosure of Interest Form

(Elected Members/Committee Members/Employees/Contractors)

*Local Government Act 1995
(sections 5.65, 5.66, 5.67, & 5.70)*

To: Chief Executive Officer

- Ordinary Meeting of the Council, held on the _____
- Special Meeting of the Council, held on the _____
- Committee Meeting, held on the _____
- Tender Selection Panel, held on the _____
- Other: _____ held on the _____

Report Reference No: _____

Title: _____

Name of Elected Member: _____

Name of Employee: _____

Name of Contractor: _____

Name of Committee Member: _____

Type of Interest: **Financial** **Proximity** **Impartiality**

Nature of Interest:

Extent of Interest *(if intending to seek Committee approval to be involved with debate and/or vote):*

Signed:

Date:

Notes:

1: For ordinary meetings of Council, elected members and employees are requested to submit this completed form to the Chief Executive Officer prior to the meeting.

2: Where this is not practicable, disclosure(s) must be given to the Chief Executive Officer prior to the matter being discussed.

3: Disclosure can be given verbally prior to the matter being discussed.

Local Government Act 1995 – Extracts

Section 5.65 - Members' interests in matters to be discussed at meetings to be disclosed.

- (1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest:
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (2) It is a defence to a prosecution under this section if the member proves that he or she did not know —
 - (a) that he or she had an interest in the matter; or
 - (b) that the matter in which he or she had an interest would be discussed at the meeting.

Section 5.66. Meeting to be informed of disclosures

If a member has disclosed an interest in a written notice given to the CEO before a meeting then —

- (a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before the matters to which the disclosure relates are discussed.

Section 5.67. Disclosing members not to participate in meetings

A member who makes a disclosure under section 5.65 must not —

- (a) preside at the part of the meeting relating to the matter;
or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter, unless, and to the extent that, the disclosing member is allowed to do so under section 5.68 or 5.69.

Section 5.70. Employees to disclose interests relating to advice or reports

- (1) In this section —
employee includes a person who, under a contract for services with the local government, provides advice or a report on a matter.
- (2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.

Local Government (Administration) Regulations 1996 – Extract

In this clause and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996:

“interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.