

- a) repeatedly behaves unreasonably towards another Council member, or employee; and
- b) the behaviour could reasonably be considered to be distressing, victimising, threatening or humiliating.

Note -

If this behaviour adversely affects the health and safety of another council member or council employee, it must be addressed under section 75G of the Act and may be referred to the Behavioural Standards Panel as ‘serious misbehaviour’ under sections 262E and 262Q of the Act.

An elected member will be considered to *sexually harass* other Council members or Council employees if:

the Council member either, as an individual Council member or as a member of a group:

- a) makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to another Council member, or employee (the person harassed); or
- b) engages in other unwelcome conduct of a sexual nature in relation to the person harassed, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated, or intimidated.

Note -

If this behaviour adversely affects the health and safety of another council member or council employee, it must be addressed under section 75G of the Act and may be referred to the Behavioural Standards Panel as ‘serious misbehaviour’ under sections 262E and 262Q of the Act.

Conduct of a sexual nature includes making a statement of a sexual nature to a person, or in the presence of a person, whether the statement is made orally or in writing.

Council employees include volunteers, persons gaining work experience and contractors.

The following behaviour **does not** constitute a breach of these Standards:

- robust debate carried out in a **respectful** manner between Council Members; or
- A reasonable direction given by the Presiding Member at a council meeting, council committee meeting or other council-related meeting (such as a working group or an information or briefing session); or
- A reasonable direction carried out by the Council CEO/responsible person pursuant to section 75G of the Act in relation to the behaviour of a Council Member that poses a risk to the health or safety of a council employee.

Requirement applying to behavioural management policies of councils

Behavioural management policies of councils must provide for a Behavioural Standards Panel contact officer. Councils must appoint a person as the contact officer for matters referred to the Behavioural Standards Panel. The contact officer is responsible for the provision of information to and receipt of notice from the Behavioural Standards Panel.

Commencement

The Behavioural Standards come into operation on the day on which it is published in the Gazette.

Dated: 3 November 2022

HON GEOFF BROCK MP
Minister for Local Government

LOCAL GOVERNMENT ACT 1999
DETERMINATION UNDER SECTIONS 72A(2) AND 119A(2)
Register of Gifts and Benefits

For the purposes of sections 72A(2) and 119A(2) of the *Local Government Act 1999*, I, Geoffrey Graeme Brock, **Minister for Local Government** in the State of South Australia, hereby **DETERMINE** the amount of \$50.

This determination will come into operation on the day on which section 36 of the *Statutes Amendment (Local Government Review) Act 2021* comes into operation.

Dated: 3 November 2022

HON GEOFF BROCK MP
Minister for Local Government

LOCAL GOVERNMENT ACT 1999

SCHEDULE 3 CLAUSE 2(A1) OF THE LOCAL GOVERNMENT ACT 1999

REGULATION 9 OF THE LOCAL GOVERNMENT (GENERAL) REGULATIONS 2013

Determination of Form of Returns—Register of Interests for Members and Officers of a Council

I, Geoffrey Graeme Brock, **Minister for Local Government** in the State of South Australia, under Schedule 3 clause 2(a1) of the *Local Government Act 1999* (the Act) and Regulation 9 of the *Local Government (General) Regulations 2013* (the Regulations), hereby **DETERMINE**:

- the form of the return in Annexure 1 as the form for a primary return under section 65 of the Act;
- the form of the return in Annexure 2 as the form for an ordinary return under section 66 of the Act;
- the form of the return in Annexure 3 as the form for a primary return under regulation 9(5) of the Regulations;
- the form of the return in Annexure 4 as the form for an ordinary return under regulation 9(6) of the Regulations

Dated: 3 November 2022

HON GEOFF BROCK MP
Minister for Local Government

Annexure 1**Primary return—Register of interests—Members**

Please read instructions and notes below before completing this return.

SURNAME

OTHER NAMES

OFFICE HELD

	Registrable interests	Details
1	Provide a statement of any income source ² that you have or a designated person or entity in relation to you ³ has or expects to have in the period of 12 months after the date of the primary return.	
2	State the name of any company or other body, corporate or unincorporate, in which you hold, or a member of your family ⁴ holds, any office whether as director or otherwise.	
3	State the name or description of any company, partnership, association or other body in which you or a designated person or entity in relation to you ³ is an investor ⁵ .	
4	State the name and business address of any employer for whom you work and, if you are employed, the name of the office or place where you work or a concise description of the nature of your work.	
5	State the name of any political party, any body or association formed for political purposes or any trade or professional organisation ⁶ of which you are a member.	
6	Provide a concise description of any trust (other than a testamentary trust) of which you or a designated person or entity in relation to you ³ is a beneficiary or trustee, and the name and address of each trustee.	
7	Provide the address or description of any land in which you have or a designated person or entity in relation to you ³ has any beneficial interest ⁷ other than by way of security for any debt.	
8	Provide details of any fund in which you or a designated person or entity in relation to you ³ has an actual or prospective interest to which contributions are made by a person other than you or a designated person or entity in relation to you ³ .	
9	If you are or a designated person or entity in relation to you ³ is indebted to another person (not being your relative ⁸ or a relative ⁸ of a member of your family ⁴) in an amount of or exceeding \$7 500—state the name and address of that other person.	
10	If you are or a designated person or entity in relation to you ³ is owed money by a natural person (not being your relative ⁸ or a relative ⁸ of a member of your family ⁴) in an amount of or exceeding \$10 000—state that person.	
11	Declare any other substantial interest of yours or of a designated person or entity in relation to you ³ whether of a pecuniary nature or not, of which you are aware and which you consider might appear to raise a material conflict between your private interest and the public duty that you have or may subsequently have as a member of the council.	
12	Provide any other additional information which you think fit.	

Signature: *[insert signature of member]*

Date:

Instructions/notes

- 1 This return is to be completed in block letters except for signatures. If there is not sufficient space on this return for all of the information you are required to provide, you may attach additional papers for that purpose. Each such paper must be signed and dated.
- 2 Under the Act, ***income source***, in relation to a person, means—
 - (a) any person or body of persons with whom the person entered into a contract of service or held any paid office; and
 - (b) any trade, vocation, business or profession engaged in by the person.
- 3.1 Under the Act, ***a designated person or entity***, in relation to a member of a council, means—
 - (a) a member of the member's family; or
 - (b) a family company of the member; or
 - (c) a trustee of a family trust of the member.
- 3.2 A ***family company*** of a member means a proprietary company—
 - (a) in which the member or a member of the member's family is a shareholder; and
 - (b) in respect of which the member or a member of the member's family, or any such persons together, are in a position to cast, or control the casting or, more than one half of the maximum number of votes that might be cast at a general meeting of the company.
- 3.3 A ***family trust*** of a member means a trust (other than a testamentary trust)—
 - (a) of which the member or a member of the member's family is a beneficiary; and
 - (b) which is established or administered wholly or substantially in the interests of the member or a member of the member's family, or any such persons together.
- 4 Under the Act, ***family***, in relation to a member, means—
 - (a) a spouse or domestic partner of the member; and
 - (b) a child or stepchild of the member.
- 5 For the purpose of this return, a person is an investor in a body if—
 - (a) the person has deposited money with, or lent money to, the body that has not been repaid and the amount not repaid equals or exceeds \$10 000; or
 - (b) the person holds, or has a beneficial interest in, shares in, or debentures of, the body or a policy of life insurance issued by the body.
- 6 Under the Act, ***trade or professional organisation*** means a body, corporate or unincorporate, of—
 - (a) employers or employees; or
 - (b) persons engaged in a profession, trade or other occupation,being a body of which the object, or 1 of the objects, in the furtherance of its own professional, industrial or economic interest or those of any of its members.
- 7 Under the Act, ***beneficial interest*** in property includes a right to re-acquire the property.

- 8 Under the Act, *relative* of a person means—
- (a) the spouse or domestic partner; or
 - (b) a parent, step parent or remoter lineal ancestor; or
 - (c) a child, step child or remoter descendant; or
 - (d) a sibling or step sibling; or
 - (e) any member of the person's family who resides in the person's household.

Notes—

- A member is required only to disclose information that is known to the member or ascertainable by the member by the exercise of reasonable diligence.
- A member is not required to disclose information relating to a person as trustee of a trust unless the information relates to the person in the person's capacity as trustee of a trust by reason of which the person is related to the member.
- A member may include in a return such additional information as the member thinks fit.
- Nothing in this return will be taken to prevent a member from disclosing information in such a way that no distinction is made between information relating to the member personally and information relating to a designated person or entity in relation to the member.
- A member is not required to disclose the actual amount or extent of a financial benefit, contribution or interest.

Annexure 2

Ordinary return—Register of interests—Members

Please read instructions and notes below before completing this return.

SURNAME

OTHER NAMES

OFFICE HELD

	Registrable interests	Details
1	Provide a statement of any income source of a financial benefit ² that you have or a designated person or entity in relation to you ³ has received, or was entitled to receive, during the return period.	
2	State the name of any company or other body, corporate or unincorporate, in which you held, or a member of your family ⁴ held, any office during the return period whether as director or otherwise.	
3	State the name or description of any company, partnership, association or other body in which you or a designated person or entity in relation to you ³ is an investor ⁵ .	
4	State the name of any political party, any body or association formed for political purposes or any trade or professional organisation ⁶ of which you are a member.	
5	State the name and business address of any employer for whom you work and, if you are employed, the name of the office or place where you work or a concise description of the nature of your work.	
6	Provide a concise description of any trust (other than a testamentary trust) of which you or a designated person or entity in relation to you ³ is a beneficiary or trustee, and the name and address of each trustee.	

- 7 Provide the address or description of any land in which you have or a designated person or entity in relation to you³ has any beneficial interest⁷ other than by way of security for any debt.
- 8 Provide details of any fund in which you or a designated person or entity in relation to you³ has an actual or prospective interest to which contributions are made by a person other than you or a designated person or entity in relation to you³.
- 9 If you are or a designated person or entity in relation to you³ is indebted to another person (not being your relative⁸ or a relative⁸ of a member of your family⁴) in an amount of or exceeding \$7 500—state the name and address of that other person.
- 10 If you are or a designated person or entity in relation to you³ is owed money by a natural person (not being your relative⁸ or a relative⁸ of a member of your family⁴) in an amount of or exceeding \$10 000—state that person.
- 11 Declare any other substantial interest of yours or of a designated person or entity in relation to you³ whether of a pecuniary nature or not, of which you are aware and which you consider might appear to raise a material conflict between your private interest and the public duty that you have or may subsequently have as a member of the council.
- 12 Provide any other additional information which you think fit.

Signature: *[insert signature of member]*

Date:

Instructions/notes

- 1.1 This return is to be completed in block letters except for signatures. If there is not sufficient space on this return for all of the information you are required to provide, you may attach additional papers for that purpose. Each such paper must be signed and dated.
- 1.2 The **return period** for the purposes of this return is as follows:
 - (a) if your last return was a primary return under the Act—the period between the date of the primary return and 30 June next following;
 - (b) in any other case—the period of 12 months expiring on 30 June on or within 60 days after 30 June in any year.
- 2.1 Under the Act, **income source**, in relation to a person, means—
 - (a) any person or body of persons with whom the person entered into a contract of service or held any paid office; and
 - (b) any trade, vocation, business or profession engaged in by the person.
- 2.2 Under the Act, **financial benefit**, in relation to a person, means—
 - (a) any remuneration, fee or other pecuniary sum exceeding \$1 000 received by the person in respect of a contract of service entered into, or paid office held by, the person; and
 - (b) the total of all remuneration, fees or other pecuniary sums received by the person in respect of a trade, profession, business or vocation engaged in by the person where that total exceeds \$1 000,

but does not include an annual allowance, fees, expenses or other financial benefit payable to the person under the Act.

- 3.1 Under the Act, ***a designated person or entity***, in relation to a member of a council, means—
- (a) a member of the member's family; or
 - (b) a family company of the member; or
 - (c) a trustee of a family trust of the member.
- 3.2 A ***family company*** of a member means a proprietary company—
- (a) in which the member or a member of the member's family is a shareholder; and
 - (b) in respect of which the member or a member of the member's family, or any such persons together, are in a position to cast, or control the casting or, more than one-half of the maximum number of votes that might be cast at a general meeting of the company.
- 3.3 A ***family trust*** of a member means a trust (other than a testamentary trust)—
- (a) of which the member or a member of the member's family is a beneficiary; and
 - (b) which is established or administered wholly or substantially in the interests of the member or a member of the member's family, or any such persons together.
- 4 Under the Act, ***family***, in relation to a member, means—
- (a) a spouse or domestic partner of the member; and
 - (b) a child or stepchild of the member.
- 5 For the purpose of this return, a person is an investor in a body if—
- (a) the person has deposited money with, or lent money to, the body that has not been repaid and the amount not repaid equals or exceeds \$10 000; or
 - (b) the person holds, or has a beneficial interest in, shares in, or debentures of, the body or a policy of life insurance issued by the body.
- 6 Under the Act, ***trade or professional organisation*** means a body, corporate or unincorporate, of—
- (a) employers or employees; or
 - (b) persons engaged in a profession, trade or other occupation,
- being a body of which the object, or 1 of the objects, in the furtherance of its own professional, industrial or economic interest or those of any of its members.
- 7 Under the Act, ***beneficial interest*** in property includes a right to re-acquire the property.
- 8 Under the Act, ***relative*** of a person means—
- (a) the spouse or domestic partner; or
 - (b) a parent, step parent or remoter lineal ancestor; or
 - (c) a child, step child or remoter descendant; or
 - (d) a sibling or step sibling; or
 - (e) any member of the person's family who resides in the person's household.

Notes—

- A member is required only to disclose information that is known to the member or ascertainable by the member by the exercise of reasonable diligence.

- A member is not required to disclose information relating to a person as trustee of a trust unless the information relates to the person in the person's capacity as trustee of a trust by reason of which the person is related to the member.
- A member may include in a return such additional information as the member thinks fit.
- Nothing in this return will be taken to prevent a member from disclosing information in such a way that no distinction is made between information relating to the member personally and information relating to a designated person or entity in relation to the member.
- A member is not required to disclose the actual amount or extent of a financial benefit, contribution or interest.

Annexure 3

Primary return—Register of interests—Officers

Please read instructions and notes below before completing this return.

SURNAME

OTHER NAMES

OFFICE HELD

	Registrable interests	Details
1	Provide a statement of any income source ² that you have or a designated person or entity in relation to you ³ has or expects to have in the period of 12 months after the date of the primary return.	
2	State the name of any company or other body, corporate or unincorporate, in which you hold, or a member of your family ⁴ holds, any office whether as director or otherwise.	
3	State the name or description of any company, partnership, association or other body in which you or a designated person or entity in relation to you ³ is an investor ⁵ .	
4	Provide a concise description of any trust (other than a testamentary trust) of which you or a designated person or entity in relation to you ³ is a beneficiary or trustee, and the name and address of each trustee.	
5	Provide the address or description of any land in which you have or a designated person or entity in relation to you ³ has any beneficial interest ⁶ other than by way of security for any debt.	
6	Provide details of any fund in which you or a designated person or entity in relation to you ³ has an actual or prospective interest to which contributions are made by a person other than you or a designated person or entity in relation to you ³ .	
7	If you are or a designated person or entity in relation to you ³ is indebted to another person (not being your relative ⁷ or a relative ⁷ of a member of your family ⁴) in an amount of or exceeding \$7 500—state the name and address of that other person.	
8	If you are or a designated person or entity in relation to you ³ is owed money by a natural person (not being your relative ⁷ or a relative ⁷ of a member of your family ⁴) in an amount of or exceeding \$10 000—state that person.	

- 9 Declare any other substantial interest of yours or of a designated person or entity in relation to you³ whether of a pecuniary nature or not, of which you are aware and which you consider might appear to raise a material conflict between your private interest and the duty that you have or may subsequently have as an officer of the council.
- 10 Provide any other additional information which you think fit.

Signature: *[insert signature of officer]*

Date:

Instructions/notes

- 1 This return is to be completed in block letters except for signatures. If there is not sufficient space on this return for all of the information you are required to provide, you may attach additional papers for that purpose. Each such paper must be signed and dated.
- 2 Under the regulations, *income source*, in relation to a person, means—
- (a) any person or body of persons with whom the person entered into a contract of service or held any paid office; and
 - (b) any trade, vocation, business or profession engaged in by the person.
- 3.1 Under the regulations, *a designated person or entity*, in relation to an officer, means—
- (a) a member of the officer's family; or
 - (b) a family company of the officer; or
 - (c) a trustee of a family trust of the officer.
- 3.2 A *family company* of an officer means a proprietary company—
- (a) in which the officer or a member of the officer's family is a shareholder; and
 - (b) in respect of which the officer or a member of the officer's family, or any such persons together, are in a position to cast, or control the casting or, more than one half of the maximum number of votes that might be cast at a general meeting of the company.
- 3.3 A *family trust* of an officer means a trust (other than a testamentary trust)—
- (a) of which the officer or a member of the officer's family is a beneficiary; and
 - (b) which is established or administered wholly or substantially in the interests of the officer or a member of the officer's family, or any such persons together.
- 4 Under the regulations, *family*, in relation to an officer, means—
- (a) a spouse or domestic partner of the officer; and
 - (b) a child or stepchild of the officer.
- 5 For the purpose of this return, a person is an investor in a body if—
- (a) the person has deposited money with, or lent money to, the body that has not been repaid and the amount not repaid equals or exceeds \$10 000; or
 - (b) the person holds, or has a beneficial interest in, shares in, or debentures of, the body or a policy of life insurance issued by the body.
- 6 Under the regulations, *beneficial interest* in property includes a right to re-acquire the property.
- 7 Under the Act, *relative* of a person means—

- (a) the spouse or domestic partner; or
- (b) a parent, step parent or remoter lineal ancestor; or
- (c) a child, step child or remoter descendant; or
- (d) a sibling or step sibling; or
- (e) any member of the person's family who resides in the person's household.

Notes—

- An officer is required only to disclose information that is known to the officer or ascertainable by the officer by the exercise of reasonable diligence.
- An officer is not required to disclose information relating to a person as trustee of a trust unless the information relates to the person in the person's capacity as trustee of a trust by reason of which the person is related to the officer.
- An officer may include in a return such additional information as the officer thinks fit.
- Nothing in this return will be taken to prevent an officer from disclosing information in such a way that no distinction is made between information relating to the officer personally and information relating to a designated person or entity in relation to the officer.
- An officer is not required to disclose the actual amount or extent of a financial benefit, contribution or interest.

Annexure 4**Ordinary return—Register of interests—Officers**

Please read instructions and notes below before completing this return.

SURNAME

OTHER NAMES

OFFICE HELD

	Registrable interests	Details
1	Provide a statement of any income source of a financial benefit ² that you have or a designated person or entity in relation to you ³ has received, or was entitled to receive, during the return period.	
2	State the name of any company or other body, corporate or unincorporate, in which you held, or a member of your family ⁴ held, any office during the return period whether as director or otherwise.	
3	State the name or description of any company, partnership, association or other body in which you or a designated person or entity in relation to you ³ is an investor ⁷ .	
4	Provide a concise description of any trust (other than a testamentary trust) of which you or a designated person or entity in relation to you ³ is a beneficiary or trustee, and the name and address of each trustee.	
5	Provide the address or description of any land in which you have or a designated person or entity in relation to you ³ has any beneficial interest ⁶ other than by way of security for any debt.	
6	Provide details of any fund in which you or a designated person or entity in relation to you ³ has an actual or prospective interest to which contributions are made by a person other than you or a designated person or entity in relation to you ³ .	

- 7 If you are or a designated person or entity in relation to you³ is indebted to another person (not being your relative⁷ or a relative⁷ of a member of your family⁴) in an amount of or exceeding \$7 500—state the name and address of that other person.
- 8 If you are or a designated person or entity in relation to you³ is owed money by a natural person (not being your relative⁷ or a relative⁷ of a member of your family⁴) in an amount of or exceeding \$10 000—state that person.
- 9 Declare any other substantial interest of yours or of a designated person or entity in relation to you³ whether of a pecuniary nature or not, of which you are aware and which you consider might appear to raise a material conflict between your private interest and the duty that you have or may subsequently have as an officer of the council.
- 10 Provide any other additional information which you think fit.

Signature: *[insert signature of officer]*

Date:

Instructions/notes

- 1.1 This return is to be completed in block letters except for signatures. If there is not sufficient space on this return for all of the information you are required to provide, you may attach additional papers for that purpose. Each such paper must be signed and dated.
- 1.2 The ***return period*** for the purposes of this return is as follows:
 - (a) if your last return was a primary return under the Act—the period between the date of the primary return and 30 June next following;
 - (b) in any other case—the period of 12 months expiring on 30 June, or within 60 days after 30 June in any year.
- 2.1 Under the regulations, ***income source***, in relation to a person, means—
 - (a) any person or body of persons with whom the person entered into a contract of service or held any paid office; and
 - (b) any trade, vocation, business or profession engaged in by the person.
- 2.2 Under the regulations, ***financial benefit***, in relation to a person, means—
 - (a) any remuneration, fee or other pecuniary sum exceeding \$1 000 received by the person in respect of a contract of service entered into, or paid office held by, the person; and
 - (b) the total of all remuneration, fees or other pecuniary sums received by the person in respect of a trade, profession, business or vocation engaged in by the person where that total exceeds \$1 000,but does not include an annual allowance, fees, expenses or other financial benefit payable to the person under the Act.
- 3.1 Under the regulations, ***a designated person or entity***, in relation to an officer, means—
 - (a) a member of the officer's family; or
 - (b) a family company of the officer; or
 - (c) a trustee of a family trust of the officer.
- 3.2 A ***family company*** of an officer means a proprietary company—

- (a) in which the officer or a member of the officer's family is a shareholder; and
- (b) in respect of which the officer or a member of the officer's family, or any such persons together, are in a position to cast, or control the casting or, more than one half of the maximum number of votes that might be cast at a general meeting of the company.
- 3.3 A **family trust** of an officer means a trust (other than a testamentary trust)—
- (a) of which the officer or a member of the officer's family is a beneficiary; and
- (b) which is established or administered wholly or substantially in the interests of the officer or a member of the officer's family, or any such persons together.
- 4 Under the regulations, **family**, in relation to an officer, means—
- (a) a spouse or domestic partner of the officer; and
- (b) a child or stepchild of the officer.
- 5 For the purpose of this return, a person is an investor in a body if—
- (a) the person has deposited money with, or lent money to, the body that has not been repaid and the amount not repaid equals or exceeds \$10 000; or
- (b) the person holds, or has a beneficial interest in, shares in, or debentures of, the body or a policy of life insurance issued by the body.
- 6 Under the regulations, **beneficial interest** in property includes a right to re-acquire the property.
- 7 Under the Act, **relative** of a person means—
- (a) the spouse or domestic partner; or
- (b) a parent, step parent or remoter lineal ancestor; or
- (c) a child, step child or remoter descendant; or
- (d) a sibling or step sibling; or
- (e) any member of the person's family who resides in the person's household.

Notes—

- An officer is required only to disclose information that is known to the officer or ascertainable by the officer by the exercise of reasonable diligence.
 - An officer is not required to disclose information relating to a person as trustee of a trust unless the information relates to the person in the person's capacity as trustee of a trust by reason of which the person is related to the officer.
 - An officer may include in a return such additional information as the officer thinks fit.
 - Nothing in this return will be taken to prevent an officer from disclosing information in such a way that no distinction is made between information relating to the officer personally and information relating to a designated person or entity to the officer.
 - An officer is not required to disclose the actual amount or extent of a financial benefit, contribution or interest.
-