

**MANAGING CONFLICTS OF INTEREST – COUNCILLORS**

**Declarable Conflict of Interest Form**

# **Overview**

This template is to provide a form for Councillors to capture their conflict of interest and assist in their determination and identifying the relevant conflict for reporting and compliance purposes.

Councils are welcome to modify to suit their individual styles, however ensure that reference is made to the relevant legislation and Placemats available through the Department of Local Government Division.

It is encouraged to make this form a fillable PDF form and maintain it as one page.

# **Related templates**

* Councillor Prescribed Conflict of Interest Form

# **References/acknowledgements:**

These templates have been developed referencing the *Local Government Act 2009, Queensland Government Managing Conflict of Interest Placemat, LGAQ/King & Co Conflicts of Interest Councillor Statements Oct 2020* and other available reports/documentation.

Other research and reference material sourced from council websites), which the following list acknowledges:

* Noosa Shire Council;
* Southern Downs Regional Council.

*This resource has been prepared in partnership between LGMA and the Department of Housing, Local Government, Planning and Public Works through the Governance Advisory Service.*

Under the *Local Government Act 2009* Councillors are required to declare their declarable conflict of interest at Statutory Meetings of Council. Please complete this form and **return the original to the Chief Executive Officer.** Where practicable, Councillors are required to inform the Chief Executive Officer of their declarable conflict of interest prior to the meeting.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Meeting Type & Date** | | **🞏** Council  <date> | | **🞏** Workshop  <date> | | **🞏** Briefing  <date> | **🞏** Other, please specify:  <date> |
| **Item No.** |  | | **Subject/topic:** | |  | | | |

I, Cr \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ inform this meeting that I have a declarable conflict of interest in this matter as defined in section 150EN and 150EQ of the *Local Government Act 2009* as follows. A declarable conflict of interest has arisen with this matter due to:

**🞏** the nature of this matter;

**🞏** a person, who is a related party\* of mine, has an interest in this matter; or

**🞏** receipt of a gift or a loan or 🞏 sponsored travel or accommodation benefit, by another person, that does not amount to a prescribed conflict of interest:

🞏 by the Councillor or 🞏 a related party\*

The nature of my interest is as follows. Councillor to complete relevant sections:

|  |  |
| --- | --- |
| Insert details of conflict of interest |  |
| The value of the benefit is | $ |
| My relationship with the entity is: |  |
| The entity’s interest in this matter is:  (*e.g. it is the applicant)* |  |
| Nature of relationship with this other person or related party: |  |
| Name of related party\*: |  |
| Nature of related party’s interest in this matter\*: |  |

**🞏** As a result of my conflict of interest I will leave and stay away from the meeting while this matter is discussed, considered and voted on; **or**

**🞏** I wish to participate in the decision in relation to this matter, as I do not believe a reasonable person could have a perception of bias because I believe \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. I acknowledge that eligible Councillors must now determine, pursuant to Section 150ES of the *Local Government Act 2009*, whether I:

* May participate in the decision about the matter, including by voting on the matter; or
* Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible Councillors discuss and vote on the matter.

I understand that the above information will be recorded in the minutes of the Council meeting and placed in the Declaration of Interest Register.

|  |  |
| --- | --- |
|  |  |
| **Signed** | **Date** |

|  |  |
| --- | --- |
| *CEO Use for record purposes:*  *Council considered Cr \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ conflict at the meeting on \_\_\_\_\_\_\_\_\_\_\_\_ and determined that:* | |
| ***🞏*** *it is in the public interest that they participate in the discussion; or*  ***🞏*** *they must leave the meeting and not participate in the discussion.* | ***CEO initial and Date:*** |