

TASMANIA

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**LOCAL GOVERNMENT (MODEL CODE OF  
CONDUCT) AMENDMENT ORDER 2018**

**STATUTORY RULES 2018, No.**

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*consultation draft*

## LOCAL GOVERNMENT (MODEL CODE OF CONDUCT) AMENDMENT ORDER 2018

I make the following order under section 28R(2) of the *Local Government Act 1993*.

Dated 20 .

Minister for Local Government

### 1. Short title

This order may be cited as the *Local Government (Model Code of Conduct) Amendment Order 2018*.

### 2. Commencement

This order takes effect on the day on which its making is notified in the *Gazette*.

### 3. Principal Order

In this order, the *Local Government (Model Code of Conduct) Order 2016\** is referred to as the Principal Order.

### 4. Schedule 1 amended (Model Code of Conduct)

Schedule 1 to the Principal Order is amended as follows:

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\*S.R. 2016, No. 23

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- (a) by omitting from the heading to Part 2 “**CONFLICT OF INTEREST**” and substituting “**CONFLICT OF INTERESTS THAT ARE NOT PECUNIARY**”;
- (b) by omitting paragraph (b) from clause 6 of Part 2 and substituting the following paragraph:
  - (b) act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the councillor to remove himself or herself from any decision on the matter by the Council.
- (c) by inserting the following item after item 6 in Part 2:
  - 7. This Part does not apply in relation to a pecuniary interest of a councillor.
- (d) by omitting item 4 from Part 4;
- (e) by omitting item 1 from Part 5;
- (f) by inserting in clause 2 of Part 5 “or use” after “access”;
- (g) by omitting item 3 from Part 5;

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- (h) by inserting in clause 1 of Part 6 “and is not in contravention of any relevant legislation” after “circumstances”;
- (i) by omitting from clause 2 of Part 6 “in which the appearance may be created” and substituting “in which a reasonable person would consider”;
- (j) by omitting items 3, 4, 5, 6, 7 and 8 from Part 6;
- (k) by omitting from clause 1(a) of Part 7 “with courtesy, fairness, dignity and respect” and substituting “fairly”;
- (l) by omitting item 3 from Part 7;
- (m) by inserting in clause 5 of Part 8 “publicly” after “expressed”.

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 20 .

This order is administered in the Department of Premier and Cabinet.

**EXPLANATORY NOTE**

*(This note is not part of the order)*

This order amends the *Local Government (Model Code of Conduct) Order 2016* so as to reduce duplication of matters contained in the *Local Government Act 1993*.