

Conflicts of Interest

Managing conflicts of interest is fundamental to the accountability, transparency and effectiveness of local government.

New conflict of interest provisions in the *Local Government Act 1999* came into effect on 31 March 2016.

Whilst the old provisions contained one category of conflict of interest, the new provisions recognise that conflicts of interest can take different forms by introducing two categories of 'interest', being 'material conflicts of interest' and 'other conflicts of interest'. Other conflicts of interests includes actual conflicts of interest and perceived conflicts of interest.

As such, council members must understand the requirements under the new provisions. They need to consider all matters coming before council and identify any:

- material conflicts of interest
- actual conflicts of interest, or
- perceived conflicts of interest.

The change distinguishes more significant matters (requiring council members to leave the meeting and not vote on the matter) from less serious conflicts of interest (in which a council member is not necessarily required to leave the meeting or abstain from voting).

In order to improve transparency the new provisions require that council members' interests are publicly disclosed in council minutes and on council websites.