

LOCAL GOVERNMENT CODE OF CONDUCT – INFORMATION FOR COUNCILS

INFORMATION SHEET
September 2024

Local government code of conduct framework

The local government code of conduct framework is prescribed under Part 3, Division 3A of the *Local Government Act 1993* (the Act). The purpose of this information sheet is to provide information to councils about their responsibilities under the code of conduct framework.

How is the code of conduct made and what can be included in it?

Under the Act, the Minister is to make a code of conduct relating to the conduct of councillors. The code must be consistent with the Act and is to provide for the following matters:

- What constitutes a conflict of interest for councillors and the procedures to be followed where conflict arises.
- The proper and improper use by a councillor of:
 - the office of councillor;
 - the use of council resources;
 - information obtained in the course of a councillor's office.
- The right of a councillor to receive gifts and benefits and the procedure to be followed when doing so.
- That a councillor is not to engage in prohibited conduct in their relationships with the community, other councillors and council employees.
- The appropriate or inappropriate behaviours by councillors in their relationships with the community, other councillors and council staff.
- The proper and improper manner in which a councillor represents themselves as a councillor and represents the council to the community.

- Any other prescribed matter.

The Minister may amend, revoke, or substitute the code of conduct by order.

The Minister must make a copy of the code of conduct available to each council as soon as practicable after making, amending, revoking or substituting it.

[Act reference: sections 28R & 28S]

What are the obligations on councillors?

A councillor must comply with the provisions of the code of conduct while performing the functions and exercising the powers of their office.

[Act reference: section 28U]

Contact details

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Further information

Further information about the code of conduct complaint process is available on the Local Government Division website at

www.dpac.tas.gov.au/divisions/local_government/local_government_code_of_conduct/making_a_code_of_conduct_complaint.

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