

# Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025

**Submission No:** 031  
**Submission By:** City of Gold Coast - Officers Submission  
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Date: 16 December 2025  
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Your reference:  
Our reference: A117319986

Mr James Lister MP, Member for Southern Downs  
Chair, Local Government, Small Business and Customer Service Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

Dear Mr Lister,

**Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025**

Thank you for the opportunity to provide comment on the *Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025* (the Bill).

In summary, Officers of the City of Gold Coast support the State's commitment to re-empower Queensland local governments by reducing red tape and providing fit-for-purpose legislation to allow Councils to best serve their communities. Officers have reviewed the Bill and provide a range of suggestions for the Committee's consideration (refer Attachment 1).

The key issues raised in our submission include:

- Proposed 'Councillor Conduct' and 'Conflict of Interest' provisions; and
- Appointment and on-going management of Senior Executive Officers.

**Councillor Conduct and Conflict of Interest Provisions**

While seeming to reduce 'red tape and administration' the removal of conduct breach removes an important middle ground between acceptable conduct and 'misconduct'.

Without this middle ground (conduct breach) defined, there is space for behaviours and actions that are inconsistent with the Councillor Code of Conduct but are not misconduct. Any behaviours or actions that are inconsistent with the Code of Conduct must have an official mechanism to be addressed.

Ultimately, this puts undue pressure and strain on the Chief Executive Officer and Council Officers to manage councillor conduct.

**Appointment of a Senior Executive Officer**

Amendments regarding the appointment and management of a Senior Executive Officer requires further clarity and refinement.

As currently drafted, the provisions do not clearly facilitate how a local government is to action the recruitment of a Senior Executive Officer when the Mayor or Deputy Mayor are unavailable or

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to subsequently appoint another panel member. Nor do they explain that once a Senior Executive Officer is appointed, that the management of their contract, including performance management should be the responsibility of the local government's Chief Executive Officer.

It is also important that further clarity is provided about the extension of a Senior Executive Officer. Should provisions include requirements that allow the local government's Chief Executive Officer to extend a Senior Executive Officer's contract, where such a provision is incorporated into an original contract, or what happens once all extensions have been exhausted.

Should you have any questions or would like to discuss issues raised in our submission, please do not hesitate to contact myself on the above number.

Yours faithfully



Susan Chrisp  
**Acting Chief Executive Officer**  
Council of the City of Gold Coast

*Enc: 2025-12-16 Final Submission Table Local Government (Empowering Councils) and Other Legislation Amendment Bill 2025*



	A	B	C	D	E	F
1	Act	Section	Section detail	Commencement	Tracked Changes	City of Gold Coast Officers' Comments
2	Local Government Act 2009	Amendment s12 Responsibilities of councillors	Not applicable	On assent	<p><b>12 Responsibilities of councillors</b></p> <p>(1) A councillor must represent the current and future interests of the residents of the local government area.</p> <p>(2) All councillors of a local government have the same responsibilities, but the mayor has some extra responsibilities.</p> <p>(3) All councillors have the following responsibilities—</p> <p>(a) ensuring the local government—</p> <p>(i) discharges its responsibilities under this Act; and</p> <p>(ii) achieves its corporate plan; and</p> <p>(iii) complies with all laws that apply to local governments;</p> <p>(b) providing high quality leadership to the local government and the community;</p> <p>(c) participating in council meetings, policy development, and decision-making, for the benefit of the local government area;</p> <p>(d) being accountable to the community for the local government's performance.</p> <p>(4) The mayor has the following extra responsibilities—</p> <p>(a) leading and managing meetings of the local government <del>at which the mayor is the chairperson</del>, as chairperson, and any committee meetings for which the mayor is the chairperson, including managing the conduct of the participants at the meetings;</p> <p>(b) leading, managing, and providing strategic direction to, the chief executive officer in order to achieve the high quality administration of the local government;</p> <p>(c) directing the chief executive officer of the local government under section 170;</p> <p>(d) conducting a performance appraisal of the chief executive officer, at least annually, in the way that is decided by the local government (including as a member of a committee, for example);</p> <p>(e) ensuring that the local government promptly provides the Minister with the information about the local government area, or the local government, that is requested by the Minister;</p> <p>(f) being a member of each standing committee of the local government;</p> <p>(g) being the official spokesperson of the local government about local government matters;</p> <p><del>(g)(h)</del> (h) representing the local government at ceremonial or civic functions.</p> <p>(5) A councillor who is not the mayor may perform the mayor's extra responsibilities only if the mayor delegates the responsibility to the councillor.</p> <p><del>(6)</del> To remove any doubt, it is declared that subsection (4)(g) does not prevent a councillor who is not the mayor from communicating with the community about local government matters other than as the official spokesperson of the local government.</p> <p><del>(6)(7)</del> When performing a responsibility, a councillor must serve the overall public interest of the whole local government area.</p>	Supportive
3	Local Government Act 2009	Amendment s16 Review of divisions and councillors	Not applicable	On assent	<p><b>16 Review of divisions and councillors</b></p> <p><del>A local government must, no later than 1 March in the year</del> For each local government, the electoral commission must, no later than 1 October in the year that is 2 years before the year of the quadrennial elections—</p> <p>(a) review whether each division of <del>the</del> the local government's local government area has a reasonable proportion of electors for each councillor elected for the division; and</p> <p>(b) give the <del>electoral commissioner</del> local government and the Minister notice of the results of the review.</p>	Supportive
4	Local Government Act 2009	Amendment s46 Assessing public benefit	Not applicable	On assent	<p><b>46 Assessing public benefit</b></p> <p>(1) This section applies to a new significant business activity that is identified in the annual report of a local government.</p> <p>(2) The local government must conduct a public benefit assessment of the new significant business activity.</p> <p>(3) A <i>public benefit assessment</i> is an assessment of whether the benefit to the public (in terms of service quality and cost) of applying the competitive neutrality principle in relation to a significant business activity outweighs the costs of applying the competitive neutrality principle.</p> <p>(4) The local government must conduct the public benefit assessment before the end of the financial year in which the significant business activity is first identified in the annual report.</p> <p>(5) The local government must prepare a report on the public benefit assessment that contains its recommendations about the application of the competitive neutrality principle in relation to the significant business activity.</p> <p>(6) At a meeting of the local government, the local government must—</p> <p>(a) consider the report; and</p> <p>(b) decide, by resolution, whether or not to apply the competitive neutrality principle in relation to the significant business activity.</p> <p>(7) Any resolution that the competitive neutrality principle should not be applied must include a statement of the reasons why it should not be applied.</p> <p><del>(8) The local government must give the Minister a copy of—</del></p> <p><del>(a) the report; and</del></p> <p><del>(b) all resolutions made in relation to the report.</del></p> <p><del>(9)(8)</del> If the local government decides not to apply the competitive neutrality principle in relation to the significant business activity, the local government must, within 3 years after making the decision, repeat the process in this section, the decision—</p> <p>(a) conduct another public benefit assessment of the significant business activity; and</p> <p>(b) repeat the process relating to a report on the public benefit assessment.</p> <p><del>(10) Subsection (9) also applies to a decision that was made before the commencement of this section.</del></p>	Supportive
5	Local Government Act 2009	Replacement s90B Prohibition on major policy decision in caretaker period	s90B Prohibition on major policy decisions during caretaker period	On assent	<p><del><b>90B Prohibition on major policy decision in caretaker period</b></del></p> <p><del>(1) A local government must not make a major policy decision during a caretaker period for the local government.</del></p> <p><del>(2) However, if the local government considers that, having regard to exceptional circumstances that apply, it is necessary to make the major policy decision in the public interest, the local government may apply to the Minister for approval to make the decision.</del></p> <p><del>(2) The Minister may give the approval if the Minister is satisfied that, having regard to exceptional circumstances that apply, it is necessary for the local government to make the major policy decision in the public interest.</del></p> <p><del>(4) The Minister's approval may be given on conditions with which the local government must comply.</del></p> <p><b>90B Prohibition on major policy decisions during caretaker period</b></p> <p>A local government must not make a major policy decision during a caretaker period for the local government.</p>	Supportive
6			s90BA Approval to make major policy decisions in exceptional circumstances	On assent	<p><b>90BA Approval to make major policy decisions in exceptional circumstances</b></p> <p>(1) This section applies if a local government considers that, because exceptional circumstances exist, it is necessary and in the public interest to make a major policy decision during a caretaker period for the local government.</p> <p>(2) The local government may apply to the Minister for approval to make the major policy decision during the caretaker period.</p> <p>(3) The Minister may give the approval if the Minister is satisfied that, because exceptional circumstances exist, it is necessary and in the public interest for the local government to make the major policy decision during the caretaker period.</p> <p>(4) The approval may be given on conditions with which the local government must comply.</p> <p>(5) Despite section 90B, the local government may make the major policy decision in accordance with the approval.</p>	Supportive



	A	B	C	D	E	F
7			s90BB Approval to make major policy decisions related to disaster recovery funding arrangements	On assent	<p><b>90BB Approval to make major policy decisions related to disaster recovery funding arrangements</b></p> <p>(1) This section applies if—</p> <p>(a) during a caretaker period for a local government, the local government's local government area is eligible for assistance under the disaster recovery funding arrangements; and</p> <p>(b) the Minister considers it is necessary for the local government to make major policy decisions during the caretaker period to achieve the objectives of the disaster recovery funding arrangements.</p> <p>(2) The Minister may give approval to the local government to make the major policy decisions.</p> <p>(3) The approval may state—</p> <p>(a) the types of major policy decisions that may be made by the local government; and</p> <p>(b) that the decisions may be made by the local government only in relation to a stated matter.</p> <p>(4) The approval may be given on conditions with which the local government must comply.</p> <p>(5) Despite section 90B, the local government may make major policy decisions in accordance with the approval.</p> <p>(6) In this section—</p> <p>disaster recovery funding arrangements means the funding arrangements jointly administered by the State and Commonwealth that are known as the 'Disaster Recovery Funding Arrangements'.</p>	Supportive
8	Local Government Act 2009	Amendment s94 Power to levy rates and charges	Not applicable	On assent	<p><b>94 Power to levy rates and charges</b></p> <p>(1) <del>Each</del>Subject to section 94A, each local government—</p> <p>(a) must levy general rates on all rateable land within the local government area; and</p> <p>(b) may levy—</p> <p>(i) special rates and charges; and</p> <p>(ii) utility charges; and</p> <p>(iii) separate rates and charges.</p> <p>(1A) Without limiting subsection (1), a local government may categorise rateable land, and decide differential rates for rateable land, according to whether or not the land is the principal place of residence of the owner.</p> <p>(2) A local government must decide, by resolution at the local government's budget meeting for a financial year, what rates and charges are to be levied for that financial year.</p>	Supportive
9	Local Government Act 2009	New s94A Limitation on power to levy rates for particular local governments	Not applicable	On assent	<p><b>94A Limitation on power to levy rates for particular local governments</b></p> <p>(1) A regulation may prescribe any of the following local governments as a local government to which this section applies—</p> <p>(a) Aurukun Shire Council;</p> <p>(b) Mornington Shire Council;</p> <p>(c) an indigenous local government.</p> <p>(2) A local government prescribed under subsection (1) must not levy general, special or separate rates.</p> <p>(3) The Minister may recommend to the Governor in Council the making of a regulation under subsection (1) in relation to a local government only if the Minister considers it would be impracticable for the local government to levy rates on rateable land in the local government's area.</p>	No comment
10	Local Government Act 2009	Amendment s138 What this division is about	Not applicable	On assent	<p><b>138 What this division is about</b></p> <p>(1) This division is about the powers that may be used—</p> <p>(a) to enable a local government to perform its responsibilities; or</p> <p>(b) to ensure that a person complies with this Act, and the other Local Government Acts, including by complying with a remedial notice.</p> <p>(2) This division explains the circumstances in which a person is authorised to enter a property under this division, namely—</p> <p>(a) in a potentially dangerous situation, to take urgent action; or</p> <p>(b) to take action in relation to local government facilities on the property (including water or sewerage pipes, for example); or</p> <p>(c) with (and in accordance with) the permission of the occupier of the property; or</p> <p>(d) with (and in accordance with) a court order; or</p> <p>(e) with (and in accordance with) a reasonable entry notice.</p> <p>(3) The following persons may enter a property under this division—</p> <p>(a) if the occupier of the property is not the owner of the property—the owner or the owner's <del>employee</del>agent;</p> <p>(b) a local government worker.</p> <p>(4) A <i>local government worker</i> is an employee, or agent, of the local government who is authorised by the local government to act under this division.</p> <p><i>Note—</i></p> <p>Not every employee or agent of the local government would ordinarily be authorised to act under this division.</p> <p>(5) However, the local government may authorise an employee or agent to act under this division only if the employee or agent is appropriately qualified or trained to exercise a power or perform a responsibility under this division.</p> <p>(6) Force must not be used to enter a property under this division, unless the property is entered under a court order that specifically authorises the use of that force.</p>	Supportive
11	Local Government Act 2009	Amendment s138AA Notices for this division	Not applicable	On assent	<p><b>138AA Notices for this division</b></p> <p>(1) A <i>remedial notice</i> is a notice that requires the owner or occupier of a property to take action under a Local Government Act in relation to the property (including fencing a pool, for example).</p> <p>(2) A remedial notice may only be given by a local government to the person who, under a Local Government Act, is required to take the action stated in the notice.</p> <p><del>(3) A reasonable entry notice is a notice about a proposed entry of a property that—</del></p> <p><del>(a) informs the owner or occupier of the property of—</del></p> <p><del>(i) who is to enter the property; and</del></p> <p><del>(ii) the reason for entering the property; and</del></p> <p><del>(iii) the days and times when the property is to be entered; and</del></p> <p><del>(b) is given to the owner or occupier of the property at least 7 days before the property is proposed to be entered.</del></p> <p>(3) A reasonable entry notice is a notice about a proposed entry of a property that states—</p> <p>(a) who is to enter the property; and</p> <p>(b) the reason for entering the property; and</p> <p>(c) the days and times when the property is to be entered.</p> <p>(4) A remedial notice and a reasonable entry notice may not be combined unless—</p> <p>(a) the owner of the property is also the occupier of the property; or</p> <p>(b) the occupier of the property is the person who, under a Local Government Act, is required to take the action stated in the remedial notice.</p> <p>(5) A notice given under this division in contravention of this section is of no effect.</p>	<p>Clarification is required. As drafted this provision removes reference to a specific timeframe for issuing a 'reasonable entry notice' (i.e. 7 days) which is included in subsequent provisions.</p> <p>Otherwise supportive.</p>
12	Local Government Act 2009	Amendment s140 Entry by an owner, with reasonable entry notice, under a remedial notice	Not applicable	On assent	<p><b>140 Entry by an owner, with reasonable entry notice, under a remedial notice</b></p> <p>(1) This section applies if—</p> <p>(a) a local government gives a remedial notice to the owner of a property; and</p> <p>(b) the owner is not the occupier of the property.</p> <p>(2) <del>After</del>At least 7 days after the owner gives a reasonable entry notice to the occupier of the property, the owner or the owner's agent may—</p> <p>(a) enter the property <del>at the times stated in the reasonable entry notice; and</del>(other than a home on the property) on each day at the times stated in the reasonable entry notice; and</p> <p>(b) take the action that is required under the remedial notice.</p> <p>(3) If the occupier asks to inspect the remedial notice, the owner must allow the occupier to inspect the remedial notice.</p> <p>(4) This section does not affect any rights that the owner has apart from this section.</p>	Supportive



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13	Local Government Act 2009	Amendment s142 Entry by local government worker, with reasonable entry notice, under a remedial notice	Not applicable	On assent	<p><b>142 Entry by a local government worker, with reasonable entry notice, under a remedial notice</b></p> <p>(1) This section applies if—</p> <p>(a) a local government gives a remedial notice to the owner or the occupier of a property <del>who is required to take the action stated in the remedial notice</del> (the responsible person); and</p> <p>(b) the responsible person fails to take the action required under the remedial notice.</p> <p>(2) <del>After</del>At least 7 days after giving a reasonable entry notice to the occupier of the property, a local government worker may—</p> <p>(a) enter the property (other than a home on the property) without the permission of the occupier <del>on each day at the times stated in the reasonable entry notice</del>; and</p> <p>(b) take the action that is required under the remedial notice.</p> <p>(3) However, the local government worker must, as soon as the local government worker enters the property—</p> <p>(a) inform any occupier of the property—</p> <p>(i) of the reason for entering the property; and</p> <p>(ii) that the local government worker is authorised under this Act to enter the property without the permission of the occupier; and</p> <p>(b) produce his or her identity card for the occupier of the property to inspect.</p> <p>(4) The local government may recover the amount that the local government properly and reasonably incurs in taking the action as a debt payable by the person who failed to take the action.</p> <p>(5) Interest is payable on the debt at the same rate that interest is payable on overdue rates levied by the local government.</p> <p>(6) The local government must give the person who failed to take the action notice of the amount of the debt.</p> <p>(7) Subsection (8) applies if the person who failed to take the action is the owner of the property.</p> <p>(8) If the debt is not paid within 30 days after the date of the notice, the local government may recover the debt as if the debt were overdue rates.</p>	Supportive
14	Local Government Act 2009	Amendment s143 Entry by local government worker, with reasonable entry notice, to take make materials	Not applicable	On assent	<p><b>143 Entry by a local government worker, with reasonable entry notice, to take materials</b></p> <p>(1) This section applies if, in the circumstances, a local government has no other reasonably practicable way of obtaining materials other than by removing the materials from relevant land.</p> <p>(2) Relevant land means land, other than protected land, that is—</p> <p>(a) within the local government area; or</p> <p>(b) if the local government has the written approval of the Minister, under section 9(4)(b)(i), to exercise its powers outside its local government area—outside its local government area; or</p> <p>(c) if the local government may exercise a power in another local government's area for the purpose of a joint government activity—within the other local government's area.</p> <p>(3) Protected land is land that is—</p> <p>(a) the site of, or curtilage around, a home or other structure; or</p> <p>(b) a court, lawn, park, planted walk or avenue or yard; or</p> <p>(c) under cultivation (including a garden, nursery or plantation, for example); or</p> <p>(d) a state forest or timber reserve under the <i>Forestry Act</i>; or</p> <p>(e) a protected area under the <i>Nature Conservation Act 1992</i>; or</p> <p>(f) the wet tropics area under the <i>Wet Tropics World Heritage Protection and Management Act 1993</i>.</p> <p>(4) <del>After giving a reasonable entry notice to the owner and the occupier of the rateable land, a local government worker may</del>A local government worker may, after giving a reasonable entry notice to the owner and the occupier of the relevant land within a reasonable period before the land is to be entered—</p> <p>(a) enter the land without the permission of the occupier of the land <del>on each day at the times stated in the reasonable entry notice</del>; and</p> <p>(b) search for materials that the local government requires to perform its responsibilities; and</p> <p>(c) remove the materials from the land.</p> <p><i>Example—</i></p> <p><del>A local government may remove dirt from the land for use in mopping up an oil spill on a neighbouring road to prevent the oil entering a stormwater drain.</del></p> <p>(5) However, the local government worker must, as soon as the local government worker enters the property—</p> <p>(a) inform any occupier of the property—</p> <p>(i) of the reason for entering the property; and</p> <p>(ii) that the local government worker is authorised under this Act to enter the property without the permission of the occupier; and</p> <p>(b) produce his or her identity card for the occupier of the property to inspect.</p> <p>(6) The local government worker must not search for, or remove materials from, within 50m of any structure or works on the land (including a home,</p>	Supportive
15	Local Government Act 2009	Amendment s150B Overview of chapter	Not applicable	By proclamation	<p><b>150B Overview of chapter</b></p> <p>(1) This chapter is about—</p> <p>(a) setting appropriate standards for the behaviour of councillors; and</p> <p>(b) dealing with the conduct of councillors at local government meetings that does not meet the standards; and</p> <p>(c) assessing, investigating and dealing with complaints about the conduct of councillors; and</p> <p>(d) disciplinary action that may be taken against councillors who engage in <del>a conduct breach or</del> misconduct; and</p> <p>(e) the entities that assess, investigate and deal with complaints about the conduct of councillors.</p> <p>(2) This chapter provides—</p> <p>(a) that the conduct of councillors at local government meetings that does not meet appropriate standards of behaviour is generally to be dealt with by the chairperson of the meeting; and</p> <p>(b) that the conduct of chairpersons at local government meetings that does not meet appropriate standards of behaviour may be dealt with by the other councillors at the meeting; and</p> <p>(c) that the assessor must make a preliminary assessment of complaints, notices or information relating to the conduct of councillors; and</p> <p><del>(d) that the assessor, after making a preliminary assessment, may refer a suspected conduct breach of a councillor to the local government to be dealt with; and</del></p> <p><del>(e)</del>(d) that the assessor, after investigating a councillor's conduct, may apply to the conduct tribunal to decide—</p> <p>(i) whether the councillor engaged in <del>misconduct, or a conduct breach that is connected to misconduct; and</del> misconduct; and</p> <p>(ii) if the conduct tribunal decides the councillor engaged in misconduct <del>or a conduct breach</del>, the action to be taken to discipline the councillor; and</p> <p><del>(f)</del>(e) that the assessor is to notify the Crime and Corruption Commission about suspected corrupt conduct as required under the <i>Crime and Corruption Act 2001</i>.</p>	<p>The following comment is applicable to 150B and all relevant provisions related to conduct and conflicts of interest.</p> <p>While seeming to reduce 'red tape and administration' the removal of conduct breach removes an important middle ground between acceptable conduct and 'misconduct'.</p> <p>Without this middle ground (conduct breach) defined there is space for behaviours and actions that are inconsistent with the Councillor Code of Conduct but are not misconduct. Any behaviours or actions that are inconsistent with the Code of Conduct must have an official mechanism to be addressed.</p> <p>Ultimately this puts undue pressure and strain on the CEO and Council Officers to manage Councillor conduct.</p> <p>More detail should be incorporated into councillor conduct at meetings. The proposed provision indicates 'unsuitable conduct must be dealt with at the meeting in which it occurred.'</p> <p>At times this is impractical as the chair may not become aware of a situation until after the fact or it may not be appropriate to address straight away, or a person doesn't feel comfortable bringing it to the attention of the chair at the time, or more information may need to be sought to determine the conduct. It is recommended to include provisions that unsuitable meeting conduct may be addressed no more than 'two council meetings' after the alleged conduct has occurred.</p>



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16	Local Government Act 2009	Amendment s150C Definitions for chapter	Not applicable	By proclamation	<p>150C Definitions for chapter</p> <p>In this chapter—</p> <p><i>assessor</i> means the Independent Assessor appointed under section 150CV.</p> <p><i>behavioural standard</i> means a standard of behaviour for councillors set out in the code of conduct approved under section 150E.</p> <p><i>conduct</i> includes—</p> <p>(a) failing to act; and</p> <p>(b) a conspiracy, or attempt, to engage in conduct.</p> <p><del>conduct breach see section 150K.</del></p> <p><del>investigation policy, of a local government, see section 150AE(1).</del></p> <p><del>investigation report, for an investigation, means a report about the investigation prepared under the local government's investigation policy.</del></p> <p><i>local government</i> includes the Brisbane City Council.</p> <p><i>local government official</i> means—</p> <p>(a) a councillor; or</p> <p>(b) the chief executive officer of a local government; or</p> <p>(c) the chief executive officer under the City of Brisbane Act 2010.</p> <p><i>misconduct</i> see section 150L.</p> <p><i>model procedures</i> see section 150F.</p> <p><del>referral notice see section 150AC.</del></p> <p><i>unsuitable meeting conduct</i> see section 150H.</p>	See row 15
17	Local Government Act 2009	Amendment s150F Department's chief executive to make model procedures	Not applicable	By proclamation	<p>150F Department's chief executive to make model procedures</p> <p>(1) The department's chief executive must make procedures (the <i>model procedures</i>) for the conduct of meetings of a local government and its committees.</p> <p>(2) Without limiting subsection (1), the model procedures must state—</p> <p>(a) how the chairperson of a local government meeting may deal with a councillor's unsuitable meeting conduct; and</p> <p>(b) how the councillors at a local government meeting may deal with the chairperson's unsuitable meeting conduct.; and</p> <p><del>(c) how a suspected conduct breach of a councillor referred to the local government by the assessor must be dealt with at a local government meeting.</del></p> <p>(3) The department's chief executive must publish the model procedures on the department's website.</p>	See row 15
18	Local Government Act 2009	Amendment s150I Chairperson may deal with unsuitable meeting conduct	Not applicable	By proclamation	<p>150I Chairperson may deal with unsuitable meeting conduct</p> <p>(1) This section applies if, at a local government meeting, the chairperson of the meeting reasonably believes the conduct of a councillor during the meeting is unsuitable meeting conduct.</p> <p>(2) The chairperson may make 1 or more of the following orders—</p> <p>(a) an order reprimanding the councillor for the conduct;</p> <p>(b) an order requiring the councillor to leave the place at which the meeting is being held, including any area set aside for the public, and stay away from the place for the rest of the meeting;</p> <p><i>Note—</i></p> <p>Contravention of paragraph (b) is misconduct that could result in disciplinary action being taken against a councillor. See sections 150L(1)(c)(v), 150AQ and 150AR.</p> <p>(c) if the councillor fails to comply with an order to leave and stay away from the place—an order that the councillor be removed from the place.</p> <p>(3) If the chairperson makes an order under subsection (2), the chairperson must ensure details of the order are recorded in the minutes of the meeting or, if minutes are not required for the meeting, in another way prescribed by regulation.</p> <p><i>Note—</i></p> <p>See also sections 150DX and 150DY about recording orders made by the chairperson of a local government meeting under this section in the councillor conduct register</p>	See row 15
19	Local Government Act 2009	Omission s150J Unsuitable meeting conduct that becomes a conduct breach	Not applicable	By proclamation	<p><del>150J Unsuitable meeting conduct that becomes a conduct breach</del></p> <p><del>If the conduct of a councillor, including the chairperson, at a local government meeting is a conduct breach under section 150K(2), the local government—</del></p> <p><del>(a) is not required to notify the assessor about the conduct; and</del></p> <p><del>(b) may deal with the conduct under section 150AG as if an investigation had been conducted.</del></p>	See row 15
20	Local Government Act 2009	Amendment ch5A, pt3, hdg Dealing with conduct breaches, misconduct and corrupt conduct	Not applicable	By proclamation	<p>Part 3 Dealing with <del>conduct breaches</del>, misconduct and corrupt conduct</p>	See row 15
21	Local Government Act 2009	Omission s150K What is a conduct breach	Not applicable	By proclamation	<p><del>150K What is a conduct breach</del></p> <p><del>(1) The conduct of a councillor is a conduct breach if the conduct contravenes—</del></p> <p><del>(a) a behavioural standard; or</del></p> <p><del>(b) a policy, procedure or resolution of the local government.</del></p> <p><del>—</del></p> <p><del>(4) However, a conduct breach does not include conduct that is—</del></p> <p><del>(a) unsuitable meeting conduct, to the extent the conduct is not conduct mentioned in subsection (2); or</del></p> <p><del>(b) misconduct; or</del></p> <p><del>(c) corrupt conduct.</del></p>	See row 15



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22	Local Government Act 2009	Amendment s150L What is misconduct	Not applicable	By proclamation	<p><b>Section 150L – What is misconduct</b></p> <p>(1) The conduct of a councillor is <i>misconduct</i> if the conduct—</p> <p>(a) adversely affects, directly or indirectly, the honest and impartial performance of the councillor's functions, or the exercise of the councillor's powers; or</p> <p>(b) is or involves—</p> <p>(i) non-compliance with an Act by the councillor; or</p> <p>(ii) a misuse of information or material acquired in, or in connection with, the performance of the councillor's functions, whether the misuse is for the benefit of the councillor or for the benefit, or to the detriment, of another person;</p> <p>(iii) repeated unreasonable behaviour directed at another person that causes a risk to the health or safety of the other person; or</p> <p>(iv) harassment of a sexual nature, including, for example, unwelcome behaviour of a sexual nature and making a remark with a sexual connotation;</p> <p>(c) contravenes any of the following—</p> <p>(i) an order of the <del>local government</del> or the conduct tribunal;</p> <p>(ii) a policy of the local government about the reimbursement of expenses;</p> <p>(iii) section <del>160R(2), 160EK, 160EL, 160EPA, 160EQ, 160EW, 160EZ, 150R(3), 150EI(2), 150EJ, 170(4), 171(3), 201A, 201B or 201C;</del></p> <p>(iv) the <i>City of Brisbane Act 2010</i>, 170(4), 173(3), <del>177H, 177I, 177MA, 177N, 177T, 177W, 177F(2), 177G, 198A, 198B or 198C.</del></p> <p>(v) an order of the chairperson of a local government meeting for the councillor to leave and stay away from the place at which the meeting is being held.</p> <p><del>(2) Also, the conduct of a councillor is <i>misconduct</i> if the conduct—</del></p> <p><del>(a) is part of a course of conduct leading to the local government deciding to take action under section 150AG to discipline the councillor for conduct breaches on 3 occasions within a period of 1 year; or</del></p> <p><del>(b) is of the same type stated in an order of the local government that if the councillor engages in the same type of conduct again, it will be dealt with as misconduct.</del></p> <p><del>(3) For subsection (2)(a), the conduct that led to the 3 occasions of disciplinary action, taken together, is the misconduct.</del></p> <p><del>(4) (2) It does not matter if the conduct happened outside the State.</del></p> <p><del>(3) In this section—</del></p> <p><i>health</i>, of a person, includes the person's physical, mental and psychological health.</p>	See row 15
23	Local Government Act 2009	Amendment s150M Dealing with particular conduct if councillor elected or appointed after vacating office	Not applicable	By proclamation	<p><b>150M Dealing with particular conduct if councillor elected or appointed after vacating office</b></p> <p>(1) This section applies if—</p> <p>(a) the conduct (the <i>relevant conduct</i>) of a person who is a councillor is the subject of—</p> <p>(i) a complaint, notice or information and the assessor starts a preliminary assessment (the <i>initial assessment</i>) under division 3A of the complaint, notice or information; or</p> <p>(ii) an investigation by the assessor <del>or a local government (the <i>initial investigation</i>) under division 4 or 5, or</del> (the <i>initial investigation</i>) under division 4; or</p> <p>(iii) an application by the assessor (the <i>initial application</i>) under section 150AJ; and</p> <p>(b) the person's office as councillor is vacated—</p> <p>(i) for an initial assessment—before a decision is made under section 150SD; or</p> <p>(ii) for an initial investigation—before a decision is made in relation to the investigation under division 4 <del>or 5</del>; or</p> <p>(iii) for an initial application—before the application about the relevant conduct is decided under division 6; and</p> <p>(c) within 12 months after the office is vacated, the person is elected or appointed as a councillor for a new term of office.</p> <p>(2) As soon as practicable after the person is elected or appointed—</p> <p>(a) if subsection (1)(a)(i) applies—the assessor must make a new preliminary assessment under division 3A of the complaint, notice or information relating to the relevant conduct of the councillor as if the initial assessment had not been started; or</p> <p>(b) if subsection (1)(a)(ii) applies—the assessor <del>or local government must investigate the relevant conduct of the councillor under division 4 or 5 must</del> investigate the relevant conduct of the councillor under division 4 as if the initial investigation had not been started; or</p> <p>(c) if subsection (1)(a)(iii) applies—the assessor must apply to the conduct tribunal under section 150AJ in relation to the relevant conduct of the councillor as if the initial application had not been made.</p> <p>(3) For an investigation under subsection (2)(b), the assessor <del>or local government</del> may consider any information obtained during the initial investigation of the relevant conduct.</p>	See row 15
24	Local Government Act 2009	Amendment s150R Local government official must notify assessor about particular conduct	Not applicable	By proclamation	<p><b>150R Local government official must notify assessor about particular conduct</b></p> <p><del>(1) This section applies if a local government official becomes aware of information indicating a councillor may have engaged in conduct that would be a conduct breach or misconduct other than—</del></p> <p><del>(a) conduct mentioned in section 150J; and</del></p> <p><del>(b) by receiving a complaint to which section 150P applies.</del></p> <p>(1) This section applies if a local government official becomes aware of information indicating a councillor may have engaged in conduct that would be misconduct.</p> <p><del>(1A)</del> (2) However, this section does not apply if the local government official is aware of the information because of a complaint to which section 150P applies.</p> <p><del>(2)</del> (3) The local government official must give the assessor a notice about the councillor's conduct.</p> <p><i>Note—</i></p> <p>Contravention of <del>subsection (2)</del> subsection 3 by a councillor is misconduct that could result in disciplinary action being taken against the councillor—see section 150L(1)(c)(iii).</p> <p><del>(3)</del> (4) The local government official must not give the notice—</p> <p>(a) vexatiously; or</p> <p>(b) other than in good faith.</p> <p>Maximum penalty—85 penalty units.</p>	See row 15
25	Local Government Act 2009	Omission s150S Local government must notify assessor about misconduct	Not applicable	By proclamation	<p><del><b>150S Local government must notify assessor about misconduct</b></del></p> <p><del>(1) This section applies if a local government—</del></p> <p><del>(a) in relation to a course of conduct by a councillor, decides under section 150AG to take action to discipline the councillor for conduct breaches on 3 occasions during a period of 1 year; or</del></p> <p><del>(b) if the local government has previously made an order that a particular type of conduct engaged in by a councillor will be dealt with as misconduct—reasonably suspects the councillor has engaged in the same type of conduct again.</del></p> <p><del>(2) The local government must give the assessor—</del></p> <p><del>(a) a notice about the councillor's conduct; and</del></p> <p><del>(b) all information held by the local government that relates to the conduct.</del></p>	See row 15
26	Local Government Act 2009	Amendment s150SA Application of division	Not applicable	By proclamation	<p><b>150SA Application of division</b></p> <p>This division applies if—</p> <p>(a) a complaint about the conduct of a councillor is made or referred to the assessor under division 2; or</p> <p>(b) a notice about the conduct of a councillor is given to the assessor under division 3; or</p> <p><del>(c) information about the conduct of a councillor is given to the assessor under section 150AF(3);</del> (c) the assessor decides under section 150SF to make a preliminary assessment of information relating to the conduct of a councillor.</p>	See row 15



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27	Local Government Act 2009	Amendment s150SC Assessor may ask for information	Not applicable	By proclamation	<p><b>150SC Assessor may ask for information</b></p> <p>(1) This section applies if, in the assessor's opinion, the complaint, notice or information does not include sufficient information for the assessor to make a preliminary assessment of the complaint, notice or information.</p> <p>(2) The assessor may ask the following entities for any information the assessor requires to make a preliminary assessment of the complaint, notice or information—</p> <p>(a) for a complaint made or referred under division 2—the local government; or</p> <p>(b) for notice given under division 3—the local government or the local government official who gave the notice; or</p> <p><del>(c) for a notice given under section 150AF(3)—the local government.</del></p> <p><b>Note—</b></p> <p>The assessor may ask a person who made a complaint for further information under section 150Q.</p> <p>(3) The assessor must state in the request that the information must be given to the assessor within 10 business days after the request is made.</p> <p>(4) The entity mentioned in subsection (2) must comply with the request.</p>	See row 15
28	Local Government Act 2009	Amendment s150D Preliminary assessment of complaints, notices or information	Not applicable	By proclamation	<p><del><b>150SD Preliminary assessment of complaints, notices or information</b></del></p> <p>(1) The assessor must make a preliminary assessment of the complaint, notice or information.</p> <p>(2) On the completion of the preliminary assessment, the assessor must dismiss the complaint or decide to take no further action for the notice or information if the assessor is satisfied that—</p> <p>(a) dealing with the complaint, notice or information would not be in the public interest; or</p> <p>(b) the complaint, notice or information was not made or given within the period required under section 150SB, unless—</p> <p>(i) the conduct the subject of the complaint, notice or information is suspected corrupt conduct; or</p> <p>(ii) the complaint, notice or information was not given within the period because of exceptional circumstances; or</p> <p>(c) the conduct the subject of the complaint, notice or information—</p> <p>(i) was engaged in by the councillor to comply with, honestly and without negligence, a guideline made by the department's chief executive; or</p> <p>(ii) relates solely to behaviour engaged in by the councillor in a personal capacity unless the conduct is suspected corrupt conduct; or</p> <p>(iii) clearly does not constitute a conduct breach or misconduct; or</p> <p>(d) the office of the councillor is vacated, unless the conduct is suspected corrupt conduct; or</p> <p>(e) for a complaint—the person who made the complaint is the subject of a declaration under section 150AWA, and the complaint is not permitted under a condition of the declaration or under section 150AWC.</p> <p>(3) Also, on the completion of the assessment, the assessor may dismiss the complaint or decide to take no further action for the notice or information if the assessor is satisfied—</p> <p>(a) the conduct has already been, is being, or may be dealt with by another entity; or</p> <p>(b) the complaint, notice or information—</p> <p>(i) is frivolous or vexatious; or</p> <p>(ii) was made other than in good faith; or</p> <p><i>Example for paragraph (b)(ii) —</i></p> <p>a complaint made for a mischievous purpose or maliciously</p> <p>(iii) lacks substance or credibility; or</p> <p>(c) dealing with the complaint, notice or information would be an unjustifiable use of resources; or</p> <p><del>(d) for a suspected conduct breach—at least 6 months have elapsed since the conduct the subject of the complaint, notice or information occurred, and it would not be in the public interest to take action under this part; or</del></p> <p><del>(e) (d) there is insufficient information to properly make a preliminary assessment of the complaint, notice or information.</del></p> <p>(4) If subsection (2) does not apply or the assessor does not, under subsection (3), dismiss or decide to take no further action for the complaint, notice or information, the assessor must decide—</p> <p><del>(a) if the assessor reasonably suspects the conduct the subject of the complaint, notice or information is a conduct breach—to refer the suspected conduct breach to the local government to deal with; or</del></p> <p><del>(b) to investigate the conduct of the councillor.</del></p>	See row 15
29	Local Government Act 2009	Amendment s150SE Notice of preliminary assessment	Not applicable	By proclamation	<p><b>150SE Notice of preliminary assessment</b></p> <p>(1) This section applies if the assessor decides—</p> <p>(a) to dismiss the complaint or not take any further action for the notice or information under section 150SD(2) or (3); or</p> <p>(b) not to deal with a complaint, notice or information under <del>section 150SD(4)(c)</del> <b>section 150SD(4)(b)</b>.</p> <p>(2) The assessor must, as soon as practicable after making the decision, give a notice that complies with subsection (4) to the following—</p> <p>(a) for a complaint made or referred under division 2—the person who made the complaint, if the assessor has the person's contact details;</p> <p>(b) for a notice under division 3—the local government or the local government official who gave the notice;</p> <p><del>(c) for information given under section 150AF(3)—the local government;</del></p> <p><del>(d) (c) if an action is taken under <del>section 150SD(4)(c)</del> <b>section 150SD(4)(b)</b>—the councillor the subject of the complaint, notice or information.</del></p> <p>(3) If the councillor the subject of the complaint, notice or information does not receive a notice under this section—</p> <p>(a) the councillor may ask the assessor for a copy of the notice; and</p> <p>(b) the assessor may give the councillor a copy of the notice if the assessor considers it would be appropriate to do so.</p> <p>(4) The notice must—</p> <p>(a) state the date the complaint was made or the notice or information was given; and</p> <p>(b) briefly summarise the conduct the subject of the complaint, notice or information; and</p> <p>(c) briefly state the decision and the reasons for the decision; and</p> <p>(d) if an action is taken under <del>section 150SD(4)(c)</del> <b>section 150SD(4)(b)</b>—state the action taken; and</p> <p>(e) for a complaint dismissed because it is frivolous—advise the person who made the complaint that, if the person makes the same or substantially the same complaint to the assessor again, the person commits an offence punishable by a fine of up to 85 penalty units.</p> <p><b>Note—</b></p> <p>For the offence mentioned in paragraph (e), see section 150AU.</p>	See row 15
30	Local Government Act 2009	Amendment s150SF Assessor may make preliminary assessment on own initiative	Not applicable	By proclamation	<p><b>150SF Assessor may make preliminary assessment on own initiative</b></p> <p>(1) This section applies if—</p> <p>(a) the assessor is aware of information indicating a councillor may have engaged in conduct that may be a conduct breach or misconduct; and</p> <p><del><b>Examples—</b></del></p> <p><del>—a media report makes allegations of a conduct breach by the councillor</del></p> <p><del>—while investigating a councillor for alleged misconduct, the assessor receives information that indicates another councillor has engaged in the same conduct</del></p> <p><b>Example—</b></p> <p>while investigating a councillor for alleged misconduct, the assessor receives information that indicates another councillor has engaged in the same conduct</p> <p>(b) the assessor has not received a complaint, notice or information about the conduct as mentioned in section 150SA; and</p> <p>(c) the assessor reasonably believes—</p> <p>(i) it is in the public interest to make a preliminary assessment of the information; and</p> <p>(ii) the conduct is not likely to involve corrupt conduct.</p> <p>(2) The assessor may, on the assessor's own initiative, make a preliminary assessment of the information about the councillor's conduct under division 3A.</p> <p>(3) This chapter applies in relation to the councillor's conduct as if the information were given to the assessor on the day the assessor became aware of the information.</p>	No comment



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31	Local Government Act 2009	Amendment s150T Assessor must investigate conduct of councillor	Not applicable	By proclamation	<p><b>150T Assessor must investigate conduct of councillor</b></p> <p>(1) The assessor must investigate the conduct of a councillor under this division if—</p> <p>(a) the assessor decides to investigate the conduct under <del>section 150SD(4)(b)</del> <b>section 150SD(4)(a)</b>; or</p> <p>(b) the conduct is suspected corrupt conduct that is the subject of a complaint referred to the assessor by the Crime and Corruption Commission.</p> <p>Note—</p> <p>The Crime and Corruption Commission may decide, under chapter 2, part 3 of the <i>Crime and Corruption Act 2001</i>, to refer a complaint to the assessor to deal with, whether or not in cooperation with the commission.</p> <p>(2) If the office of the councillor is vacated during the investigation, the assessor must discontinue the investigation unless the assessor is satisfied the conduct is suspected corrupt conduct.</p>	No comment
32	Local Government Act 2009	Amendment s150W Decision about conduct	Not applicable	By proclamation	<p><b>150W Decision about conduct</b></p> <p>After investigating the conduct of a councillor, the assessor may decide to—</p> <p>(a) if the conduct was the subject of a complaint made or referred to the assessor under division 2—dismiss the complaint about the conduct under section 150X; or</p> <p><del>(b) if the assessor reasonably suspects the councillor's conduct is a conduct breach—refer the suspected conduct breach to the local government to deal with; or</del></p> <p><del>(c) if the assessor is reasonably satisfied the councillor's conduct is misconduct—make an application to the conduct tribunal about the conduct; or</del></p> <p><del>(d) if the assessor is reasonably satisfied the councillor's conduct is a conduct breach and the conduct is connected to conduct of the councillor that the assessor is reasonably satisfied is misconduct—make an application to the conduct tribunal about the alleged misconduct and conduct breach; or</del></p> <p><del>(e) (c) not deal with the conduct and make any recommendation the assessor considers appropriate, including, for example, that the councillor attend training, counselling or mediation; or</del></p> <p><del>(f) (d) take no further action in relation to the councillor's conduct under section 150Y.</del></p>	No comment
33	Local Government Act 2009	Amendment s150X Decision to dismiss complaint	Not applicable	By proclamation	<p><b>150X Decision to dismiss complaint</b></p> <p>The assessor may decide to dismiss a complaint about the conduct of a councillor if the assessor is satisfied—</p> <p>(a) the conduct—</p> <p>(i) has already been, or is being, dealt with by another entity; or</p> <p>(ii) does not constitute <del>a conduct breach or</del> misconduct; or</p> <p>(b) the complaint—</p> <p>(i) is frivolous or vexatious; or</p> <p>(ii) was made other than in good faith; or</p> <p><i>Examples—</i></p> <p>a complaint made for a mischievous purpose or maliciously</p> <p>(iii) lacks substance or credibility; or</p> <p>(c) dealing with the complaint—</p> <p>(i) would not be in the public interest; or</p> <p>(ii) would be an unjustifiable use of resources.</p>	No comment
34	Local Government Act 2009	Amendment s150Y Decision to take no further action	Not applicable	By proclamation	<p><b>150Y Decision to take no further action</b></p> <p>The assessor may decide to take no further action about the conduct of a councillor if—</p> <p>(a) the conduct was not the subject of a complaint made or referred to the assessor under division 2; and</p> <p>(b) the assessor is satisfied—</p> <p>(i) the conduct does not constitute <del>a conduct breach or</del> misconduct; or</p> <p>(ii) there is insufficient information to properly investigate the conduct or form an opinion about whether the conduct is, or may be, <del>a conduct breach or</del> misconduct; or</p> <p>(iii) taking further action would be an unjustifiable use of resources; or</p> <p>(iv) taking further action would not be in the public interest.</p>	No comment
35	Local Government Act 2009	Amendment s150AA Notice and opportunity for councillor to respond	Not applicable	By proclamation	<p><b>150AA Notice and opportunity for councillor to respond</b></p> <p>(1) This section applies if, under section 150W, the assessor is considering making a decision to apply to the conduct tribunal about a councillor's conduct.</p> <p>(2) Before making the decision, the assessor must give a notice to the councillor that—</p> <p>(a) states the assessor received a complaint, notice or information about the councillor's conduct or, on the assessor's own initiative, investigated the councillor's conduct; and</p> <p>(b) describes the nature of the conduct; and</p> <p>(c) states the assessor is considering making a decision to apply to the conduct tribunal about the conduct; and</p> <p>(d) states the order that, in the assessor's opinion, would be appropriate under section 150AR if the conduct tribunal decides the councillor has engaged in <del>a conduct breach or</del> misconduct; and</p> <p>(e) states that the councillor may give a statement or information to the assessor about—</p> <p>(i) the conduct; and</p> <p>(ii) why the assessor should not make the decision; and</p> <p>(f) states the reasonable period in which the councillor may provide the statement or information.</p> <p>(3) The assessor must consider any statement or information given to the assessor by the councillor under the notice before making the decision.</p>	No comment



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36	Local Government Act 2009	Omission ch5A, pt3, div5 Referral of conduct to local government	Not applicable	By proclamation	<p><del>Division 5 Referral of conduct to local government</del></p> <p><del>150AB Application of division</del></p> <p><del>This division applies if the assessor—</del></p> <p><del>(a) reasonably suspects a councillor has engaged in a conduct breach; and</del></p> <p><del>(b) decides, under section 150SD(1)(a) or 150W(b), to refer the conduct to the local government to deal with under this division.</del></p> <p><del>150AC Referral of suspected conduct breach</del></p> <p><del>(1) The assessor refers the councillor's conduct to the local government to deal with by giving a notice (a referral notice) to the local government.</del></p> <p><del>(2) The referral notice must—</del></p> <p><del>(a) include details of the conduct and any complaint received about the conduct; and</del></p> <p><del>(b) state why the assessor reasonably suspects the councillor has engaged in a conduct breach; and</del></p> <p><del>(c) include information about the facts and circumstances forming the basis for the assessor's reasonable suspicion.</del></p> <p><del>150AD Notice about referral</del></p> <p><del>As soon as practicable after referring the councillor's conduct to the local government, the assessor must give the councillor a notice that—</del></p> <p><del>(a) states the assessor has referred the councillor's conduct to the local government to deal with under this division; and</del></p> <p><del>(b) attaches a copy of the referral notice.</del></p> <p><del>150AE Local government must adopt investigation policy</del></p> <p><del>(1) A local government must adopt, by resolution, a policy (an investigation policy) about how it deals with the suspected conduct breaches of councillors referred, by the assessor, to the local government to be dealt with.</del></p> <p><del>(2) The policy must—</del></p> <p><del>(a) include a procedure for investigating the suspected conduct breaches of councillors; and</del></p> <p><del>(b) state the circumstances in which another entity may investigate the conduct; and</del></p> <p><del>(c) be consistent with the principles of natural justice; and</del></p> <p><del>(d) require the local government to prepare a report about each investigation; and</del></p> <p><del>(e) require councillors and persons who make complaints about councillors' conduct to be given notice about the outcome of investigations; and</del></p> <p><del>(f) include a procedure about when the local government may decide not to start, or to discontinue, an investigation under section 150AEA.</del></p> <p><del>(3) The policy must require the local government—</del></p> <p><del>(a) to give the councillor information about the suspected conduct, including details about the evidence of the conduct; and</del></p> <p><del>(b) to give the councillor a notice if an investigation is not started or is discontinued; and</del></p> <p><del>(c) for conduct the subject of a complaint—to give the person who made the complaint, if the contact details of the person are known, a notice if an investigation is not started or is discontinued; and</del></p> <p><del>(d) to give the councillor the preliminary findings of the investigation before preparing an investigation report about the investigation; and</del></p> <p><del>(e) to allow the councillor to give evidence or a written submission to the local government about the suspected conduct and preliminary findings; and</del></p>	No comment
37	Local Government Act 2009	Amendment ch5A, pt3, div6, hdg Application to conduct tribunal about misconduct and connected conduct breach	Not applicable	By proclamation	<p><del>Division 6 Application to conduct tribunal about misconduct and connected conduct breach</del></p>	No comment
38	Local Government Act 2009	Amendment s150AI Application of division	Not applicable	By proclamation	<p><del>150AI Application of division</del></p> <p><del>This division applies if the assessor is reasonably satisfied a councillor has engaged in—</del></p> <p><del>(a) misconduct; or</del></p> <p><del>(b) a conduct breach that is connected to conduct of the councillor that the assessor is reasonably satisfied is misconduct in misconduct.</del></p>	No comment
39	Local Government Act 2009	Amendment s150AJ Application to conduct tribunal about alleged misconduct	Not applicable	By proclamation	<p><del>150AJ Application to conduct tribunal about alleged misconduct</del></p> <p><del>(1) The assessor may apply to the conduct tribunal to decide whether the councillor has engaged in—</del></p> <p><del>(a) misconduct; or</del></p> <p><del>(b) a conduct breach that is connected to conduct of the councillor that is alleged misconduct in misconduct.</del></p> <p><del>(2) The application must—</del></p> <p><del>(a) be in writing; and</del></p> <p><del>(b) include details of the alleged misconduct or conduct breach and any complaint received about the misconduct or conduct breach; and</del></p> <p><del>(c) state why the assessor is reasonably satisfied the councillor has engaged in—</del></p> <p><del>(i) misconduct; or</del></p> <p><del>(ii) misconduct and a conduct breach that is connected to the alleged misconduct; and in misconduct; and</del></p> <p><del>(d) include information about the facts and circumstances forming the basis for the assessor's reasonable satisfaction.</del></p> <p><del>(3) The assessor may make an application under subsection (1) about the alleged conduct breach only if the application is also made about the connected alleged misconduct.</del></p>	No comment
40	Local Government Act 2009	Amendment s150AN Role of assessor	Not applicable	By proclamation	<p><del>150AN Role of the assessor</del></p> <p><del>(1) The assessor is a party to the hearing.</del></p> <p><del>(2) The onus of proof is on the assessor to prove the councillor engaged in—</del></p> <p><del>(a) misconduct; and</del></p> <p><del>(b) if the application also relates to an alleged conduct breach—the conduct breach in misconduct.</del></p>	No comment
41	Local Government Act 2009	Amendment s150AQ Deciding about misconduct and connected conduct breach	Not applicable	By proclamation	<p><del>150AQ Deciding about misconduct and connected conduct breach</del></p> <p><del>(1) After conducting the hearing, the conduct tribunal must decide—</del></p> <p><del>(a) whether or not the councillor has engaged in—</del></p> <p><del>(i) if the application relates to alleged misconduct and an alleged conduct breach—misconduct or a conduct breach (or both); or</del></p> <p><del>(ii) if the application relates only to alleged misconduct—misconduct; and in misconduct; and</del></p> <p><del>(b) if the conduct tribunal decides the councillor has engaged in misconduct or a conduct breach—what action the conduct tribunal will take under section 150AR to discipline the councillor.</del></p> <p><del>(2) In deciding what action to take, the conduct tribunal may consider—</del></p> <p><del>(a) any previous misconduct of the councillor; and</del></p> <p><del>(b) if the application relates to a conduct breach—any previous conduct breach of the councillor; and</del></p> <p><del>(c) (b) any allegation made in the hearing that—</del></p> <p><del>(i) was admitted, or not challenged; and</del></p> <p><del>(ii) the conduct tribunal is reasonably satisfied is true.</del></p>	No comment



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42	Local Government Act 2009	Amendment s150AR Disciplinary action against councillor	Not applicable	By proclamation	<p><b>150AR Disciplinary action against councillor</b>            (1) For section 150AQ(1)(b), the conduct tribunal may decide—            (a) that no action be taken against the councillor; or            (b) to make 1 or more of the following orders or recommendations—            (i) an order that the councillor make a public apology, in the way decided by the conduct tribunal, for the conduct;            (ii) an order reprimanding the councillor for the conduct;            (iii) an order that the councillor attend training or counselling to address the councillor's conduct, including at the expense of the councillor;            (iv) an order that the councillor pay to the local government an amount that is not more than the monetary value of 50 penalty units;            (v) an order that the councillor reimburse the local government for all or some of the costs arising from the councillor's misconduct <del>or conduct breach (or both);</del>            (vi) an order that the councillor is not to act as the deputy mayor, the chairperson of the council under the City of Brisbane Act 2010 or the chairperson of a committee of the local government for the remainder of the councillor's term;            (vii) an order that the councillor is not to attend a stated number of local government meetings, up to a maximum of 3 meetings;            (viii) an order that the councillor is removed, or must resign, from a position representing the local government, other than the office of councillor;  <i>Example—</i>            The councillor is ordered to resign from an appointment representing the local government on a State board or committee.            (ix) an order that the councillor forfeit an allowance, benefit, payment or privilege paid or provided to the councillor by the local government;            (x) an order that the councillor is to forfeit, for a stated period, access to equipment or a facility provided to the councillor by the local government;            (xi) a recommendation to the Minister that the councillor be suspended from office for a stated period or from performing particular functions of the office;  <i>Examples of particular functions—</i>            • attending council meetings or offices            • representing the council at public functions            (xii) a recommendation to the Minister that the councillor be dismissed from office.  <del>(2) However, if the conduct tribunal decides under section 150AQ(1)(a)(i) that the councillor has engaged in misconduct and a conduct breach, the conduct tribunal, in deciding what action to take, must have regard to the action a local government could have taken under section 150AH in relation to a conduct breach.</del>  <del>(3) Also, if the conduct tribunal decides under section 150AQ(1)(a)(i) that the councillor has only engaged in a conduct breach, the conduct tribunal may only take the action a local government could have taken under section 150AH in relation to a conduct breach.</del>            (4)(2) A recommendation mentioned in subsection (1)(b)(xi) may include a recommendation about the details of the suspension, including, for example, whether the councillor should be remunerated during the period of the suspension.</p>	No comment
43	Local Government Act 2009	Amendment s150AS Notices and publication of decisions and orders	Not applicable	By proclamation	<p><b>150AS Notices and publication of decisions and orders</b>            (1) This section applies to a decision made by the conduct tribunal—            (a) under section 150AQ(1)(a) about whether or not a councillor has engaged in misconduct <del>or a conduct breach (or both);</del> or            (b) to take action mentioned in section 150AR(1)(b) to discipline the councillor for the misconduct <del>or conduct breach (or both).</del>            (2) The conduct tribunal must—            (a) keep a written record of the decision and the reasons for the decision; and            (b) give a notice that states the decision and reasons for the decision to—            (i) the assessor; and            (ii) the councillor; and            (iii) the local government; and            (iv) if the conduct tribunal's decision relates to the conduct of a councillor that was the subject of a complaint and the conduct tribunal has the contact details of the person who made the complaint—the person who made the complaint; and            (v) the department's chief executive; and            (c) give a publication notice for the decision to the department's chief executive.            (3) A notice about a decision, other than a decision to recommend the councillor's suspension or dismissal, given to the assessor or councillor under subsection (2)(b) must be a QCAT information notice for the decision.            (4) Also, a notice about a decision given to a local government under subsection (2)(b) must include the information about the decision that is required to be included in the councillor conduct register under section 150DY.            (5) The conduct tribunal must not give another entity any information that is part of a public interest disclosure under the <i>Public Interest Disclosure Act 2010</i>, unless giving the information is required or permitted by another Act.            (6) The conduct tribunal must include the councillor's name in a publication notice if the tribunal decided the councillor engaged in <del>in—</del>  <del>(a) for an application that relates to alleged misconduct and an alleged conduct breach—misconduct or conduct breach (or both); or</del>  <del>(b) for an application that relates only to alleged misconduct—misconduct in misconduct.</del>            (7) In this section—  <i>publication notice</i>, for a decision about a councillor means, a notice mentioned in subsection (2)(b) that has the following removed—            (a) the name of the councillor, or information that could reasonably be expected to result in identifying the councillor, unless the councillor agrees or subsection (6) applies in relation to the decision;            (b) if the conduct was the subject of a complaint—the name of the person who made the complaint;            (c) the name of any other person;            (d) information that could reasonably be expected to result in identifying a person mentioned in paragraph (b) or (c);            (e) information the conduct tribunal considers is not in the public interest to include in the notice.</p>	No comment
44	Local Government Act 2009	Amendment s150AY Functions of investigations	Not applicable	By proclamation	<p><b>150AY Functions of investigators</b>            An investigator has the following functions—            (a) to investigate the conduct of councillors under part 3 as directed by the assessor;            (b) to investigate whether an offence has been committed against any of the following provisions (each a <i>conduct provision</i>)—            • section <del>450R(3)</del>150R(4), 150AU, 150AV, 150AW, 150BW, 150CA, 150CB, 150CI, 150CJ(3) or 150CK(5)            • section <del>460EM(2), 460ES(6), 460EV</del>150EI(3), 171(1), 201D or 201F(2) or (3)            • section 233A or 233B to the extent the offence involves obstructing or impersonating the assessor, an investigator or a member of the conduct tribunal            • the <i>City of Brisbane Act 2010</i>, section 173(1), <del>477J(2), 477P(5), 477V</del>177F(3), 198D or 198F(2) or (3)            • section 234 to the extent the offence involves giving information to the assessor, a staff member of the Office of the Independent Assessor, an investigator or a member of the conduct tribunal;            (c) to enforce compliance with the conduct provisions;            (d) to investigate whether an occasion has arisen for the exercise of powers in relation to a conduct provision.</p>	No comment
45	Local Government Act 2009	Amendment s 150CU Functions	Not applicable	By proclamation	<p><b>150CU Functions</b>            (1) The functions of the assessor are—            (a) to assess, investigate and deal with the conduct of councillors if it is alleged or suspected to be <del>a conduct breach</del>, misconduct or, when referred to the assessor by the Crime and Corruption Commission, corrupt conduct; and            (b) to provide advice and information to councillors, local government employees and other persons about dealing with alleged or suspected <del>conduct breaches</del>, misconduct or corrupt conduct; and            (c) to prosecute offences against the conduct provisions; and            (d) to assess or investigate other matters decided by the Minister; and            (e) another function related to a function mentioned in paragraph (a), (b), (c), (d) or (f) directed, in writing, by the Minister; and            (f) any other functions given to the assessor under this Act.            (2) The assessor is the public official responsible for dealing with a complaint about the corrupt conduct of a councillor for the purposes of consultation about, or a referral of, the complaint under the <i>Crime and Corruption Act 2001</i>.</p>	No comment



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46	Local Government Act 2009	Amendment s150DD Acting assessor	Not applicable	On assent	<p><b>150DD Acting assessor</b></p> <p>(1) The Minister may appoint a person to act as the assessor during—</p> <p>(a) a vacancy in the office of the assessor; or</p> <p>(b) a period the assessor is absent, or can not perform the duties of the office, for any reason.</p> <p><del>(2) The person can not be appointed for more than 6 months in a 12 month period.</del></p> <p><del>(2)</del> (2) However, the person may be appointed only if the person is qualified under section 150CW to hold the office of the assessor.</p>	No comment
47	Local Government Act 2009	Amendment s150DU Costs of conduct tribunal to be met by local government	Not applicable	By proclamation	<p><b>150DU Costs of conduct tribunal to be met by local government</b></p> <p>(1) A local government must pay the costs of the conduct tribunal for a hearing under part 3, division 6 about the misconduct <del>or conduct breach</del> of a councillor.</p> <p>(2) For subsection (1), the costs of the conduct tribunal include the remuneration, allowances and expenses paid to a member of the conduct tribunal conducting the hearing.</p>	No comment
48	Local Government Act 2009	Amendment s150DX Local governments to keep and publish register	Not applicable	By proclamation	<p><b>150DX Local governments to keep and publish register</b></p> <p>(1) A local government must keep an up-to-date register (a councillor conduct register) about the following matters for the local government—</p> <p>(a) orders made about the unsuitable meeting conduct of councillors, including the chairperson, at its local government meetings;</p> <p><del>(b) decisions not to start, or to discontinue, investigations of suspected conduct breaches of councillors under section 150AEA;</del></p> <p><del>(c) decisions about the suspected conduct breaches of councillors referred to the local government under part 3, division 6;</del></p> <p><del>(d)</del> (b) decisions about whether or not councillors engaged in misconduct <del>or a conduct breach</del> made by the conduct tribunal under part 3, division 6.</p> <p>(2) The local government must—</p> <p>(a) publish the register on the local government's website; and</p> <p>(b) ensure the public may inspect the register, or purchase a copy of an entry in the register, at the local government's public office.</p> <p>(3) However, subsection (2) does not apply to information recorded in the register that is part of a public interest disclosure under the Public Interest Disclosure Act 2010.</p>	No comment
49	Local Government Act 2009	Amendment 150DY Content of register - decisions	Not applicable	On assent	<p><b>150DY Content of register—decisions</b></p> <p>(1) This section applies to each of the following decisions—</p> <p>(a) a decision by a chairperson of a local government meeting to make an order against a councillor under section 150I(2) for unsuitable meeting conduct;</p> <p>(b) a decision by the local government to make an order against the chairperson under section 150IA for unsuitable meeting conduct;</p> <p><del>(c) a decision by the local government about the suspected conduct breach of a councillor referred to the local government under part 3, division 6 and any action taken to discipline the councillor;</del></p> <p><del>(d) a decision by the local government under section 150AEA not to start, or to discontinue, an investigation of a matter the subject of a referral notice;</del></p> <p><del>(e)</del> (c) a decision about the misconduct <del>or conduct breach</del> of a councillor made by the conduct tribunal under part 3, division 6 and any action taken to discipline the councillor.</p> <p>(2) The councillor conduct register must include the following details for the decision—</p> <p>(a) a summary of the decision and the reasons for the decision;</p> <p>(b) the name of the councillor about whom the decision was made;</p> <p>(c) the date of the decision.</p> <p><i>Note—</i></p> <p>See section 150AS(2)(b) and (4) for the conduct tribunal's obligation to give the local government a notice about a decision of the conduct tribunal.</p> <p>(3) However, the name of the councillor whose conduct is the subject of the decision may be included in the entry in the register for the decision only if—</p> <p><del>(aa) (a) the decision relates to an order made against the councillor for unsuitable meeting conduct; or</del></p> <p><del>(a) (b) the local government or conduct tribunal decided the councillor engaged in a conduct breach or</del> conduct tribunal decided the councillor engaged in misconduct; or</p> <p><del>(b) (c) the councillor agrees to the councillor's name being included.</del></p> <p>(4) A summary of the decision included in the register must not include the name of any person, or information that could reasonably be expected to result in identifying a person, other than the name of the councillor under subsection (2)(b) and (3).</p>	No comment
50	Local Government Act 2009	Amendment s150EB Annual report	Not applicable	By proclamation	<p><b>150EB Annual report</b></p> <p>(1) As soon as practicable after the end of each financial year, but no later than 3 months after the end of the financial year, the assessor must give the Minister a written report about the operation of the Office of the Independent Assessor during the year.</p> <p>(2) Without limiting subsection (1), the report must include—</p> <p>(a) a description of the following matters for the year—</p> <p>(i) complaints made, or referred, to the assessor about the conduct of councillors;</p> <p>(ii) decisions under section 150SD or 150W in relation to preliminary assessments or investigations;</p> <p>(iii) investigations conducted by the office;</p> <p>(iv) requests for further information under section 150SC that have not been complied with;</p> <p><del>(v) decisions not to start, or to discontinue, investigations under section 150AEA;</del></p> <p><del>(vi) decisions under section 150AG in relation to suspected conduct breaches;</del></p> <p><del>(vii) matters relating to suspected conduct breaches of councillors for which a decision has not yet been made under section 150AG, other than matters mentioned in subparagraph (v);</del></p> <p><del>(viii)</del> (v) suspected corrupt conduct notified by the assessor to the Crime and Corruption Commission;</p> <p><del>(ix)</del> (vi) decisions about whether councillors engaged in misconduct <del>or conduct breaches</del> made by the conduct tribunal;</p> <p><del>(x)</del> (vii) decisions made under sections 150AWA, 150AWB and 150AWC; and</p> <p>(b) details about the number of times each power under part 4 was exercised by the assessor and other investigators during the year; and</p> <p>(c) details of other functions performed by the assessor during the year.</p> <p>(3) The report must be prepared in a way that does not disclose the identity of a person who made a complaint about the conduct of a councillor or the identity of a person investigated.</p> <p>(4) The Minister must ensure a copy of the report is tabled in the Legislative Assembly as soon as practicable after the report is given to the Minister.</p>	No comment
51			Chapter 5B Dealing with personal interests of councillors	By proclamation	<p><del>Chapter 5B Councillors' conflicts of interest</del> Chapter 5B Dealing with personal interests of councillors</p>	No comment



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52			s150ED Matters in relation to which chapter does not apply	By proclamation	<p><del>150ED Purpose of chapter</del>  <del>The purpose of this chapter is to ensure that if a councillor has a personal interest in a matter, the local government deals with the matter in an accountable and transparent way that meets community expectations.</del>  <b>150ED Matters in relation to which chapter does not apply</b>  (1) This chapter does not apply in relation to a councillor's personal interest in a matter if the matter—  (a) is solely, or relates solely to, the making or levying of rates and charges, or the fixing of a cost-recovery fee, by the local government; or  (b) is solely, or relates solely to—  (i) making a planning scheme that applies to the whole of the local government area; or  (ii) amending a planning scheme, if the amendment applies to the whole of the local government area; or  (c) is solely, or relates solely to, the preparation, adoption or amendment of a budget for the local government; or  (d) is solely, or relates solely to, preparing, adopting or amending a document prescribed by regulation that the local government is required to prepare or adopt under a Local Government Act; or  (e) is solely, or relates solely to—  (i) the making of a donation to a religious, charitable or non-profit institution or organisation, unless a councillor, or an associate or related party of a councillor, receives a benefit because of the donation that is more than merely a benefit relating to reputation; or  (ii) a councillor representing the local government in an official capacity at an event held by a government agency or an entity that is wholly owned by the local government; or  (f) is solely, or relates solely to, employment-related or upgraded travel or accommodation undertaken or used by a councillor, or an associate or related party of a councillor; or  (g) is solely, or relates solely to—  (i) the remuneration or reimbursement of expenses of councillors or members of a committee of the local government; or  (ii) the provision of superannuation entitlements or insurance for councillors; or  (iii) a matter of interest to the councillor solely as a candidate for election or appointment as mayor, deputy mayor, councillor or member of a committee of the local government.  (2) Also, this chapter does not apply in relation to a councillor's interest in a matter if the interest of the councillor, or an associate or related party of the councillor, is no greater than the personal interests in the matter of a significant proportion of persons in the local government area.  (3) In addition, this chapter does not apply in relation to a councillor's interest in a matter relating to a corporation or association that arises solely because of a nomination or appointment of the councillor by the local government to be a member of the board of the corporation or association.  (4) In this section—  <b>employment-related or upgraded travel or accommodation</b>, for a person, means—  (a) travel or accommodation undertaken or used by the person that is paid for by the State or a local government; or  (b) if the person is a councillor—travel or accommodation paid for by LGAQ Ltd for the purpose of the councillor attending a meeting of the policy</p>	No comment
53			s150EE What is material personal interest	By proclamation	<p><del>150EE When does a person participate in a decision</del>  <del>Without limiting when a person participates in a decision, in this chapter, a reference to a councillor of a local government, or other person, participating in a decision includes a reference to the councillor or other person—</del>  <del>(aa) if the councillor or other person is wholly or partly responsible for making the decision—considering or discussing the matter to which the decision relates before the decision is made; and</del>  <del>(a) considering, discussing or voting on the decision in a local government meeting; and</del>  <del>(b) considering or making the decision under—</del>  <del>(i) an Act; or</del>  <del>(ii) a delegation; or</del>  <del>(iii) another authority.</del>  <b>150EE What is a material personal interest</b>  (1) A councillor has a <b>material personal interest</b> in a matter if the councillor or an associate of the councillor stands to gain a benefit or suffer a loss, either directly or indirectly, depending on the outcome of the consideration of the matter at a local government meeting.  (2) However, a councillor has a <b>material personal interest</b> under subsection (1) in relation to an associate only if the councillor knows, or ought reasonably to know about the associate's involvement in the matter.</p>	No comment
54			s150EF What is a conflict of interest	By proclamation	<p><del>150EF Personal interests in ordinary business matters of a local government</del>  <del>(1) This chapter does not apply in relation to a conflict of interest in a matter if the matter—</del>  <del>(a) is solely, or relates solely to, the making or levying of rates and charges, or the fixing of a cost-recovery fee, by the local government; or</del>  <del>(b) is solely, or relates solely to—</del>  <del>(i) making a planning scheme that applies to the whole of the local government area; or</del>  <del>(ii) amending a planning scheme, if the amendment applies to the whole of the local government area; or</del>  <del>(c) is solely, or relates solely to, the preparation, adoption or amendment of a budget for the local government; or</del>  <del>(d) is solely, or relates solely to, preparing, adopting or amending a document prescribed by regulation that the local government is required to prepare or adopt under a Local Government Act; or</del>  <del>(e) is solely, or relates solely to—</del>  <del>(i) the making of a donation to a religious, charitable or non-profit institution or organisation, unless a councillor, or close associate or related party of a councillor, receives a benefit because of the donation that is more than merely a benefit relating to reputation; or</del>  <del>(ii) a councillor representing the local government in an official capacity at an event held by a government agency or an entity that is wholly owned by the local government; or</del>  <del>(f) is solely, or relates solely to, employment related or upgraded travel or accommodation undertaken or used by a councillor, or close associate or related party of a councillor; or</del>  <del>(g) is solely, or relates solely to—</del>  <del>(i) the remuneration or reimbursement of expenses of councillors or members of a committee of the local government; or</del>  <del>(ii) the provision of superannuation entitlements or insurance for councillors; or</del>  <del>(iii) a matter of interest to the councillor solely as a candidate for election or appointment as mayor, deputy mayor, councillor or member of a committee of the local government.</del>  <del>(2) Also, this chapter does not apply in relation to a councillor's conflict of interest in a matter relating to a corporation or association that arises solely because of a nomination or appointment of the councillor by the local government to be a member of the board of the corporation or association.</del>  <del>(3) In addition, this chapter does not apply in relation to a councillor's conflict of interest in a matter if the councillor, close associate or related party of the councillor, or the donor mentioned in section 150EG(1)(a) or 150EH(1)(a) stands to gain a benefit or suffer a loss in relation to the matter that is no greater than the benefit or loss that a significant proportion of persons in the local government area stand to gain or lose.</del>  <del>(4) However, if a councillor decides to voluntarily comply with this chapter in relation to personal interests of the councillor in the matter—</del>  <del>(a) the personal interests are taken to be a declarable conflict of interest; and</del>  <del>(b) this chapter applies as if eligible councillors had, under section 150ER(2), decided the councillor has a declarable conflict of interest in the matter.</del>  <del>Note—</del>  See section 150ES for requirements for dealing with a conflict of interest mentioned in this subsection.  <del>(5) In this section—</del></p>	No comment



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55	Local Government Act 2009	Replacement ch5B Councillors conflicts of interest	s150EG Who is an associate of a councillor	By proclamation	<p><del>150EG When councillor has prescribed conflict of interest—particular gifts or loans</del></p> <p><del>(1) A councillor has a prescribed conflict of interest in a matter if—</del></p> <p><del>(a) a gift or loan is given by an entity (the donor) that has an interest in the matter in a circumstance mentioned in subsection (2); and</del></p> <p><del>(b) the gift or loan is given during the relevant term for the councillor; and</del></p> <p><del>(c) all gifts, loans or sponsored travel or accommodation benefits under section 150EH given by the donor to the councillor, or a close associate of the councillor, during the councillor's relevant term total \$2,000 or more.</del></p> <p><del>(2) For subsection (1)(a), the circumstances are—</del></p> <p><del>(a) where—</del></p> <p><del>(i) the donor gives the gift or loan to the councillor; and</del></p> <p><del>(ii) the gift or loan is required to be the subject of a return under the Local Government Electoral Act, part 6; or</del></p> <p><del>(b) where—</del></p> <p><del>(i) the donor gives the gift or loan to a group of candidates for an election when the councillor is a member of the group, or a political party that endorses the councillor for an election; and</del></p> <p><del>(ii) the councillor is a candidate in the election; and</del></p> <p><del>(iii) the gift or loan is required to be the subject of a return under the Local Government Electoral Act, part 6 or the Electoral Act, part 11, division 11; or</del></p> <p><del>(c) where the donor gives a gift to the councillor, or a close associate of the councillor, other than in a circumstance mentioned in paragraph (a) or (b).</del></p> <p><del>(2A) Subsection (3) applies for gifts or loans given by a donor—</del></p> <p><del>(a) to a group of candidates when the councillor is a member of the group; or</del></p> <p><del>(b) to a political party that endorses the councillor.</del></p> <p><del>(3) For working out the total gifts or loans given by the donor for subsection (1)(a), the amount of each gift or loan given to the group or political party must first be divided by—</del></p> <p><del>(a) for a group of candidates for an election—the total number of candidates who are members of the group; or</del></p> <p><del>(b) for a political party endorsing the candidate for an election—the total number of candidates endorsed by the political party in Queensland on the nomination day for the election under the Local Government Electoral Act 2011.</del></p> <p><b>150EG Who is an associate of a councillor</b></p> <p>Each of the following persons is an <i>associate</i> of a councillor—</p> <p>(a) a spouse of the councillor;</p> <p>(b) a parent, child or sibling of the councillor;</p> <p>(c) a person in a partnership with the councillor;</p> <p>(d) an employer, other than a government entity, of the councillor;</p> <p>(e) an entity, other than a government entity, of which the councillor is an executive officer or board member;</p> <p>(f) an entity in which the councillor or a person mentioned in paragraphs (a) to (e) for the councillor has an interest, other than an interest of less than 5%.</p>	No comment
56			s150EH Who is a related party of a councillor	By proclamation	<p><del>150EH When councillor has prescribed conflict of interest—sponsored travel or accommodation benefits</del></p> <p><del>(1) A councillor has a prescribed conflict of interest in a matter if—</del></p> <p><del>(a) a sponsored travel or accommodation benefit is given by an entity (the donor) that has an interest in the matter to—</del></p> <p><del>(i) the councillor; or</del></p> <p><del>(ii) a close associate of the councillor; and</del></p> <p><del>(b) the sponsored travel or accommodation benefit is given—</del></p> <p><del>(i) during the relevant term for the councillor; and</del></p> <p><del>(ii) while the councillor holds office as councillor; and</del></p> <p><del>(c) all gifts, loans or sponsored travel or accommodation benefits given by the donor to the councillor or close associate during the councillor's relevant term total \$2,000 or more.</del></p> <p><del>(1A) Section 150EG(2A) and (3) applies for working out the total gifts or loans given by the donor for subsection (1)(c).</del></p> <p><del>(2) In this section—</del></p> <p><del>sponsored travel or accommodation benefit, received by a person, means travel or accommodation undertaken or used by the person, other than employment related or upgraded travel or accommodation, if—</del></p> <p><del>(a) another entity contributes, whether financially or non-financially, to the cost of the travel or accommodation; and</del></p> <p><del>(b) the other entity is not the person's spouse, other family member or friend.</del></p> <p><b>150EH Who is a related party of a councillor</b></p> <p>A person is a <i>related party</i> of a councillor if the person is any of the following—</p> <p>(a) an associate of the councillor, other than an entity mentioned in section 150EG(f);</p> <p>(b) a spouse of the councillor's parent, child or sibling;</p> <p>(c) a grandparent, uncle, aunt, nephew, niece or grandchild of the councillor or the councillor's spouse;</p> <p>(d) a parent, child or sibling of the councillor's spouse;</p> <p>(e) a spouse of a person mentioned in paragraph (c) or (d);</p> <p>(f) an entity in which the councillor, or a person mentioned in paragraph (a), (b), (c), (d) or (e), has an interest.</p>	No comment
57			s150EI Councillor's material personal interest at a meeting	By proclamation	<p><del>150EI When councillor has prescribed conflict of interest—other</del></p> <p><del>A councillor has a prescribed conflict of interest in a matter if—</del></p> <p><del>(a) the matter is or relates to a contract between the local government and the councillor, or a close associate of the councillor, for—</del></p> <p><del>(i) the supply of goods or services to the local government; or</del></p> <p><del>(ii) the lease or sale of assets by the local government; or</del></p> <p><del>(aa) a person who is being considered for appointment as the chief executive officer of the local government is a close associate of the councillor and the matter is or relates to the appointment of the person; or</del></p> <p><del>(b) the chief executive officer is a close associate of the councillor and the matter is or relates to the appointment, discipline, termination, remuneration or other employment conditions of the chief executive officer; or</del></p> <p><del>(c) the matter is or relates to an application made to the local government for the grant of a licence, permit, registration or approval or consideration of another matter under a Local Government Act, if—</del></p> <p><del>(i) the application was made to the local government by the councillor or a close associate of the councillor; or</del></p> <p><del>(ii) the councillor or a close associate of the councillor makes or has made a written submission to the local government in relation to the application before it is or was decided.</del></p> <p><b>150EI Councillor's material personal interest at a meeting</b></p> <p>(1) This section applies if—</p> <p>(a) a matter is to be discussed at a local government meeting; and</p> <p>(b) a councillor has a material personal interest in the matter.</p> <p>(2) The councillor must—</p> <p>(a) inform the meeting of the councillor's material personal interest in the matter; and</p> <p>(b) leave the place where the meeting is being held, including any area set aside for the public, and stay away from the place while the matter is discussed and voted on.</p> <p><i>Note—</i></p> <p>Contravention of this subsection is misconduct that could result in disciplinary action being taken against a councillor. See section 150L(1)(c)(iii).</p> <p>(3) The councillor must not contravene subsection (2), including by voting on the matter, with an intention to gain a benefit or avoid a loss for the councillor or someone else.</p> <p>Maximum penalty—200 penalty units or 2 years imprisonment.</p> <p>(4) However, the councillor does not contravene subsection (2) by taking part in the meeting, or being at the place where the meeting is being held, if—</p> <p>(a) the councillor is a person to whom approval is given under subsection (5); and</p> <p>(b) the councillor complies with all conditions on which the approval is given.</p> <p>(5) The Minister may, by signed notice, approve the councillor taking part in the meeting, or being at the place where the meeting is being held, if—</p> <p>(a) because of the number of councillors subject to the obligation under this section, the holding of the meeting would be obstructed if the approval were</p>	No comment



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58			s150EJ Councillor's conflict of interest at a meeting	By proclamation	<p><del>150EJ Who is a close associate of a councillor</del>  <del>(1) A person is a close associate of a councillor if the person is any of the following in relation to the councillor—</del>  <del>(a) a spouse;</del>  <del>(b) a parent, child or sibling;</del>  <del>(c) a partner in a partnership;</del>  <del>(d) an employer, other than a government entity;</del>  <del>(e) an entity, other than a government entity, for which the councillor is an executive officer or board member;</del>  <del>(f) an entity in which the councillor or a person mentioned in any of paragraphs (a) to (e) for the councillor has an interest, other than an interest of less than 5% in an entity that is a listed corporation under the Corporations Act, section 9.</del>  <del>(2) However, the person is a close associate of the councillor in relation to a matter only if the councillor knows, or ought reasonably to know, about the person's involvement in the matter.</del></p> <p>150EJ Councillor's conflict of interest at a meeting  (1) This section applies if—  (a) a matter is to be discussed at a local government meeting; and  (b) a councillor at the meeting—  (i) has a conflict of interest in the matter (a <i>real conflict</i>); or  (ii) could reasonably be taken to have a conflict of interest in the matter (a <i>perceived conflict</i>).  (2) The councillor must deal with the real conflict or perceived conflict in a transparent and accountable way.  <i>Note—</i>  Contravention of this section is misconduct that could result in disciplinary action being taken against a councillor. See section 150L(1)(c)(iii).  (3) Without limiting subsection (2), the councillor must inform the meeting of—  (a) the councillor's personal interests in the matter; and  (b) if the councillor participates in the meeting in relation to the matter—how the councillor intends to deal with the real conflict or perceived conflict.  (4) Subsection (5) applies if a quorum at the meeting can not be formed because the councillor proposes to be excluded from the meeting to comply with subsection (2).  (5) The councillor does not contravene subsection (2) merely by participating, including, for example, by voting, in the meeting in relation to the matter if—  (a) the attendance of the councillor, together with any other required number of councillors, forms a quorum for the meeting; and  (b) the councillor complies with subsection (3).  (6) The following information must be recorded in the minutes of the meeting or, if minutes are not required for the meeting, in another way prescribed by regulation—  (a) the name of the councillor who has the real conflict or perceived conflict;</p>	No comment
59	Local Government Act 2009	Amendment s155 Disqualification because of other high office	Not applicable	On assent	<p>155 Disqualification <del>because of other high office</del> of government members and electoral candidates  (1) A person can not be a councillor while the person is a government member or electoral candidate.  (2) A <i>government member</i> is—  (a) a member of a Parliament of the Commonwealth or a State (including Queensland); or  (b) a councillor of a local government of another State.  <del>(2A)</del>(3) A person is an <i>electoral candidate</i> if, under the Electoral Act, section 93(3), the person becomes a candidate for an election of a member of the Legislative Assembly.  <del>(3)</del>(4) A person automatically stops being a councillor when the person becomes a government member or electoral candidate.</p>	Supportive
60	Local Government Act 2009	Amendment ch6, pt2, div2, hdg Councillors term of office	Not applicable	On assent	Division 2 Councillor's term of office and entitlement to remuneration	No comment
61	Local Government Act 2009	Replacement s160B Compulsory leave without pay	Not applicable	On assent	<p><del>160B Compulsory leave without pay</del>  <del>A councillor must take leave without pay for the duration of the period for which the councillor is a candidate, within the meaning of the Electoral Act, for election as a member of the Legislative Assembly.</del></p> <p>160B Remuneration to be paid for term  A councillor of a local government is entitled to remuneration for the period—  (a) starting on the day the councillor's term starts under section 159; and  (b) ending on the day the councillor's term ends under section 160.</p>	No comment
62	Local Government Act 2009	Amendment s162 When a councillor's office becomes vacant	Not applicable	On assent	<p>162 When a councillor's office becomes vacant  (1) A councillor's office becomes vacant if the councillor—  (a) ceases to be qualified to be a councillor under division 1; or  (b) is found, on a judicial review, to be ineligible to continue to be a councillor; or  (c) does not comply with section 169; or  (d) ceases to be a councillor under section 172; or  (e) is absent from 2 or more consecutive ordinary meetings of the local government over a period of at least 2 months, unless the councillor is absent—  (i) in compliance with an order made by the conduct tribunal, the local government or the chairperson of a meeting of the local government or a committee of the local government; or  (ii) with the local government's leave; or  (iii) while the councillor is suspended under section 122, 123 or 175K; or  (f) resigns as a councillor by signed notice of resignation given to the chief executive officer; or  <del>(g)</del>(g) is elected or appointed as mayor of the local government; or  <del>(h)</del>(h) dies; or  <del>(i)</del>(i) becomes a local government employee.  (2) A <i>local government employee</i> does not include—  (a) a person employed under a federally funded community development project for Aborigines or Torres Strait Islanders; or  (b) a person prescribed under a regulation.</p>	No comment



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63	Local Government Act 2009	Amendment 169A Councillor training	Not applicable	On assent	<p><b>169A Councillor training</b>  <del>(1) A councillor must complete approved councillor training about the responsibilities of councillors under section 12.</del> (1) A councillor must complete each approved training course unless the councillor has, at any time, previously completed the approved training course.  (2) The training must be completed by the councillor—  (a) within the period prescribed by regulation; or  (b) if the department's chief executive extends the period for the councillor—within the extended period.  (3) The department's chief executive may extend the period under subsection (2)(b) only if the department's chief executive is satisfied it would be appropriate in the circumstances.  <i>Example of when an extension may be appropriate in the circumstances—</i>  the councillor is unable to complete the training due to unavoidable absence  (4) The department's chief executive must publish a notice about the approved <del>councillor training</del> training course on the department's website within the period prescribed by regulation.  (5) Also, the department's chief executive must give a notice about the approved <del>councillor training</del> training course—  (a) to each local government and each councillor of the local government within the period prescribed by regulation; and  (b) if a councillor is appointed or elected to fill a vacancy in the office of another councillor—to the local government and the councillor within 20 business days after the councillor is appointed or elected.  (6) A notice under subsections (4) and (5) must state the following—  (a) a description of the approved <del>councillor training</del> training course;  (b) the requirements for successful completion of the <del>training</del> course;  (c) for a notice given under subsection (5)—when the <del>training</del> course must be completed by the councillor.  (7) A regulation may prescribe requirements for the training required under this section, including—  (a) the format of the training; and  (b) <del>requirements about</del> how the training may be successfully completed.  <del>(8) In this section—</del>  <del>approved councillor training means training that—</del>  <del>(a) meets the requirements prescribed by regulation under subsection (7); and</del>  <del>(b) is approved by the department's chief executive.</del>  (8) In this section—  <b>approved training course</b> means a course of training approved by the department's chief executive that—  (a) is about a councillor's responsibilities under section 12; and  (b) meets the requirements under subsection (7).</p>	No comment
64	Local Government Act 2009	Amendment s170A Requests for assistance or information	Not applicable	On assent	<p><b>170A Requests for assistance or information</b>  (1) A councillor may ask a local government employee to provide advice to assist the councillor to carry out his or her responsibilities under this Act.  (2) A councillor may, subject to any limits prescribed under a regulation, ask the chief executive officer to provide information, that the local government has access to, relating to the local government.  <i>Example of a limit prescribed under a regulation—</i>  A regulation may prescribe the maximum cost to a local government of providing information to a councillor.  (3) If the advice or information requested under subsection (1) or (2) relates to a document, the requirement under subsection (9) to comply with the request includes a requirement to provide a copy of the document.  (4) Subsections (2) and (3) do not apply to information or a document—  (a) that is a record of the conduct tribunal; or  (b) that was a record of a former conduct review body; or  <del>(b)</del> (c) that comprises proceedings in the Assembly under the <i>Parliament of Queensland Act 2001</i>, section 9; or  <del>(c)</del> (d) if disclosure of the information or document to the councillor would be contrary to an order of a court or tribunal; or  <del>(d)</del> (e) that would be privileged from production in a legal proceeding on the ground of legal professional privilege.  (5) A request of a councillor under subsection (1) or (2) is of no effect if the request does not comply with the acceptable requests guidelines.  (6) Subsection (5) does not apply to—  (a) the mayor; or  (b) the chairperson of a committee of a local government if the request relates to the role of the chairperson.  (7) The <b>acceptable requests guidelines</b> are guidelines, adopted by resolution of the local government, about—  (a) the way in which a councillor may ask a local government employee for advice to help the councillor carry out his or her responsibilities under this Act; and  (b) reasonable limits on requests that a councillor may make.  (8) In this section a <b>local government employee</b> includes a person prescribed under a regulation.  (9) The chief executive officer must comply with a request made to the chief executive officer under subsection (1) or (2)—  (a) within 10 business days after receiving the request; or  (b) if the chief executive officer reasonably believes it is not practicable to comply with the request within 10 business days—within 20 business days after receiving the request.  Maximum penalty—20 penalty units.  (10) If the chief executive officer forms the belief mentioned in subsection (9)(b), the chief executive officer must give the councillor notice about the belief and the reasons for the belief within 10 business days after receiving the request.  (11) In this section—  <b>former conduct review body</b> means a regional conduct review panel or the Local Government Remuneration and Discipline Tribunal under this Act as</p>	No comment
65	Local Government Act 2009	New ch6, pt2, div6 Responsibilities during leave of absence	Not applicable	On assent	<p><b>Division 6 Responsibilities during leave of absence</b>  <b>175A Responsibilities of councillors during leave of absence</b>  (1) This section applies if a local government grants a councillor a leave of absence for 1 or more ordinary meetings of the local government.  (2) To remove any doubt, it is declared that the councillor may perform any responsibility under section 12 during the councillor's leave of absence.</p>	Supportive
66	Local Government Act 2009	Amendment s196 Appointing other local government employees	Not applicable	On assent	<p><b>196 Appointing other local government employees</b>  (1) A local government must, by resolution, adopt an organisational structure that is appropriate to the performance of the local government's responsibilities.  (2) The local government may employ local government employees for the performance of the local government's responsibilities.  (3) The chief executive officer appoints local government employees, other than senior executive employees  (4) A panel constituted by the following persons appoints a senior executive employee—  (a) the mayor;  (b) the chief executive officer;  (c) either—  (i) if the senior executive employee is to report to only 1 committee of the local government—the chairperson of the committee; or  (ii) otherwise—the deputy mayor.  (5) Despite subsection (4)(c), if the deputy mayor or chairperson is unable to take part in the panel, the local government must appoint another councillor to replace the deputy mayor or chairperson in the panel.  <i>Example for subsection (5)—</i>  Another councillor is appointed to replace the deputy mayor or chairperson of a committee in a panel because the deputy mayor or chairperson is absent.</p>	<p>Not supportive as drafted. Further work is required on this amendment.</p> <p>It is suggested that:  1. Council resolve on the method of recruitment of Senior Executive Officers.  2. That the CEO has the authority to reasonably extend and otherwise manage the appointment for the complete term of the appointment including reappointment of existing Senior Executive Officers.</p> <p>This provides flexibility for Council to select the recruitment approach.</p>



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67	Local Government Act 2009	Amendment s197D Regulation may prescribe particular matters relating to councillor advisors	Not applicable	On assent	<p>197D Regulation may prescribe particular matters relating to councillor advisors</p> <p>(1) A regulation may—</p> <p>(a) prescribe a local government as a local government to which section 197A(1) applies; and</p> <p>(b) prescribe the maximum number of councillor advisors each councillor may appoint; and</p> <p><del>(c) limit the functions and key responsibilities that may be provided for in a councillor advisor's contract of employment.</del></p> <p>(2) Before recommending to the Governor in Council the making of a regulation under subsection <del>(1)(a) or (b)</del> (1), the Minister must ask the remuneration commission for its recommendation about the proposed regulation.</p> <p>(3) The Minister must have regard to the recommendation of the remuneration commission in recommending the making of the regulation to the Governor in Council.</p> <p>(4) The maximum number of councillor advisors prescribed under subsection (1)(b)—</p> <p>(a) is the number of full-time equivalent councillor advisors a councillor may appoint; and</p> <p>(b) does not prevent a councillor appointing more than 1 part-time councillor advisor to perform the role of 1 full-time councillor advisor.</p>	No comment
68	Local Government Act 2009	Amendment s201D Dishonest conduct of a councillor or councillor advisor	Not applicable	By proclamation	<p>201D Dishonest conduct of councillor or councillor advisor</p> <p>(1) A person who is a councillor or councillor advisor must not contravene a relevant integrity provision with intent to—</p> <p>(a) dishonestly obtain a benefit for the person or someone else; or</p> <p>(b) dishonestly cause a detriment to someone else.</p> <p>Maximum penalty—200 penalty units or 2 years imprisonment.</p> <p>(2) In this section—</p> <p><i>benefit</i> includes property, advantage, service, entertainment, the use of or access to property or facilities, and anything of benefit to a person whether or not it has any inherent or tangible value, purpose or attribute.</p> <p><i>detriment</i>, caused to a person, includes detriment caused to the person's property.</p> <p><i>relevant integrity provision</i>—</p> <p>(a) for a councillor, means each of the following provisions—</p> <p><del>(i) section 150EK;</del></p> <p><del>(ii) section 150EL;</del></p> <p><del>(iii) section 150EPA;</del></p> <p><del>(iv) section 150EQ;</del></p> <p><del>(v) section 150EZ;</del></p> <p><del>(vi) (i) section 201A;</del></p> <p><del>(vii) (ii) section 201B;</del></p> <p><del>(viii) (iii) section 201C;</del></p> <p><del>(ix) (iv) section 234, if the information mentioned in that section is given under section 201A, 201B or 201C; or</del></p> <p>(b) for a councillor advisor, means each of the following provisions—</p> <p>(i) section 201A;</p> <p>(ii) section 201B;</p> <p>(iii) section 201C;</p> <p>(iv) section 234, if the information mentioned in that section is given under section 201A, 201B or 201C.</p>	No comment
69	Local Government Act 2009	Amendment s257 Delegation of local government powers	Not applicable	By proclamation	<p>257 Delegation of local government powers</p> <p>(1) A local government may, by resolution, delegate a power under this Act or another Act to—</p> <p>(a) the mayor; or</p> <p>(b) the chief executive officer; or</p> <p>(c) a standing committee, or joint standing committee, of the local government; or</p> <p>(d) the chairperson of a standing committee, or joint standing committee, of the local government; or</p> <p>(e) another local government, for the purposes of a joint government activity.</p> <p><del>(2) However, a local government may only delegate a power to make a decision about an investigation or a councillor's conduct under section 150AEA or 150AG to—</del></p> <p><del>(a) the mayor; or</del></p> <p><del>(b) a standing committee of the local government.</del></p> <p><del>(3) (2) Also, a local government must not delegate a power that an Act states must be exercised by resolution.</del></p> <p><del>(4) (3) A joint standing committee, of the local government, is a committee consisting of councillors of the local government and councillors of 1 or more other local governments.</del></p> <p><del>(5) (4) A delegation to the chief executive officer under subsection (1) must be reviewed annually by the local government.</del></p>	No comment
70	Local Government Act 2009	New ch9, pt20 Transitional provisions for Local Government (Empowering Councils) and Other Legislation Amendment Act 2025	Division 1 Preliminary s360 Definitions for part	On assent	<p>Chapter 9 Other transitional and validation provisions</p> <p>Part 20 Transitional provisions for Local Government (Empowering Councils) and Other Legislation Amendment Act 2025</p> <p>Division 1 Preliminary</p> <p>360 Definitions for part</p> <p>In this part—</p> <p><i>amendment Act</i> means the Local Government (Empowering Councils) and Other Legislation Amendment Act 2025.</p> <p><i>former</i>, in relation to a provision of this Act, means the provision as in force from time to time before the commencement of the transitional provision in which the term is used.</p> <p><i>new</i>, in relation to a provision of this Act, means the provision as in force from the commencement of the transitional provision in which the term is used.</p> <p><i>transitional provision</i> means a provision of this part.</p>	No comment
71			Division 2 Provisions for amendments commencing on assent s361 Councillors who were candidates immediately before commencement	On assent	<p>Division 2 Provisions for amendments commencing on assent</p> <p>361 Councillors who were candidates immediately before commencement</p> <p>(1) This section applies if—</p> <p>(a) before the commencement, a councillor had become a candidate, under the Electoral Act, section 93(3), for an election of a member of the Legislative Assembly; and</p> <p>(b) immediately before the commencement, the election period for the election had not ended under that Act.</p> <p>(2) Sections 155 and 160B as in force immediately before the commencement continue to apply to the councillor, despite the enactment of the amendment Act, until the election period ends.</p>	No comment
72			Division 2 Provisions for amendments commencing on assent s362 Application of s150DD for existing acting assessor	On assent	<p>362 Application of s 150DD for existing acting assessor</p> <p>(1) This section applies in relation to a person who was, immediately before the commencement, appointed as the acting assessor under section 150DD.</p> <p>(2) New section 150DD applies in relation to any reappointment of the person.</p>	No comment
73			Division 2 Provisions for amendments commencing on assent s363 Councillor training	On assent	<p>363 Councillor training</p> <p>Training that was, immediately before the commencement, approved councillor training for a matter under section 169A as in force immediately before the commencement is, from the commencement, taken to be an approved training course for the same matter under new section 169A.</p>	No comment
74			Division 2 Provisions for amendments commencing on assent s364 Existing senior executive employees	On assent	<p>364 Existing senior executive employees</p> <p>(1) This section applies to a person if, immediately before the commencement, the person—</p> <p>(a) held an appointment under section 196(3) as in force immediately before the commencement; and</p> <p>(b) was classified as a senior executive employee.</p> <p>(2) From the commencement—</p> <p>(a) the person's contract and conditions of employment continue; and</p> <p>(b) the person is taken to have been appointed as a senior executive employee under new section 196(4).</p>	No comment



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75	Local Government Act 2009	New ch9, pt20, div3 Provisions for amendments commencing by proclamation	Subdivision 1 Councillor conduct	By proclamation	<p><b>Chapter 9 Other transitional and validation provisions</b></p> <p><b>Division 3 Provisions for amendments commencing by proclamation</b></p> <p><b>Subdivision 1 Councillor conduct</b></p> <p><b>365 Existing matters about particular unsuitable meeting conduct of councillor</b></p> <p>(1) This section applies if—</p> <p>(a) before the commencement, a local government started to deal with unsuitable meeting conduct of a councillor under former sections 150J(b) and 150AG; and</p> <p>(b) immediately before the commencement, a decision about the councillor's conduct under former section 150AG had not been made.</p> <p>(2) From the commencement, the local government must take no further action in relation to the councillor's unsuitable meeting conduct.</p> <p><b>366 Preliminary assessment of conduct engaged in before commencement</b></p> <p>(1) This section applies if—</p> <p>(a) a councillor engaged in conduct before the commencement; and</p> <p>(b) either—</p> <p>(i) a preliminary assessment of a complaint, notice or information about the conduct was started but not finished before the commencement under former chapter 5A, part 3, division 3A; or</p> <p>(ii) a preliminary assessment of a complaint, notice or information about the conduct is started on or after the commencement under new chapter 5A, part 3, division 3A.</p> <p>(2) New chapter 5A, part 3 applies in relation to the councillor's conduct, including for the completion of the preliminary assessment.</p> <p>(3) For a preliminary assessment mentioned in subsection (1)(b)(i), anything done under former chapter 5A, part 3, division 3A is taken to have been done under new chapter 5A, part 3, division 3A.</p> <p>(4) Despite subsection (2), on the completion of the preliminary assessment, the assessor may dismiss the complaint or decide to take no further action for the notice or information if—</p> <p>(a) the assessor reasonably suspects the councillor has engaged in misconduct mentioned in new section 150L(1)(b)(iii) or (iv); and</p> <p>(b) the assessor is satisfied—</p> <p>(i) at least 6 months have elapsed since the councillor's conduct occurred; and</p> <p>(ii) it would not be in the public interest to take further action under new chapter 5A, part 3.</p> <p>(5) Also, after the completion of the preliminary assessment, subsection (6) applies if—</p> <p>(a) the assessor applies to the conduct tribunal under new section 150AJ; and</p> <p>(b) the tribunal decides under new section 150AQ that the councillor has engaged in misconduct mentioned in new section 150L(1)(b)(iii) or (iv).</p> <p>(6) Despite new section 150AR, the conduct tribunal may make an order mentioned in section 150AH(a) or (b) as in force immediately before the commencement.</p> <p>(7) For subsection (6), section 150AH as in force immediately before the commencement applies as if—</p>	No comment
76			Subdivision 2 Dealing with personal interests of councillors	By proclamation	<p><b>Subdivision 2 Dealing with personal interests of councillors</b></p> <p><b>371 Proceedings for particular offences</b></p> <p>(1) This section applies in relation to an offence against any of the following provisions committed by a person before the commencement—</p> <p>(a) former section 201D in relation to a provision mentioned in former section 201D(2), definition relevant integrity provision, paragraph (a)(i) to (v);</p> <p>(b) former section 150EM(2);</p> <p>(c) former section 150ES(5);</p> <p>(d) former section 150EY.</p> <p>(2) Without limiting the Acts Interpretation Act 1954, section 20, a proceeding for the offence may be continued or started, and the person may be convicted of and punished for the offence, as if the amendment Act, sections 107 and 108 had not commenced.</p> <p>(3) Subsection (2) applies despite the Criminal Code, section 11.</p> <p><b>372 Continued application of s 153 for former integrity offences</b></p> <p>(1) This section applies if a person is convicted of an offence against former section 150EM(2) or 150EY before or after the commencement.</p> <p>(2) The conviction is taken to be a conviction of an integrity offence for section 153(1)(d).</p> <p><b>373 Application of this Act for contravention of former COI provisions</b></p> <p>(1) This section applies if—</p> <p>(a) before the commencement, a person had made a complaint to the assessor about the conduct of a councillor; and</p> <p>(b) the conduct related to a contravention of former section 150EK, 150EL, 150EPA, 150EQ, 150EW or 150EZ (the former COI provisions); and</p> <p>(c) immediately before the commencement, the complaint had not been resolved.</p> <p>(2) Chapter 5A, as it applies under subdivision 1, applies in relation to the councillor's conduct as if—</p> <p>(a) the former COI provisions had not been repealed; and</p> <p>(b) contravention of a former COI provision continued to be misconduct within the meaning of section 150L.</p> <p>(3) In this section—</p> <p><i>resolved</i>, in relation to a complaint about a councillor's conduct, means all proceedings or actions that are required or permitted to be taken under chapter 5A in relation to the conduct are complete.</p>	No comment
77	Local Government Act 2009	Amendment sch1 Serious integrity offences and integrity offences	Not applicable	By proclamation	<p><b>Schedule 1 Serious integrity offences and integrity offences</b></p> <p><b>Part 2 Integrity offences</b></p> <p><b>This Act</b></p> <p>150AW(1) Protection from reprisal</p> <p><del>150EM(2)-</del> <del>Dealing with prescribed conflict of interest at a meeting</del></p> <p><del>150EY</del> <del>Offence to take retaliatory action</del></p> <p>150EI(3) Councillor's material personal interest at a meeting</p> <p>171(1) Use of information by councillors</p> <p>201F Prohibited conduct by councillor or councillor advisor in possession of inside information</p> <p>234(1) False or misleading information</p>	No comment



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78	Local Government Act 2009	Amendment sch4 Dictionary	Not applicable	By proclamation	<p><b>Schedule 4 Dictionary</b></p> <p><del>close associate, of a councillor, see section 150EJ.</del></p> <p><del>declarable conflict of interest see sections 150EN and 150EO.</del></p> <p><del>eligible councillor, for a matter at a local government meeting, means a councillor at the meeting who does not have a prescribed conflict of interest or declarable conflict of interest in the matter.</del></p> <p><del>employment-related or upgraded travel or accommodation, for a person, means—</del></p> <p><del>(a) travel or accommodation paid for by the State or a local government; or</del></p> <p><del>(b) travel or accommodation paid for by LGAQ Ltd for the purpose of a councillor attending a meeting of the policy executive established under the constitution of LGAQ Ltd; or</del></p> <p><del>(c) travel or accommodation that is—</del></p> <p><del>(i) undertaken or used by the person in the course of the person's employment; and</del></p> <p><del>(ii) is contributed to, whether financially or non-financially, by the person's employer; or</del></p> <p><del>(d) if the person is a director of a corporation—travel or accommodation that is—</del></p> <p><del>(i) undertaken or used by the person in the course of carrying out the person's duties as a director; and</del></p> <p><del>(ii) is contributed to, whether financially or non-financially, by the corporation; or</del></p> <p><del>(e) if the travel is airline travel—an upgrade to the travel given by the provider of the travel for no charge; or</del></p> <p><del>Example—a free air travel upgrade to business class</del></p> <p><del>(f) an upgrade to the accommodation given by the provider of the accommodation for no charge.</del></p> <p><del>Example—a free accommodation upgrade to a larger room</del></p> <p><del>prescribed conflict of interest see section 150EG, 150EH or 150EI.</del></p> <p><del>conduct breach, for chapter 5A, see section 150K.</del></p> <p><del>investigation policy, of a local government, for chapter 5A, see section 150AE(1).</del></p> <p><del>investigation report, for chapter 5A, see section 150C.</del></p> <p><del>referral notice, for chapter 5A, see section 150AG.</del></p> <p><del>associate, of a councillor, see section 150EG.</del></p> <p><del>conflict of interest see section 150EF.</del></p> <p><del>material personal interest see section 150EE.</del></p> <p><del>related party, of a councillor see section 150EP section 150EH</del></p>	No comment
79	Local Government Regulation 2012	Replacement s44 Minimum requirements for complaints process	Not applicable	On assent	<p><del>44 Minimum requirements for complaint process—</del></p> <p><del>(1) This section sets out the minimum requirements for the relevant local government's process for resolving a competitive neutrality complaint in relation to the business entity.</del></p> <p><del>(2) The local government must ensure the process deals with the following—</del></p> <p><del>(a) resolving a matter before making a complaint, including, for example, the process for—</del></p> <p><del>(i) a person to raise concerns about alleged failures of the business entity to comply with the competitive neutrality principle in conducting the business activity; and</del></p> <p><del>(ii) clarifying the matter;</del></p> <p><del>(b) recording all complaints, decisions and recommendations.</del></p> <p><b>44 Complaints management process</b></p> <p>The complaints management process adopted by the relevant local government under section 306 applies to a competitive neutrality complaint in relation to the business entity.</p>	Supportive
80	Local Government Regulation 2012	Amendment s45 Making a complaint	Not applicable	On assent	<p><b>45 Making a complaint</b></p> <p>(1) A person who wants to make a competitive neutrality complaint must make the complaint in writing to the relevant local government <del>or the competition authority.</del></p> <p>(2) The complaint must contain—</p> <p>(a) details of the business entity's alleged failure to comply with the competitive neutrality principle in conducting the business activity the subject of the competitive neutrality complaint; and</p> <p>(b) information that shows—</p> <p>(i) the person (the complainant) is, or could be, in competition with the business entity; and</p> <p>(ii) how the complainant is, or may be, adversely affected by the business entity's alleged failure; and</p> <p><del>(iii) the complainant has made a genuine attempt to resolve the complaint through the process mentioned in section 44(2)(a).</del></p> <p><del>(3) If a person makes a competitive neutrality complaint to a local government, the relevant local government must give the complaint to the QCA as soon as is practicable. Subsection (4) applies if—</del></p> <p><del>(a) the relevant local government makes a decision about the complaint; and</del></p> <p><del>(b) the complainant tells the local government that the complainant is not satisfied with the decision.</del></p> <p><del>(3A) (4) The relevant local government must give the following to the competition authority as soon as practicable—</del></p> <p><del>(a) the complaint;</del></p> <p><del>(b) the local government's decision about the complaint and the reasons for the decision;</del></p> <p><del>(c) information obtained from any investigation of the complaint.</del></p> <p><del>(4) (5) The making of a complaint does not stop the business entity from conducting the business activity.</del></p>	Supportive
81	Local Government Regulation 2012	Amendment s48 Competition authority refusing to investigate	Not applicable	On assent	<p><b>48 QCA refusing to investigate</b></p> <p>(1) The QCA may refuse to investigate a competitive neutrality complaint if the QCA reasonably believes that—</p> <p><del>(a) the complainant has not shown that the complainant made a genuine attempt to resolve the matter through the process mentioned in section 44(2)(a); or</del></p> <p><del>(b) (a) the complainant is not, or will not be, in competition with the relevant local government, after the QCA considers—</del></p> <p><del>(i) whether the complainant is, or will be, supplying goods or services that are similar to the goods or services the business activity supplies; and</del></p> <p><del>(ii) the laws relating to competition that apply to the business activity; or</del></p> <p><del>(c) (b) the complainant is not, or is unlikely to be, adversely affected if the business activity is not conducted in a way that complies with the competitive neutrality principle; or</del></p> <p><del>(4) (c) the complaint is frivolous or vexatious.</del></p> <p>(2) If the QCA refuses to investigate the complaint, the QCA must give each of the following a refusal notice within 14 days—</p> <p>(a) the complainant;</p> <p>(b) the relevant local government.</p> <p>(3) A refusal notice is a document that states—</p> <p>(a) that the QCA has refused to investigate the complaint; and</p> <p>(b) the reasons for the refusal.</p>	No comment
82	Local Government Regulation 2012	Amendment s71 What ch4 is about	Not applicable	On assent	<p><b>71 What ch 4 is about</b></p> <p>(1) This chapter is about local government rates and charges.</p> <p>Note— See chapter 4, part 1 of the Act.</p> <p><del>(2) A provision of this chapter does not apply to the local government area of an indigenous local government to the extent that the provision relies on the valuation of land under the Land Valuation Act.</del></p>	No comment
83	Local Government Regulation 2012	Amendment ch4, pt2 hdg Land exempt from rating	Not applicable	On assent	<p><b>Chapter 4 Rates and charges</b></p> <p><b>Part 2 Land exempt from rating and prescribed local governments</b></p>	No comment



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84	Local Government Regulation 2012	New s73A Local governments to which Act s94A applies	Not applicable	On assent	<p><b>73A Local governments to which Act, s 94A applies</b>  For section 94A(1) of the Act, the following local governments are prescribed—  (a) Aurukun Shire Council;  (b) Cherbourg Aboriginal Shire Council;  (c) Doomadgee Aboriginal Shire Council;  (d) Hope Vale Aboriginal Shire Council;  (e) Kowanyama Aboriginal Shire Council;  (f) Lockhart River Aboriginal Shire Council;  (g) Mapoon Aboriginal Shire Council;  (h) Mornington Shire Council;  (i) Napranum Aboriginal Shire Council;  (j) Palm Island Aboriginal Shire Council;  (k) Pompuraaw Aboriginal Shire Council;  (l) Woorabinda Aboriginal Shire Council;  (m) Wujal Wujal Aboriginal Shire Council;  (n) Yarrabah Aboriginal Shire Council;  (o) Northern Peninsula Area Regional Council;  (p) Torres Strait Island Regional Council.</p>	No comment
85	Local Government Regulation 2012	Amendment s186 Councillors	Not applicable	On assent	<p><b>186 Councillors</b>  (1) The annual report for a financial year must contain particulars of—  (a) for each councillor, the total remuneration, including superannuation contributions, paid to the councillor during the financial year; and  (b) the expenses incurred by, and the facilities provided to, each councillor during the financial year under the local government's expenses reimbursement policy; and  (c) the number of local government meetings that each councillor attended during the financial year; and  <del>(d) the total number of the following during the financial year—</del>  <del>(i) orders made under section 150I(2) of the Act;</del>  <del>(ii) orders made under section 150IA(2)(b) of the Act;</del>  <del>(iii) orders made under section 150AH(1) of the Act;</del>  <del>(iv) decisions, orders and recommendations made under section 150AR(1) of the Act; and</del>  <del>(e) each of the following during the financial year—</del>  <del>(i) the name of each councillor for whom a decision, order or recommendation mentioned in paragraph (d) was made;</del>  <del>(ii) a description of the unsuitable meeting conduct, conduct breach or misconduct engaged in by each of the councillors;</del>  <del>(iii) a summary of the decision, order or recommendation made for each councillor; and</del>  <del>(f) (d) the number of each of the following during the financial year—</del>  (i) complaints referred to the assessor under section 150P(2)(a) of the Act by local government entities for the local government;  (ii) matters, mentioned in section 150P(3) of the Act, notified to the Crime and Corruption Commission;  (iii) notices given under <del>section 150R(2)</del> <b>section 150R(3)</b> of the Act;  <del>(iv) notices given under section 150S(2)(a) of the Act;</del>  <del>(v) occasions information was given under section 150AF(3)(a) of the Act;</del>  <del>(vi) occasions the local government asked another entity to investigate, under chapter 5A, part 3, division 5 of the Act for the local government, the suspected conduct breach of a councillor;</del>  <del>(vii) applications heard by the conduct tribunal under chapter 5A, part 3, division 6 of the Act about whether a councillor engaged in misconduct or a conduct breach; and</del>  <del>(g) the total number of referral notices given to the local government under section 150AC(1) of the Act during the financial year; and</del>  <del>(h) for suspected conduct breaches the subject of a referral notice mentioned in paragraph (g)—</del>  <del>(i) the total number of suspected conduct breaches; and</del>  <del>(ii) the total number of suspected conduct breaches for which an investigation was not started or was discontinued under section 150AEA of the Act; and</del>  <del>(j) the number of decisions made by the local government under section 150AG(1) of the Act during the financial year; and</del>  <del>(k) the number of matters not decided by the end of the financial year under section 150AG(1) of the Act; and</del>  <del>(l) the average time taken by the local government in making a decision under section 150AG(1) of the Act.</del></p>	No comment
86	Local Government Regulation 2012	Amendment s187 Administrative action complaints	Not applicable	On assent	<p><b>187 Administrative action complaints and competitive neutrality complaints</b>  (1) The annual report for a financial year must contain—  (a) a statement about the local government's commitment to dealing fairly with administrative action complaints <b>and competitive neutrality complaints</b>; and  (b) a statement about how the local government has implemented its complaints management process, including an assessment of the local government's performance in resolving complaints under the process.  (2) The annual report must, <b>for each type of complaint mentioned in subsection (1),</b> also contain particulars of—  (a) the number of the following during the financial year—  (i) <del>administrative action</del> complaints made to the local government;  (ii) <del>administrative action</del> complaints resolved by the local government under the complaints management process;  (iii) <del>administrative action</del> complaints not resolved by the local government under the complaints management process; and  (b) the number of <del>administrative action</del> complaints under paragraph (a)(iii) that were made in a previous financial year.</p>	Supportive
87	Local Government Regulation 2012	Omission s239C When summary of investigation report or investigation report must be made publicly available	Not applicable	By proclamation	<p><del><b>239C When summary of investigation report or investigation report must be made publicly available</b></del>  <del>(1) For section 150AFA(3)(b) of the Act, the day and time prescribed is 5p.m. on the next business day after notice of the meeting at which the decision is to be made is given under—</del>  <del>(a) for the Brisbane City Council—the City of Brisbane Regulation 2012, section 242C; or</del>  <del>(b) for another local government—section 254G.</del>  <del>(2) However, if the agenda for the meeting is made publicly available under section 254D or the City of Brisbane Regulation 2012, section 242D before the day and time mentioned in subsection (1), the day and time prescribed is the day and time when the agenda is made publicly available.</del>  <del>(3) For section 150AGA(1)(a) of the Act, the day and time prescribed is 5p.m. on the tenth day after the meeting at which the decision is made is held.</del>  <del>(4) However, if minutes for the meeting are made publicly available under section 254F or the City of Brisbane Regulation 2012, section 242F before the day and time mentioned in subsection (3), the day and time prescribed is the day and time when the minutes are made publicly available.</del></p>	No comment
88	Local Government Regulation 2012	Amendment s247 Remuneration payable to councillors	Not applicable	On assent	<p><b>247 Remuneration payable to councillors</b>  (1) A local government must pay remuneration to each councillor of the local government.  (2) The maximum amount of remuneration payable to a councillor under the remuneration schedule must be paid to the councillor, unless the local government, by resolution, decides the maximum amount is not payable to the councillor.  <del>(2A)</del> (3) However, a decision not to pay the maximum amount of remuneration to a councillor must not be made only because the councillor was absent, with or without the local government's leave, for 1 or more ordinary meetings of the local government.  <del>(4)</del> (4) In a resolution made under subsection (2), the local government must also decide the amount of remuneration payable to the councillor.  <del>(4)</del> (5) The amount of remuneration decided under <del>subsection (3)</del> <b>subsection (4)</b> for each councillor must not be more than the maximum amount of remuneration payable to the councillor under the remuneration schedule.  <del>(6)</del> (6) The amount of remuneration for each councillor, other than a mayor or deputy mayor, must be the same.  <del>(6)</del> (7) The local government must make a resolution under subsection (2), for the remuneration payable from 1 July of a particular year, before 1 July of that year.  <del>(7)</del> (8) <del>Subsections (4) and (5)</del> <b>Subsections (5), (6)</b> are subject to section 248.</p>	Supportive, however please verify drafting of bulleted numbers to validate accuracy.



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89	Local Government Regulation 2012	Replacement s254AB Ordinary business matters relating to documents - Act, s150EF	254AB Matters in relation to which the Act, ch5B does not apply - Act, s150ED	By proclamation	<del>254AB Ordinary business matters relating to documents—Act, s 150EF</del> <del>For section 150EF(1)(d) of the Act, the following documents are prescribed—</del> <del>(a) a local government's investigation policy adopted under section 150AE of the Act;</del> <del>(b) a local government's annual operational plan adopted under section 174.</del> <u>254AB Matters in relation to which the Act, ch 5B does not apply—Act, s 150ED</u> <u>For section 150ED(1)(d) of the Act, the annual operational plan adopted by a local government under section 174 is prescribed.</u>	Further clarification is required to clarify the intent and purpose of this provision.
90	Local Government Regulation 2012	Amendment s254D Public availability of agendas	Not applicable	By proclamation	<b>254D Public availability of agendas</b> (1) A local government must make the agenda for a local government meeting publicly available by 5p.m. on the next business day after notice of the meeting is given under section 254C. (2) Also, a local government must make a related report for a local government meeting publicly available as follows— (a) if the related report is made available to councillors or committee members before or at the time notice of the meeting is given under section 254C—when the agenda for the meeting is made publicly available under subsection (1); (b) if the related report is made available to councillors or committee members during the relevant period for the meeting—as soon as practicable after it is made available to the councillors or committee members. (3) However, a local government need not make a related report publicly available to the extent it contains information that is confidential to the local government. (4) This section does not affect the right to discuss or deal with, at any local government meeting, items arising after notice of the meeting is given under section 254C. (5) In this section— <del>related report</del> , for a local government <del>meeting—</del> <del>(a) means a report or other document relating to an item on the agenda for the meeting that is made available to councillors or committee members for the purposes of the meeting; but</del> <del>(b) does not include a summary of an investigation report or an investigation report required to be made publicly available under section 150AFA or 150AGA of the Act.</del> <u>meeting</u> , means a report or other document relating to an item on the agenda for the meeting that is made available to councillors or committee members for the purposes of the meeting. <u>relevant period</u> , for a local government meeting, means the period— (a) starting immediately after notice of the meeting is given under section 254C; and (b) ending immediately before the meeting is held.	No comment
91	Local Government Regulation 2012	Amendment s254H Recording of reasons for particular decisions	Not applicable	By proclamation	<b>254H Recording of reasons for particular decisions</b> (1) This section applies if a decision made at a local government meeting is inconsistent with a recommendation or advice given to the local government by an advisor of the local government and either or both of the following apply to the decision— (a) the decision is about entering into a contract the total value of which is more than the greater of the following— (i) \$200,000 exclusive of GST; (ii) 1% of the local government's net rate and utility charges as stated in the local government's audited financial statements included in the local government's most recently adopted annual report; (b) the decision is inconsistent with a policy of the local government, or the approach ordinarily followed by the local government for the type of decision. <i>Examples of decisions to which this section might apply—</i> • the grant of a licence, permit or approval, however named, under an Act or local law • the grant of a concession, rebate or waiver in relation to an amount owed to the local government • the disposal of land or a non-current asset <del>(2) Also, this section applies if a decision is made at a local government meeting about a conduct breach under section 150AG of the Act that is inconsistent with a recommendation made by the entity who conducted the investigation into the conduct.</del> <del>(3) (2) The chief executive officer must ensure the minutes of the local government meeting include a statement of the reasons for not adopting the recommendation or advice.</del> <del>(4) (3) In this section—</del> advisor, of a local government, means a person— (a) who is an employee of the local government or is otherwise engaged to provide services to the local government; and (b) whose duties include giving a recommendation or advice.	No comment
92	Local Government Regulation 2012	Amendment s254J Closed meetings	Not applicable	By proclamation	<b>254J Closed meetings</b> (1) A local government may resolve that all or part of a meeting of the local government be closed to the public. (2) A committee of a local government may resolve that all or part of a meeting of the committee be closed to the public. (3) However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters— (a) the appointment, discipline or dismissal of the chief executive officer; (b) industrial matters affecting employees; (c) the local government's budget; (d) rating concessions; (e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government; (f) matters that may directly affect the health and safety of an individual or a group of individuals; (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government; (h) negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967; (i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State; <del>(j) an investigation report given to the local government under chapter 5A, part 3, division 5 of the Act.</del> <del>(4) However, a local government or a committee of a local government must not resolve that a part of a local government meeting at which a decision mentioned in section 150ER(2), 150ES(3) or 150EU(2) of the Act will be considered, discussed, voted on or made be closed.</del> <del>(5) (4) A resolution that a local government meeting be closed must—</del> (a) state the matter mentioned in subsection (3) that is to be discussed; and (b) include an overview of what is to be discussed while the meeting is closed. <del>(6) (5) A local government or a committee of a local government must not make a resolution (other than a procedural resolution) in a local government meeting, or a part of a local government meeting, that is closed.</del>	No comment
93	Local Government Regulation 2012	New ch27 Transitional provision for Local Government (Empowering Councils) and Other Legislation Amendment Act 2025	s382 Investigation reports and local government meetings	By proclamation	<b>Chapter 27 Transitional provision for Local Government (Empowering Councils) and Other Legislation Amendment Act 2025</b> <b>382 Investigation reports and local government meetings</b> (1) This section applies if, under section 366 of the Act, an investigation report about the conduct of a councillor is prepared and given to a local government. (2) Former sections 239C, 254D, 254H and 254J continue to apply in relation to the investigation report despite the enactment of the Local Government (Empowering Councils) and Other Legislation Amendment Act 2025. (3) In this section— <u>former</u> , in relation to a provision of this regulation, means the provision as in force immediately before the commencement.	Supportive, however please verify drafting of chapter numbers to validate accuracy.



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94	Local Government Regulation 2012	Amendment sch5 Financial and non-financial particulars for registers of interests	Not applicable	By proclamation	<p><b>1 Definitions for schedule</b> In this schedule— <del>conflict of interest, in relation to a councillor, means—</del> <del>(a) a prescribed conflict of interest; or</del> <del>(b) a declarable conflict of interest.</del> <b>relevant person</b> means any of the following persons— (a) a councillor; (b) a chief executive officer; (c) a councillor advisor; (d) a senior executive employee; (e) a person who is related to a councillor, chief executive officer, councillor advisor or senior executive employee. <b>reporting term</b>, for a relevant person, means— (a) for a councillor or a person who is related to a councillor—the <del>relevant term for the councillor;</del> councillor's term of office; or (b) for the chief executive officer or a person who is related to the chief executive officer— (i) the period of the chief executive officer's current contract of employment; and (ii) if the chief executive officer held a contract of employment as chief executive officer for a period ending immediately before the start of the current contract—the period of the contract of employment ending immediately before the chief executive officer's current contract started; or (c) for a councillor advisor or a person who is related to a councillor advisor— (i) the period of the councillor advisor's current contract of employment; and (ii) if the councillor advisor held a contract of employment as a councillor advisor for a period ending immediately before the start of the current contract—the period of the contract of employment ending immediately before the councillor advisor's current contract started; or (d) for a senior executive employee or a person who is related to a senior executive employee— (i) the period of the senior executive employee's current contract of employment; and (ii) if the senior executive employee held a contract of employment as a senior executive employee for a period ending immediately before the start of the current contract—the period of the contract of employment ending immediately before the senior executive employee's current contract started. <b>securities</b> see the Corporations Act, section 9. <b>13 Sponsored travel or accommodation benefit</b> (1) The particulars required for each sponsored travel or accommodation benefit received by a relevant person are— (a) the source of the contribution for the travel or accommodation; and (b) the nature and purpose of the benefit. <del>(2) In this section—</del> <del>employment-related or upgraded, in relation to a person's travel or accommodation, see section 150EH(2) of the Act.</del></p>	No comment																
95	Local Government Regulation 2012	Replacement sch5A Content of extracts of registers of interests of councillors	Not applicable	By proclamation	<p><b>Schedule 5A Content of extracts of registers of interests of councillors</b></p> <table><thead><tr><th>Column 1</th><th>Column 2</th></tr></thead><tbody><tr><td><b>Interest</b></td><td><b>Period</b></td></tr><tr><td><del>a gift mentioned in schedule 5, section 12(1)(a) that is less than \$2,000</del></td><td><del>(a) the term in which the gift is received; and (b) if the councillor holds office for a term (the new term) starting immediately after the term mentioned in paragraph (a) ends—the new term</del></td></tr><tr><td><del>gifts mentioned in schedule 5, section 12(1)(b) that total less than \$2,000</del></td><td><del>(a) the term in which the gifts first total \$500; and (b) if the councillor holds office for a term (the new term) starting immediately after the term mentioned in paragraph (a) ends—the new term</del></td></tr><tr><td><del>a gift or gifts mentioned in schedule 5, section 12(1) not mentioned in the above 2 entries</del></td><td><del>each term the councillor holds office as a councillor</del></td></tr><tr><td><del>a sponsored travel or accommodation benefit mentioned in schedule 5, section 13 that is less than \$2,000</del></td><td><del>(a) the term in which the sponsored travel or accommodation benefit is received; and (b) if the councillor holds office for a term (the new term) starting immediately after the term mentioned in paragraph (a) ends—the new term</del></td></tr><tr><td><del>a sponsored travel or accommodation benefit mentioned in schedule 5, section 13 that is \$2,000 or more</del></td><td><del>each term the councillor holds office as a councillor</del></td></tr><tr><td><del>all sponsored travel or accommodation benefits mentioned in schedule 5, section 13 received by a councillor from 1 person during the relevant term for the</del></td><td><del>each term the councillor holds office as a councillor</del></td></tr></tbody></table>	Column 1	Column 2	<b>Interest</b>	<b>Period</b>	<del>a gift mentioned in schedule 5, section 12(1)(a) that is less than \$2,000</del>	<del>(a) the term in which the gift is received; and (b) if the councillor holds office for a term (the new term) starting immediately after the term mentioned in paragraph (a) ends—the new term</del>	<del>gifts mentioned in schedule 5, section 12(1)(b) that total less than \$2,000</del>	<del>(a) the term in which the gifts first total \$500; and (b) if the councillor holds office for a term (the new term) starting immediately after the term mentioned in paragraph (a) ends—the new term</del>	<del>a gift or gifts mentioned in schedule 5, section 12(1) not mentioned in the above 2 entries</del>	<del>each term the councillor holds office as a councillor</del>	<del>a sponsored travel or accommodation benefit mentioned in schedule 5, section 13 that is less than \$2,000</del>	<del>(a) the term in which the sponsored travel or accommodation benefit is received; and (b) if the councillor holds office for a term (the new term) starting immediately after the term mentioned in paragraph (a) ends—the new term</del>	<del>a sponsored travel or accommodation benefit mentioned in schedule 5, section 13 that is \$2,000 or more</del>	<del>each term the councillor holds office as a councillor</del>	<del>all sponsored travel or accommodation benefits mentioned in schedule 5, section 13 received by a councillor from 1 person during the relevant term for the</del>	<del>each term the councillor holds office as a councillor</del>	No comment
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96	Local Government Regulation 2012	Amendment sch8 Dictionary	Not applicable	By proclamation	<p><b>Schedule 8 Dictionary</b> <del>conflict of interest, for schedule 5, see schedule 5, section 1.</del> <del>sponsored travel or accommodation benefit has the meaning given by section 150EF(4) of the Act.</del></p>	No comment																



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97	Local Government Electoral Act 2011	Amendment s26 Who may be nominated	Not applicable	On assent	<p><b>26 Who may be nominated</b></p> <p>(1) A person may be nominated as a candidate, or for appointment, as a councillor only if the person is qualified to be a councillor under the—</p> <p>(a) for a councillor of the Brisbane City Council—<i>City of Brisbane Act 2010</i>, section 152; or</p> <p>(b) for a councillor of another local government—<i>Local Government Act 2009</i>, section 152.</p> <p><del>(2) Also, a person may be nominated as a candidate for an election only if the person has, within 6 months before the nomination day for the election, successfully completed a training course approved by the department's chief executive about—</del></p> <p><del>(a) the person's obligations as a candidate, including the person's obligations under part 6; and</del></p> <p><del>(b) the person's obligations as a councillor, if the person is elected or appointed, including obligations under a Local Government Act within the meaning of the Local Government Act 2009.</del></p> <p>(2) Also, a person may be nominated as a candidate for an election only if—</p> <p>(a) the person has, within 6 months before the nomination day for the election, successfully completed a training course approved by the department's chief executive about—</p> <p>(i) the person's obligations as a candidate, including the person's obligations under part 6; and</p> <p>(ii) the person's obligations as a councillor, if the person is elected or appointed, including obligations under a Local Government Act within the meaning of the <i>Local Government Act 2009</i>; or</p> <p>(b) the person is a councillor—</p> <p>(i) who has, at any time, successfully completed a training course mentioned in paragraph (a); and</p> <p>(ii) whose office has not, before the nomination day for the election, become vacant under the <i>City of Brisbane Act 2010</i>, section 162 or the <i>Local Government Act 2009</i>, section 162.</p> <p>(3) However, a person who is a candidate for election as a member of an Australian Parliament, can not be nominated for election or appointment as a councillor until—</p> <p>(a) for an election under the <i>Electoral Act 1992</i>—the day the electoral commission is notified, under section 131(1) of that Act, of the candidate elected for the electoral district for which the person is a candidate; or</p> <p>(b) for an election under the <i>Commonwealth Electoral Act 1918</i> (Cwlth)—</p> <p>(i) the day the result of the election and the candidates elected are declared under section 283 of that Act; or</p> <p>(ii) the day the candidate elected for the division for which the person is a candidate is declared under section 284 of that Act.</p> <p>(4) To remove any doubt, it is declared that, a person is not disqualified from being nominated as a candidate, or for appointment, as a councillor only because the person is a member of the Legislative Assembly or a local government employee.</p> <p><i>Example</i> — A person who is a member of the Legislative Assembly may nominate as a candidate for election as a councillor but must resign on becoming a candidate.</p>	No comment
98	Local Government Electoral Act 2011	Amendment s45AA Application for direction that poll be conducted by postal ballot	Not applicable	On assent	<p><b>45AA Application for <del>direction</del> recommendation that poll be conducted by postal ballot</b></p> <p>(1) A local government may apply to the <del>Minister for a poll</del> electoral commissioner to make a written recommendation to the Minister that a poll to be conducted by postal ballot in—</p> <p>(a) for an election for all of the local government's area—all of the local government's area or a part or division of the local government's area; or</p> <p>(b) for an election for a division of the local government's area—the division or a part of the division.</p> <p>(2) The application must be made—</p> <p>(a) for a poll for a quadrennial election—before 1 May in the year preceding the quadrennial election or a later day approved by the <del>Minister-electoral</del> commissioner; or</p> <p>(b) for a poll for a by-election—before the day for holding the by-election is fixed by the returning officer under section 24.</p>	No comment
99	Local Government Electoral Act 2011	Amendment s45AB Referral of application to electoral commissioner for recommendation	Not applicable	On assent	<p><del>45AB Referral of application to electoral commissioner for recommendation</del><b>45AB Deciding application for recommendation</b></p> <p><del>(1) The Minister must refer an application made under section 45AA to the electoral commissioner for the commissioner's recommendation about whether the application should be approved.</del></p> <p><del>(2) (1) The</del> For an application by a local government under section 45AA, the electoral commissioner must—</p> <p>(a) as soon as practicable after the application is made, give the Minister notice of the application; and</p> <p><del>(a) (b) consider the application; and</del></p> <p><del>(b) (c) give the Minister a written recommendation about whether the application should be approved</del> make a written recommendation about whether the poll should be conducted by postal ballot and the reasons for the recommendation.</p> <p><del>(c) (d) give the recommendation and reasons to the Minister.</del></p> <p><del>(2) (2) Before making the recommendation, the electoral commissioner may ask the local government for further information the electoral commissioner reasonably requires to make the recommendation.</del></p> <p><del>(3) (3) In making the recommendation, the electoral commissioner must have regard to the following matters—</del></p> <p>(a) the reasons, stated in the application, why the poll should be conducted by postal ballot;</p> <p>(b) the costs of conducting the poll by postal ballot compared to the costs of conducting the poll using polling booths;</p> <p>(c) the number of persons enrolled on an electoral roll for an electoral district, or part of an electoral district, included in the area to which the application relates;</p> <p>(d) the population density and distribution in the area to which the application relates;</p> <p>(e) whether a poll has previously been conducted by postal ballot in the area to which the application relates.</p>	No comment
100	Local Government Electoral Act 2011	Amendment s45 Direction that poll be conducted by postal ballot	Not applicable	On assent	<p><b>45 Direction that poll be conducted by postal ballot</b></p> <p>(1) After receiving the electoral commissioner's recommendation about an application <del>under section 45AB, the Minister must consider the application and decide to approve or not to approve the application</del> under section 45AB, the Minister must consider the recommendation and decide whether to give a direction that the poll the subject of the recommendation be conducted by postal ballot.</p> <p>(2) In deciding whether to <del>approve the application</del> give the direction, the Minister must have regard to—</p> <p>(a) the electoral commissioner's recommendation and the reasons for the recommendation; and</p> <p>(b) the matters mentioned in <del>section 45AB(4)</del> section 45AB(3).</p> <p>(3) The <del>approval</del> direction may be given for—</p> <p>(a) all the local government's area; or</p> <p>(b) 1 or more divisions of its area; or</p> <p>(c) a part of its area marked on a map.</p> <p>(4) If the <del>approval</del> direction is given for a part of a local government's area, the local government must—</p> <p>(a) ensure that the public may inspect the relevant map—</p> <p>(i) at the local government's public office; and</p> <p>(ii) on the local government's website; and</p> <p>(b) publish details of the approval in a newspaper circulating generally in the part of the local government's area.</p>	No comment



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101	Local Government Electoral Act 2011	Amendment s177 Author of election material must be named	Not applicable	On assent	<p><del>177 Author of</del> <b>Person who authorised advertisement etc. containing</b> election material must be named</p> <p>(1) A person must not, during the election period for an election—  (a) print, publish, distribute or broadcast; or  (b) allow or authorise another person to print, publish, distribute or broadcast;  any advertisement, handbill, pamphlet or notice containing election material unless there appears, or is stated, at its end the particulars required by subsection (2).  Maximum penalty—  (a) for an individual—20 penalty units; or  (b) for a corporation—85 penalty units.</p> <p><del>(2) The particulars are the name and address, other than a post office box, of the person who authorised the advertisement, handbill, pamphlet or notice.</del></p> <p><b>(2) The particulars are—</b>  (a) the name of the person who authorised the advertisement, handbill, pamphlet or notice; and  (b) the person's address, post office box or other address prescribed by regulation.</p> <p>(3) Subsection (1) does not apply to an advertisement that—  (a) is printed, published or distributed on a car sticker, T-shirt, lapel button, lapel badge, pen, pencil or balloon; or  (b) is of a kind prescribed by regulation.</p> <p>(4) Also, subsection (1) does not apply to distributing, or allowing or authorising another person to distribute, a how-to-vote card.</p> <p>(5) In this section—  publish includes publish on the internet, even if the internet site on which the publication is made is located outside Queensland.</p>	No comment
102	Local Government Electoral Act 2011	Amendment s178 Distribution of how-to-vote cards	Not applicable	On assent	<p><b>178 Distribution of how-to-vote cards</b></p> <p>(1) During the election period for an election, a person must not distribute, or allow or authorise another person to distribute, a how-to-vote card that does not comply with subsections (2) to (5).  Maximum penalty—  (a) for an individual—20 penalty units; or  (b) for a corporation—85 penalty units.</p> <p><del>(2) A how-to-vote card must state the name and address of the person who authorised the card.</del></p> <p><b>(2) A how-to-vote card must state—</b>  (a) the name of the person who authorised the card; and  (b) the person's address, post office box or other address prescribed by regulation.</p> <p>(3) A how-to-vote card must also state—  (a) if the card is authorised for a political party or a candidate endorsed by a political party—  (i) if the register of political parties includes an abbreviation of the party's name—the party's abbreviated name; or  (ii) otherwise—the party's full name included in the register of political parties; or  <i>Example for paragraph (a)— 'Authorised P. Smith, 123 Main Street Brisbane for [name of political party]'</i>  (b) if paragraph (a) does not apply and the card is authorised for a group of candidates or for a candidate who is a member of a group of candidates—the group's name; or  <i>Example for paragraph (b)— 'Authorised M. Taylor, 99 King Street Port Douglas for [name of group]'</i>  (c) otherwise—the candidate's name and the word 'candidate'.  <i>Example for paragraph (c)— 'Authorised R. Jones, 88 Queen Street Brisbane for R. Jones (candidate)'</i></p> <p><del>(4) For subsection (2) —</del>  <del>(a) the address must not be a post office box; and</del>  <del>(b) if the card is authorised for a group of candidates or for a candidate who is a member of a group of candidates, the authorising person must be a member of the group.</del></p> <p><b>(4) For subsection (2), if the card is authorised for a group of candidates or for a candidate who is a member of a group of candidates, the authorising person must be a member of the group.</b></p> <p>(5) The particulars mentioned in subsections (2) and (3) must appear—  (a) at the end of each side of the how-to-vote card that contains print; and  (b) in prominent and legible characters in print no smaller than—  (i) if the card is not larger than A6—10 point; or  (ii) if the card is larger than A6 but not larger than A3—14 point; or  (iii) if the card is larger than A3—20 point.</p>	No comment
103	Local Government Electoral Act 2011	Amendment sch1 Other matters nomination must contain	Not applicable	On assent	<p><b>Schedule 1 Other matters nomination must contain</b></p> <p><b>7 Training course approved under Act, s 26</b></p> <p>The nomination must contain a statement that <del>the candidate has, within 6 months before the nomination day for the election, successfully completed a training course approved under section 26(2) of the Act.</del></p> <p>The nomination must contain a statement that the candidate has, within 6 months before the nomination day for the election, successfully completed a training course approved under section 26(2) of the Act.</p> <p>(a) the candidate has, within 6 months before the nomination day for the election, successfully completed a training course approved under section 26(2) of the Act; or  (b) the candidate is a councillor—  (i) who has, at any time, successfully completed a training course approved under section 26(2) of the Act; and  (ii) whose office has not, before the nomination day for the election, become vacant under the City of Brisbane Act 2010, section 162 or the Local Government Act 2009, section 162.</p>	No comment