

 <b>Adelaide Plains Council</b>	Register of Interests Policy	
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	Chief Executive Officer	<b>Next Review Date:</b> 2024
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## 1. Objective

The purpose of this Policy is to provide direction in maintaining a Register of Interests, and to identify the Employees and Committee Members in relation to whom the Council has resolved to apply the register of interest provisions under the *Local Government Act 1999* (SA).

## 2. Scope

This Policy applies to:

- Council Members;
- The Chief Executive Officer;
- Prescribed Officers; and
- Council Committee Independent Members as identified by Council within the Policy.

## 3. Definitions

**Chief Executive Officer (CEO)** means the appointed Chief Executive Officer of Adelaide Plains Council, the Acting Chief Executive Officer or their delegate

**Committee** means a Council Committee established under section 41 of the *Local Government Act 1999* and Council's Development Assessment Panel

**Council** means the Adelaide Plains Council (APC)

**Council Member** means a Council Member elected to Adelaide Plains Council in accordance with the *Local Government Act 1999*

**Council Employee/s** means any person that is employed full time, part time or casually by the Council and who receives remuneration for their work

**Prescribed Officer** means an officer prescribed by Council under section 111 of the *Local Government Act* to be subject to the operation of Division 2 of Part 4 of Chapter 7 of that Act and required to submit Primary and Ordinary Returns

**Fee** means the printing/photocopying fee stated in Council's Schedule of Fees and Charges

**Local Government Act** means the *Local Government Act 1999* (SA)

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**Ordinary Return** means the subsequent return (after the primary return) that each person to whom this policy applies, submits, each year, for inclusion in the Register of Interests

**Planning, Development and Infrastructure Act** means the *Planning, Development and Infrastructure Act 2016* (SA)

**Primary Return** means the first return that each person to whom this policy applies (after they are elected or appointed) submits for inclusion in the Register of Interests

**Register of Interests** means the Register where information submitted via the Primary and Ordinary Returns process is maintained

**Register of Interests Provisions** means Division 2 of Part 4 of Chapter 5 and/or Division 2 of Part 4 of Chapter 7 of the Local Government Act

**Return** means an Ordinary Return and/or a Primary Return

#### **4. Policy Statement**

Council is committed to:

- Open, transparent and accountable governance practices
- Recognising its responsibilities to the community in relation to minimising and managing risks
- Promoting community trust and confidence in Council
- Assisting Council Members and Council Employees to demonstrate accountability in relation while carrying out Council business

#### **5. Council Members**

5.1. All Council Members are required to submit a return under the Local Government Act.

#### **6. Committee Members**

- 6.1. All Council Assessment Panel (CAP) members must disclose their financial interests under the Planning, Development and Infrastructure Act.
- 6.2. The Local Government Act also provides for Council to extend the Register of Interest provisions to members of a Committee.
- 6.3. The Register of Interest provisions will therefore also apply to members of the Audit Committee and to members of any other committee that Council so resolves.

#### **7. Prescribed Officers**

- 7.1. A Register of Interests is not specifically legislated for Council Employees (with the exception of the CEO) however Council recognises this as good practice.
- 7.2. The Register of Interest provisions therefore do not automatically apply to Council Employees (again, with the exception of the CEO). However, section 111(b) of the Local Government Act

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allows Council to apply the Register of Interests Provisions to its Prescribed Officers in addition to the CEO.

- 7.3. For the purpose of this section, the following Council Employees will be subject to the Register of Interests Provisions:

7.3.1. General Managers;

7.3.2. Managers; and

7.3.3. Any Council Employees who the Chief Executive Officer determines to:

7.3.3.1. Work in areas of potential conflict and/or

7.3.3.2. Work primarily unsupervised.

- 7.4. The Chief Executive Officer will maintain the Prescribed Officers List and may identify, and add, additional Prescribed Officers to the Prescribed Officers List between policy reviews where appropriate.

## **8. Managing the Register of Interests**

- 8.1. Members and/or relevant employees may seek assistance from the CEO in completing their return.
- 8.2. The relevant Acts determine the requirements for lodging returns (including due dates), form and content of returns and inspection of returns/registers.
- 8.3. The CEO will manage the Register of Interests and ensure that access to information contained within the Register is accessed in accordance with the provisions of the Local Government Act and the Planning, Infrastructure and Development Act.

## **9. Related Documents**

Form 3 – Register of Members’ Interest – Primary Return

Form 4 – Register of Members’ Interest – Ordinary Return

Form 5 – Register of Interests – Officers – Primary Return

Form 6 – Register of Interests – Officers – Ordinary Return

Register of Interests

Prescribed Officers List

Schedule of Fees and Charges

Local Government Association Guidelines for Primary and Ordinary Returns

## **10. Records Management**

All documents relating to this Policy will be registered in Council’s Record Management System and remain confidential where identified.

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## **11. Document Review**

This Policy will be reviewed every two years in accordance with Council's Policy Review Schedule to ensure legislative compliance and that it continues to meet the requirements of Council and its activities and programs.

## **12. References**

*Local Government Act 1999 (SA)*

*Planning, Development and Infrastructure Act 2016 (SA)*

## **13. Further Information**

Members of the public may inspect this Policy free of charge on Council's website at [www.apc.sa.gov.au](http://www.apc.sa.gov.au) or at the Principal Office of Council.

A copy of this Policy may be obtained on payment of a fee. Any queries in relation to this Policy must be made in writing to [info@apc.sa.gov.au](mailto:info@apc.sa.gov.au) to the Attention of General Manager – Governance and Executive Office.