

## Initial Personal Interest Return

### *Local Government Act 2020 (Section 133)*

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

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. Council staff have 30 days to submit an initial Personal Interests Return from when they are advised by the CEO that their position requires to submit a Personal Interests Return.

If Delegated committee appointment 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.

(orange shaded boxes are what will be disclosed to the public, as determined by the CEO)

Full Name	
Position held at Council	
Date of submission	

### 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	Office held by you	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	Position held by you	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

## 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	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 that income exceeds \$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

**6. Consultancies, contracts or agents**

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 exceed \$10,000.

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

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

Name of the person or body

**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 own 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**

Purpose for which the land is held	Nature of your interest in the land

### 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

### 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 held a controlling interest at any time during the preceding 6 months

### 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.

## Signature Block

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## 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).

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