



GENERAL MANAGER'S REPORT

8th August 2006.

GM6	RETURNS OF INTERESTS LODGED UNDER SECTION 449 OF THE LOCAL GOVERNMENT ACT FILE: 629
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SUMMARY:

To inform Council that the Department of Local Government is introducing an audit program of Returns of Interests.



In recent cases the Local Government Pecuniary Interest and Disciplinary Tribunal has strongly criticised council officials for failing to make full and proper disclosure in their returns. In addition, examination of returns during reviews under the Local Government Reform – Promoting Better Practice program conducted by the department have also identified regular instances of non-compliance with the provisions of section 449 of the Act.

Following the period for lodgement of the 2005 – 2006 returns of interests (which concludes on 30 September 2006), the department intends to undertake an audit of a selected sample of returns. The sample will include returns lodged by council officials (both councillors and designated officers) from a cross section of councils across NSW. The audit will examine the completeness of returns against interests identified on publicly available registers (including Land Titles Office records and Australian Securities and Investment Commission records).

The audit is to gauge the existing level of compliance, to identify problem areas and to assist in promoting greater levels of compliance.

Cases of serious non-compliance will be considered for possible investigation and referral to the tribunal as per usual departmental procedures.

REPORT IMPLICATIONS:

- *Environmental*

Nil

- *Social*

Nil

- *Economic (Financial)*

Nil

- *Policy or Statutory*

Nil

RECOMMENDATION:

That the information be noted.

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A V Burgess
GENERAL MANAGER