

Department of Jobs,  
Precincts and Regions

(Draft) Quick Guide on Personal  
Interests Returns for Local  
Government

INFORMATION TO COUNCILS TO  
SUPPORT IMPLEMENTATION OF  
SECTIONS 132 TO 136 OF THE *LOCAL  
GOVERNMENT ACT 2020*

# TABLE OF CONTENTS

1	Introduction to Personal Interests Returns	2
2	Frequently Asked Questions	4
2.1	Who needs to submit a Personal Interests Return?	4
2.2	Completing the Personal Interests Return	5
2.3	Disclosure of details contained in a Personal Interests Form	6
3	Draft Template for Initial Personal Interests Returns	7
4	Draft Template for Biannual Personal Interests Returns	12

# 1 Introduction to Personal Interests Returns

Personal Interests Returns are a new requirement under Division 3 of Part 6 (sections 132-136) of the *Local Government Act 2020* (the 2020 Act). They replace all previous requirements under the *Local Government Act 1989* (1989 Act).

While there are some similarities to some of the requirements under the 1989 Act there are definitional changes and some new requirements. In addition, new Local Government (Governance and Integrity) Regulations 2020 (2020 Regulations) have set out the detail that needs to be provided for each Personal Interests Return.

Declarations of interests must be made in accordance with the 2020 Act and Regulations from 24 October 2020.

The new arrangements give more flexibility to the Chief Executive Officers (CEO) of councils in determining whether council staff are required to submit Personal Interests Returns while ensuring stronger integrity for Councillors and appointments to delegated committees.

There is important [information contained in the 2020 Act](#) that should be read in conjunction with the information contained in this document. In addition, there are the [supporting 2020 Regulations](#) that become effective from 24 October 2020 that should also be read in conjunction with information contained in this document.

This guide includes Frequently Asked Questions (refer to Chapter 2).

## Who is affected?

All councillors elected after 24 October 2020, a member of a delegated committee who is not a councillor, the Chief Executive Officer, and nominated officers (see below) are required to submit a return under the 2020 Act will need to complete the requirements of the 2020 Act and 2020 Regulations.

## Initial Personal Interests Return (section 133)

While the 2020 Act does not prescribe a form, a draft template is provided in Chapter 3 that can be adapted by councils for their own purposes. Councils should provide the format to any person that is required to submit a Personal Interests Return. References to a form in this Guide are to council's own form.

Councillors need to provide an initial Personal Interests Return within 30 days of taking the oath or affirmation.

For nominated officers, the CEO will determine which staff are required to submit an initial Personal Interests Return. This will be based on whether the staff member has a statutory or delegated power, duty or function and the CEO considers it necessary that because of that power, duty or function they must submit a Personal Interests Return. [Nominated officers and the CEO Council staff](#) have 30 days to submit an initial Personal Interests Return from when they are advised by the CEO that their position requires them to submit a Personal Interests Return [or, if their appointment was prior to preceded 24 October 2020, 30 days from 24 October 2020 \(this requirement also applies to the CEO to complete a return within 30 days from the 24 October 2020 or from their date of appointment where that occurs after 24 October 2020\).](#)

In the case of non-councillors if the appointment to a delegated committee preceded 24 October 2020 then an initial Personal Interests Return should be submitted within 30 days from the date the new requirements became effective i.e. within 30 days from 24 October 2020.

Any [appointments or](#) nominations by the CEO made after 24 October 2020 will always require initial Personal Interests Returns to be submitted within 30 days of the appointment. [For example, if an appointment is made to a Delegated Committee in May 2021 then the person appointed has 30 days from the appointment to submit their initial personal interests return.](#)

## Biannual Personal Interests Return (section 134)

Between 1 March to 31 March and 1 September and 30 September each year, a specified person (who continues to be a specified person) who has submitted an Initial Personal Interests Return must lodge a Biannual Personal Interests Return. A draft template for biannual Personal Interests Returns is provided in Chapter 4 for councils to adapt for their own purposes.

### *Period of coverage*

Each time a person submits a biannual Personal Interests Return it covers the preceding period.

## Public access to information in Personal Interests Returns (section 135)

The 2020 Act (section 135 and 136) and the Regulations set out what information ~~that~~ can be accessed or disclosed publicly from information submitted in the Public Interests Returns. They also set out who can have access to the information which includes the Chief Municipal Inspector and others.

The 2020 Act and the Regulations require that a summary of information submitted in Personal Interests Returns ~~should~~ be made available to the public. The 2020 Act and the supporting Regulations also state those matters which are required to be excluded from the summary. The CEO of council will determine what summary of information is provided, subject to the requirements of the 2020 Act and the supporting Regulations. In addition, the CEO should consider the public transparency principles of the 2020 Act and the council's Public Transparency Policy in determining what elements of the Personal Interests Return should be disclosed. In the attached template the areas where public disclosure might be considered by the CEO to include in a summary of information is highlighted in orange.

**Penalties for not submitting a return or not submitting on time or intentionally or recklessly providing false information.**

Failure to submit an initial Personal Interests Return or subsequent Biannual Personal Interests Returns by the due dates can attract a penalty of up to 60 penalty units. There are also penalties for intentionally or recklessly providing false or incomplete information.

DRAFT

## 2 Frequently Asked Questions

### 2.1 Who needs to submit a Personal Interests Return?

1. *I have already completed a declaration before October 2020 – do I have to fill them out again?*

Personal Interests Returns are new arrangements that became effective from 24 October 2020. Any person required under the 2020 Act to submit a Personal Interests Return must complete the return within the time period required under the 2020 Act.

As this is a new requirement any previous declarations or forms you may have filled are no longer relevant for the purposes of the 2020 Act. Some of the information you need to provide may be similar. New regulations require specific information that may not have been included in previous declarations.

2. *I was re-elected to Council on 24 October 2020 and I already provided information under the previous council. Do I still have to submit an initial Personal Interests Return?*

All councillors elected on or after 24 October 2020 **must** complete an initial Personal Interests Return within 30 days of taking the oath or affirmation of office, including re-elected councillors.

Any submissions made under the 1989 Act do not comply with the 2020 Act and Regulations.

If you are elected to council through a by-election or other means, then you have 30 days from the date you take your oath or affirmation to submit an initial Personal Interests Return.

You will need to update your Personal Interests Return twice a year between 1 March and 31 March and 1 September and 30 September every year of your term.

3. *I am an officer in council. How do I know if I need to complete a Personal Interests Return?*

The Chief Executive Officer of your council will should advise you if you are required to submit a Personal Interests Return.

The 2020 Act specifies who must complete a return. If you have a statutory or delegated power, duty or function AND you have been nominated by the Chief Executive Officer because of that power, duty or function then you must submit a Personal Interests Return.

You will need to submit your initial Personal Interests Return within 30 days of 24 October 2020 if your nomination precedes the 24 October 2020 or within 30 days that the CEO advises you that you are required to submit a Personal Interests Form.

You will need to complete a Personal Interests Return twice a year between 1 March and 31 March and 1 September and 30 September (for the period you continue to be a nominated officer).

4. *I have just been appointed to a delegated committee. How do I know if I need to submit a Personal Interests Return?*

A member of a delegated committee who is not a councillor **must** submit an initial Personal Interests Return within 30 days of their appointment. The Chief Executive Officer or council staff should provide you with the forms you are required to complete.

If you were appointed to a delegated committee before 24 October 2020 then you will need to submit an initial Personal Interests Return within 30 days from 24 October 2020. Any previous forms you provided are no longer valid for the purposes of the new requirements. The level of information required under the 2020 Regulations has changed from previous years. Council staff should assist you in completing the required forms.

If you continue to be a specified person, you will need to update your Biannual Personal Interests Return twice a year between 1 March and 31 March and 1 September and 30 September. The

council CEO or staff may remind you when you need to submit your Personal Interests Return. However, it is your responsibility to ensure that your return is accurate and submitted on time.

## 2.2 Completing the Personal Interests Return

### 5. *Do I need to sign and get someone to witness my return?*

The person submitting the Personal Interests Return must sign, date and declare that the information provided is accurate and complete.

Personal Interests Returns do not need to be witnessed.

### 6. *I notice that a number of requirements under the Personal Interests Return is-are based on -threshold values or amounts of money. Do I have to disclose the exact money I have received or demonstrate the value in all those questions?*

The receipt of gifts is the only category where the value must be disclosed. If the form does not require the amount or value, do not disclose it.

### 7. *As a councillor I hold memberships of many local sporting and community clubs. Do I have to list the details of all these?*

You are required to provide details of associations you are member of where you hold a leadership position only. For example, if you are President of the local netball club then you will need to provide details in your Personal Interests Return as the position has a key leadership role in the association. Conversely, being a regular member of the local football club does not need to be disclosed if you do not hold any leadership positions in the organisation.

### 8. *Do I need to declare my principal place of residence or other residences?*

If you own or hold a beneficial interest in your principal place of residence which is located in your council area or adjoining municipal council, you are required to declare it. Regulations stipulate that the CEO must not provide any addresses of residences in the summary of information posted on the council website. This includes, for example, any addresses where you are a landlord for residential tenants.

### 9. *I am in a business partnership. Do I need to declare this?*

Regulations require that a Personal Interests Return identify any business partnerships or joint ventures a person is in.

### 10. *Do I have to list all my shareholdings?*

Regulations require that you declare only those shareholdings where the value of the company does not exceed \$10 million **AND** the combined total value of the shares you hold is more than \$10,000.

For example, Councillor Jay owns \$50,000 of shares in an ASX listed company called Bellmay cosmetics which has a capitalised value of \$50 million and \$15,000 shares in SirenWill chemicals which has a capitalised value at \$5 million. Councillor Jay needs to declare her shareholding in SirenWill chemicals as the value of her shares is more than \$10,000 and the company is valued at less than \$10 million. Councillor Jay does not need to declare her shares in Bellmay cosmetics as the company is valued over \$10 million even though her shareholding is greater than \$10,000.

### 11. *I have a mortgage with the XYZ bank on my home for \$350,000. Do I have to declare that?*

The regulations provide exclusions under the definition of debt. This specifically excludes debt owed to a person whose ordinary business includes the lending of money (eg. Banks, financial institutions).

## 2.3 Disclosure of details contained in a Personal Interests Form

### 12. *How much of the information that I provide in the Personal Interests Return is made available to the public?*

The CEO will determine what summary information is made available to the public from Personal Interests Returns.

Regulations provide that this must include the following:

- Your name
- The position you hold
- The date you lodged this return
- A summary of the information disclosed **excluding** monetary value or amount of income, shares, any beneficial interest other than shares or income or any debt disclosed.

The street address and number of any land that is your principal place of residence is **excluded** from information disclosed to the public.

### 13. *I have concerns about my personal safety and/or others if the information I provided in the Personal Interests Return is disclosed. What should I do?*

If any of the information you provide in your Personal Interests Return raises concerns that disclosure could place your personal safety or any other person at risk then you can request in writing to the CEO that consideration be given for the material to be excluded from the summary of personal interests.

### 14. *Some of the information I have provided might provide an unfair advantage to my business competitors. What can I do?*

If any of the information you provide raises concerns that disclosure may unreasonably expose a business, commercial or financial undertaking to disadvantage then you can request in writing to the CEO that consideration be given for the material to be excluded from the summary of personal interests.

### 3 Draft Template for Initial Personal Interests Returns

(orange shaded boxes are suggestions to consider public disclosure – what should be disclosed is a matter to be determined by the CEO of council)

Full Name	
Council Name	
Position held at Council	
Date submission required by	
Date of submission	
Type of Personal Interests Return	Initial Personal Interests Return

#### 1. Corporate Directorships or memberships of a governing body

In this section you must disclose the details of any corporation of which you are a director or a member of the governing body. For example, this includes director, member of a board of directors or other member of a governing body.

If required, insert additional rows for each directorship or membership of a governing body that you hold.

**Table 1.1: Corporate Directorships or memberships of a governing body**

Name of Corporation	ABN/ACN	Registered Address	Office held by you	Date you were appointed to the position	Description of the purpose or activities of the corporation

#### 2. Unincorporated associations in which you are a member and perform a leadership role

In this section you must disclose the details of any membership you hold of unincorporated associations where you perform a leadership role. For example, you do not need to list your membership of the local football club if you do not have a leadership role in that club. However, for example, if you hold a position such as President, Secretary or Treasurer then you will need to disclose this here.

If required, insert additional rows to the table for each membership.

**Table 2.1: Unincorporated associations in which you are a member and perform a leadership role**

Name of Association	ABN (if applicable)	Address (if applicable)	Position held by you	Date you were appointed to the position	Description of the purpose or activities of the Association

### 3. Partnerships or joint ventures which you are a member

In this section you need to provide the details of any business partnerships or joint venture of which you are a member.

If required, insert additional rows to the table for each partnership or joint venture that you are a member of.

**Table 3.1: Partnerships or joint ventures**

Description of the purpose or activities of the partnership or joint venture	The ABN of the partnership or joint venture (if applicable)

### 4. Trusts that you are a trustee or a beneficiary of

In this section you need to disclose any trusts that you are either a trustee or beneficiary of. Self-managed Superannuation Funds are a type of trust that should be included here.

If required, insert additional rows to the table for each trust that you have an interest in.

**Table 4.1: Trusts**

Name of the trust	ABN of the trust (if applicable)	Types of assets held by the trust	The purpose of the trust

### 5. Paid employment

In this section you must disclose any paid employment in the preceding 6 months where the **eat** income exceeds **eds** \$10,000, **in that period**. Do not include the details of your employment with the Council.

If required, insert additional rows to the table for each separate paid employment.

**Table 5.1: Paid employment where you received more than \$10,000**

Name of employer	Position you hold	The nature of <b>the business or activities of the employer</b> <b>your role</b>

### 6. Consultancies, contracts or **agenciets**

In this section you must provide the details of any person or body that you currently are acting or have acted as a consultant, contractor or agent where those payments exceeded **ed** \$10,000 during the preceding 6 months.

If required, insert additional rows to the table for each separate consultancy, contract or agent.

**Table 6.1: Consultancies, contracts or **agenciets** where payments exceeded \$10,000 **for each****

Name of the person or body	Nature of the business or activities conducted by you

## 7. Land you own or have a beneficial interest in

In this section you must provide the details of any land located within the municipal district of the council or an adjoining municipal district which you own or hold a beneficial interest in other than by way of security for any debt. For example, you would need to disclose where you are a beneficiary of a trust that ~~may~~owns land.

You should clearly mark a property that is used as a place of residence (either for yourself or for others) as it is a requirement that this information NOT be included at the full address level in the summary.

If required, insert additional rows to the table for each separate land interest.

**Table 7.1: Land you own or have a beneficial interest in within the municipal district of the council or an adjoining municipal district**

Full address of the land as it appears on any rates notice issued by the council	Purpose for which the land is held	Nature of your interest in the land	Please <input checked="" type="checkbox"/> if <u>is</u> this property <u>is</u> a <u>person's</u> residence?

## 8. Shares you own or have a beneficial interest in

In this section you must provide the details of any shareholdings you own or have a beneficial interest in where the total value of the company does not exceed \$10 million and the combined total value of the shares is more than \$10,000. For example, you would need to disclose where you are the beneficiary of a trust which owns shares in the company.

If required, insert additional rows to the table for each separate shareholding you own or have a beneficial interest in.

**Table 8.1: Shares you own or have a beneficial interest in**

Name of the company	Description of the purpose or activities of the company

## 9. Companies which you solely or jointly with family members\* hold a controlling interest

In this section you must provide details of any companies you solely or jointly with family members have a controlling interest in. For a full list of what might constitute a controlling interest you should refer to section 72 of the *Payroll Tax Act 2007*. This includes more common controlling interests such as for example 72 (2) (d) *in the case of a business carried on by a body corporate or unincorporate—that person or set of persons constitute more than 50% of the board of management (by whatever name called) of the body or control the composition of that board.*

If required, insert additional rows in the table for each company you have an interest in.

**Table 9.1: Companies which you solely or jointly with family members hold a controlling interest**

Name of the company	Description of the purpose or activities of the company	Name of any other company in which this company <u>holds</u> a controlling interest <u>at any time</u> during the <u>preceding 6 months</u>

\*A family member is defined under Division 2 of Part 6 of the *Local Government Act*: (a) a spouse or domestic partner of the relevant person; or (b) a parent, grandparent, sibling, child, grandchild, step-parent, step-sibling or

step-child of the relevant person or of their spouse or domestic partner; or (c) any other relative that regularly resides with the relevant person.

## 10. Personal Debt

In this section you must provide details of any personal debt exceeding \$10,000 that you owed at the time you prepared this return. You do not declare the value of your debts just the name of the creditor that you have a debt to. The regulations provide exclusions under the definition of debt. This specifically excludes debt owed to a person whose ordinary business includes the lending of money (eg. Banks, financial institutions).

If required, insert additional rows to the table.

**Table 10: Name of creditors to whom I have personal debt over \$10,000**

Name of the creditor

## 11. Other interests

This section provides you with an opportunity to disclose any other interest which you wish to disclose on the basis that it may give rise to a general conflict of interest or a material conflict of interest within the meaning of section 127 and 128 of the *Local Government Act 2020*.

For example, interests held by close family members may lead to material conflicts of interest under the legislation. It would be appropriate to consider disclosing these interests here.

**By signing below, I certify that the information provided by me in this return is accurate and complete.**

**Signature**

**Name**

**Date**

You must sign and date this return. Personal Interests Returns do not need to be witnessed.

---

### What happens to the information you have provided?

The public has access to summary information of the information you have provided in this form. Regulations provide that this must include the following:

- Your name
- The position you hold
- The date you lodged this return
- Summary information

The CEO of your council will determine what summary information is disclosed to the public. This will be consistent across all Personal Interests Returns. Regulations require that the summary of the information disclosed **exclude** monetary value or amount of income, shares, any beneficial interest other than shares or income or any debt disclosed. In addition, the street address and number of any land that is your principal place of residence is excluded from information disclosed to the public.

### **Personal Safety Risks**

If any of the above information you have provided raises concerns that disclosure could place your own personal safety or any other person at risk then you can request in writing that consideration be given for the particular matter or matters be excluded from the summary of personal interests.

### **Business, Commercial or financial disadvantage**

If any of the above information you have provided raises concerns that disclosure may unreasonably expose a business, commercial or financial undertaking to disadvantage then you can request in writing that consideration be given for the particular matter or matters be excluded from the summary of personal interests.

### **Confidentiality of information provided**

Wrongful disclosure of any information you have provided in a Personal Interest Return is a serious offence and carries a maximum penalty of 60 penalty units (about \$9900).

### **Penalties for non-disclosure or failing to submit a Personal Interests Form**

Failing to submit a Personal Interests Return or submitting a return containing false or incomplete information are serious offences and carry a maximum penalty of 60 penalty units (about \$9900).

<b>OFFICE USE ONLY</b>		
<u>Date Received</u>	<u>Received by</u>	<u>Signature</u>

## 4 Draft Template for Biannual Personal Interests Returns

**THIS PERSONAL INTERESTS RETURN MUST CONTINUE TO INCLUDE ANY INFORMATION THAT REMAINS VALID FOR THE PERIOD COVERED IN THIS PERSONAL INTERESTS RETURN**

(Note: orange shaded boxes are suggestions to consider public disclosure – what should be disclosed is a matter to be determined by the CEO of council)

Full Name	
Council Name	
Position held at Council	
Date submission required by	
Date of submission	
Type of Personal Interests Return (Biannual March [insert year]/biannual September [insert year])	

### 1. Corporate Directorships or memberships of a governing body

In this section you must disclose the details of any corporation of which you are a director or a member of the governing body or have been a director or member of the governing body at any time since you last lodged a personal interests return. For example, director, member of a board of directors or other member of a governing body.

If required, insert additional rows for each directorship or membership of a governing body that you hold.

**Table 1.1: Corporate Directorships or memberships of a governing body**

Name of Corporation	ABN/ACN	Registered Address	Office held by you	Date you were appointed to the position	Description of the purpose or activities of the corporation

### 2. Unincorporated associations in which you are a member and perform a leadership role

In this section you must disclose the details of any membership you hold of unincorporated associations where you perform a leadership role or have held at any time since you last lodged an interests return. For example, you do not need to list your membership of the local football club if you do not have a leadership role in that club. However, if you hold a position such as President, Secretary or Treasurer then you will need to disclose this here.

If required, insert additional rows to the table for each membership.

**Table 2.1: Unincorporated associations in which you are a member and perform a leadership role**

Name of Association	ABN (if applicable)	Address (if applicable)	Position held by you	Date you were appointed to the position	Description of the purpose or activities of the Association

--	--	--	--	--	--

### 3. Partnerships or joint ventures which you are a member

In this section you need to provide the details of any business partnerships or joint venture of which you are a member of or have been at any time since you last lodged an interests return.

If required, insert additional rows to the table for each partnership or joint venture that you are a member of.

**Table 3.1: Partnerships or joint ventures**

Description of the purpose or activities of the partnership or joint venture	The ABN of the partnership or joint venture (if applicable)

### 4. Trusts that you are a trustee or a beneficiary of

In this section you need to disclose any trusts that you are either a trustee or beneficiary of or have been at any time since you last lodged an interests return. Self-managed Superannuation Funds are a type of trust that should be included here.

If required, insert additional rows to the table for each trust that you have an interest in.

**Table 4.1: Trusts**

Name of the trust	ABN of the trust (if applicable)	Types of assets held by the trust	The purpose of the trust

### 5. Paid employment

In this section you must disclose any paid employment induring the period since you last submitted a personal interests return where that the income exceeded eds \$10,000. Do not include the details of your employment with the council.

If required, insert additional rows to the table for each separate paid employment.

**Table 5.1: Paid employment where you received more than \$10,000**

Name of employer	Position you hold	The nature of <u>your role</u> <u>the business or activities of the employer</u>

### 6. Consultancies, contracts or agents

In this section you must provide the details of any person or body for whom you currently act or have acted since you last submitted a Personal Interests Return as a consultant, contractor or agent where those payments exceeded ed \$10,000.

If required, insert additional rows to the table for each separate consultancy, contract or agency cyt.

**Table 6.1: Consultancies, contracts or agen ciests where payments exceeded \$10,000 for each**

Name of the person or body	Nature of the business or activities conducted by you

## 7. Land you own or have a beneficial interest in

In this section you must provide the details of any land located within the municipal district of the council or an adjoining municipal district which you own or hold a beneficial interest in or have owned or held a beneficial interests at any time in since you last lodged an interests return.held or.

For example, you would need to disclose where you are a beneficiary of a trust that ~~may own~~s land.

You should clearly mark a property that is used as a place of residence (either for yourself or for others) as it is a requirement that this information NOT be included at the full address level in the summary

If required, insert additional rows to the table for each separate land interest.

**Table 7.1: Land you own or have a beneficial interest in within the municipal district of the council or an adjoining municipal district**

Full address of the land as it appears on any rates notice issued by the council	Purpose for which the land is held	Nature of your interest in the land	Please <input checked="" type="checkbox"/> if Is this property is a <u>person's</u> residence?

## 8. Shares you own or have a beneficial interest in

In this section you must provide the details of any shareholdings you own or have a beneficial interest in where the total value of the company does not exceed \$10 million and the combined total value of the shares is more than \$10,000. For example, you would need to disclose where you are the beneficiary of a trust which owns shares in the company.

If required, insert additional rows to the table for each separate shareholding you own or have a beneficial interest in.

**Table 8.1: Shares you own or have a beneficial interest in**

Name of the company	Description of the purpose or activities of the company

## 9. Companies which you solely or jointly with family members\* hold a controlling interest

In this section you must provide details of any companies you solely or jointly with family members have a controlling interest in or have ~~had held a controlling interest in interest in~~ at any time since you last lodged an interests return. For a full list of what might constitute a controlling interest you should refer to section 72 of the *Payroll Tax Act 2007*. This includes more common controlling interests such as, for example, under section 72 (2) (d) *in the case of a business carried on by a body corporate or unincorporate—that person or set of persons constitute more than 50% of the board of management (by whatever name called) of the body or control the composition of that board.*

If required, insert additional rows in the table for each company you have an interest in.

**Table 9.1: Companies which you solely or jointly with family members hold a controlling interest**

Name of the company	Description of the purpose or activities of the company	Name of any other company in which this company held a controlling interest

\*A family member is defined under Division 2 of Part 6 of the *Local Government Act*: (a) a spouse or domestic partner of the relevant person; or (b) a parent, grandparent, sibling, child, grandchild, step-parent, step-sibling or step-child of the relevant person or of their spouse or domestic partner; or (c) any other relative that regularly resides with the relevant person.

## 10. Personal Debt

In this section you must provide details of any personal debt exceeding \$10,000 that you owe or owed at any time since you last lodged an interests return. You do not declare the value of your debts, just the name of the creditor that you have a debt to. The regulations provide exclusions under the definition of debt. This specifically excludes debt owed to a person whose ordinary business includes the lending of money (eg. Banks, financial institutions).

If required, insert additional rows to the table.

**Table 10: Name of creditors to whom I have personal debt over \$10,000**

Name of the creditor

## 11. Gifts received

In this section you need to provide details of any gift you have received in the period since you last lodged ~~a Personal Interests Return~~ an interests return, where the value equals or exceeds \$500 or the gifts in form of goods or services and multiple gifts equal or exceed that amount.

Do not include gifts from family members or any gifts you may have declared in an election campaign donation return under section 306 of the *Local Government Act 2020*.

Do not include reasonable hospitality you have received at an event or function you attended in an official capacity as either a Councillor, CEO, member of council staff or member of a delegated committee.

If required insert additional rows to the table for each gift being declared in this section.

**Table 11.1: Gifts**

Description of the gift	Monetary value of the gift	Name of the person who gave the gift	Name of person or body if gift was given on behalf of another person or body.

## 12. Other interests

This section provides you with an opportunity to disclose any other interest which you wish to disclose on the basis that it may give rise to a general conflict of interest or a material conflict of interest within the meaning of section 127 and 128 of the *Local Government Act 2020*. – For example, interests held by close family members may lead to material conflicts of interest under the legislation. It would be appropriate to consider disclosing these interests here.

**By signing below, I certify that the information provided by me in this return is accurate and complete.**

**Signature Block**

**Name**

**Date**

You must sign and date this return. Personal Interests Returns do not need to be witnessed.

---

**What happens to the information you have provided?**

The public has access to summary information of the information you have provided in this form. Regulations provide that this must include the following:

- Your name
- The position you hold
- The date you lodged this return
- Summary information

The CEO of your council will determine what summary information is disclosed to the public. This will be consistent across all Personal Interests Returns. Regulations require that the summary of the information disclosed **exclude** monetary value or amount of income, shares, any beneficial interest other than shares or income or any debt disclosed. In addition, the street address and number of any land that is your principal place of residence is excluded from information disclosed to the public.

**Personal Safety Risks**

If any of the above information you have provided raises concerns that disclosure could place your own personal safety or any other person at risk then you can request in writing that consideration be given for the particular matter or matters be excluded from the summary of personal interests.

**Business, Commercial or financial disadvantage**

If any of the above information you have provided raises concerns that disclosure may unreasonably expose a business, commercial or financial undertaking to disadvantage then you can request in writing that consideration be given for the particular matter or matters be excluded from the summary of personal interests.

**Confidentiality of information provided**

Wrongful disclosure of any information you have provided in a Personal Interest Return is a serious offence and carries a maximum penalty of 60 penalty units (about \$9900).

**Penalties for non-disclosure or failing to submit a Personal Interests Form**

Failing to submit a Personal Interests Return or submitting a return containing false or incomplete information are serious offences and carry a maximum penalty of 60 penalty units (about \$9900).

<b><u>OFFICE USE ONLY</u></b>		
<u>Date Received</u>	<u>Received by</u>	<u>Signature</u>



--	--	--

DRAFT

DRAFT

Authorised by the [insert authorised person] Local Government and Suburban Development Group  
Department of Jobs, Precincts and Regions  
1 Spring Street Melbourne Victoria 3000  
Telephone (03) 9651 9999

© Copyright State of Victoria,  
Department of Jobs, Precincts and Regions 2019

Except for any logos, emblems, trademarks, artwork and photography this document is made available under the terms of the Creative Commons Attribution 3.0 Australia license.

This document is also available in an accessible format at [djpr.vic.gov.au](http://djpr.vic.gov.au)