

Local Government Act 2020
Division 5—Councillor conduct

139 Councillor Code of Conduct

- (1) A Council must develop a Councillor Code of Conduct.
- (2) The purpose of the Councillor Code of Conduct is to include the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions as Councillors, including prohibiting discrimination, harassment (including sexual harassment) and vilification.
- (3) A Councillor Code of Conduct—
 - (a) must include the standards of conduct prescribed by the regulations expected to be observed by Councillors; and
 - (b) must include any provisions prescribed by the regulations for the purpose of this section; and
 - (c) must include provisions addressing any matters prescribed by the regulations for the purpose of this section; and
 - (d) may include any other matters which the Council considers appropriate, other than any other standards of conduct.
- (4) A Council must review and adopt the Councillor Code of Conduct within the period of 4 months after a general election.
- (5) A Council must adopt the Councillor Code of Conduct under subsection (4) by a formal resolution of the Council passed at a meeting by at least two-thirds of the total number of Councillors elected to the Council.
- (6) Until a Council adopts a Councillor Code of Conduct under subsection (4), the Councillors must comply with the existing Councillor Code of Conduct.
- (7) A Councillor Code of Conduct is inoperative to the extent that it is inconsistent with any Act (including the Charter of Human Rights and Responsibilities Act 2006) or regulation.