

South Australia

## **Local Government (General) (Employee Code of Conduct) Variation Regulations 2018**

under the *Local Government Act 1999*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Local Government (General) (Employee Code of Conduct) Variation Regulations 2018*.

#### **2—Commencement**

These regulations will come into operation on 2 April 2018.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Local Government (General) Regulations 2013***

#### **4—Variation of regulation 8A—Code of conduct for employees**

Regulation 8A—delete "published by the Minister in the Gazette on the day on which this regulation is made (and as in force on that day) is adopted as a code of conduct to be observed by the employees of all councils" and substitute:

set out in Schedule 2A is prescribed

## 5—Insertion of Schedule 2A

After Schedule 2 insert:

### Schedule 2A—Code of conduct for employees

#### 1—Gifts and benefits

- (1) An employee of a council must not seek out or receive a gift or benefit that is, or could reasonably be taken to be, intended or likely to create a sense of obligation on the part of the employee to a person or influence the employee in the performance or discharge of the employee's functions or duties.
- (2) If an employee of a council receives a gift or benefit of an amount greater than the amount determined by the Minister (from time to time), by notice published in the Gazette, the employee must provide details of the gift or benefit to the chief executive officer of the council in accordance with any requirements of the chief executive officer.
- (3) The chief executive officer of a council must maintain a register of gifts and benefits received by employees of the council and must ensure that the details of each gift and benefit provided under this clause are included in the register.
- (4) A register maintained under this clause must be—
  - (a) made available for inspection at the principal office of the council during ordinary office hours without charge; and
  - (b) published on a website determined by the chief executive officer.
- (5) A register maintained under this clause—
  - (a) need not include information available in another register published by, or available for inspection at, the council or otherwise available under the Act; and
  - (b) may include information by reference to another register or document, provided the register or document is published by, or available for inspection at, the council and the register maintained under this clause identifies that other register or document.
- (6) For the purposes of this clause, a gift or benefit received by a person related to an employee of a council will be treated as a gift or benefit (as the case requires) received by the employee.
- (7) Unless the contrary intention appears, terms and expressions used in this clause and in Schedule 3 of the Act have the same respective meanings in this clause as they have in that Schedule, provided that a reference in Schedule 3 to a *member* will be taken, for the purposes of this clause, to be a reference to an *employee*.

#### Note—

The Act requires that certain gifts and benefits must be disclosed by employees and recorded on the Register of Interests relating to employees.

## 2—Complaints

- (1) A complaint alleging that an employee of a council has contravened or failed to comply with the code set out in this Schedule must be dealt with in accordance with a policy prepared and maintained by the council relating to complaints against employees.
- (2) The policy referred to in subclause (1) must nominate a person or persons to whom complaints are to be given and, in the case of a complaint against the chief executive officer of the council, must provide for the complaint to be given to the principal member of the council, except in circumstances where it would be inappropriate to do so (for example, if the matter to which the complaint relates must be kept confidential under an Act or law).

### Note—

- 1 Chapter 13 Part 2 of the Act requires a council to develop and maintain policies, practices and procedures for dealing with (among other things) complaints about the actions of employees of the council.
- 2 The code set out in this Schedule is in addition to and does not—
  - (a) limit the operation of the *Fair Work Act 1994*; or
  - (b) operate to lessen any rights or obligations on employees or employers under the *Fair Work Act 1994* or any award, industrial agreement or contract of employment; or
  - (c) affect the jurisdiction of the South Australian Employment Tribunal conferred under the *Fair Work Act 1994*.

### Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

## Made by the Governor

following consultation with the Local Government Association of South Australia and as further required under section 110 of the Act and with the advice and consent of the Executive Council on 13 February 2018

No 43 of 2018

15LG07CS

## LAND TAX ACT 1936

*Notice under Section 20*

The Commissioner of State Taxation hereby gives notice that the amount of \$394,660.95 for Land Tax payable by Tagma Pty Ltd for the land detailed below is in arrears—

Land Description	Parcel Number	Certificate of Title Volume/Folio
LT 5 Harris St, Stirling North SA 5710	6625270569	CT 5968/425

If the land tax is not paid within 3 months of the date of this Notice, the Commission can let the land or apply to the Supreme Court for an order for sale of the land.

Dated: 9 February 2018

GRAEME JACKSON  
Commissioner of State Taxation

## LOCAL GOVERNMENT (GENERAL) REGULATIONS 2013

## NOTICE UNDER SCHEDULE 2A, CLAUSE 1(2)

*Code of Conduct for Council Employees*

For the purposes of clause 1(2) of Schedule 2A of the *Local Government (General) Regulations 2013*, I determine the amount of \$50.

This notice will come into operation on 2 April 2018.

Dated: 9 February 2018

HON GEOFF BROCK MP  
Minister for Local Government

## MENTAL HEALTH ACT 2009

NOTICE is hereby given in accordance with Section 96 of the Mental Health Act 2009, that the Chief Psychiatrist has determined from 6 November 2017 that:

The new mental health Short Stay Unit will become part of The Queen Elizabeth Hospital Approved Treatment Centre located at 28 Woodville Road, Woodville South SA 5011

DR BRIAN MCKENNY  
Acting Chief Psychiatrist

## MENTAL HEALTH ACT 2009

*Authorised Medical Practitioners*

NOTICE is hereby given in accordance with Section 93(1) of the Mental Health Act 2009, that the Chief Psychiatrist has determined the following persons as Authorised Medical Practitioners:

Ping En Lee

A determination will be automatically revoked upon the person being registered as a specialist psychiatrist with the Australian Health Practitioner Regulation Agency and as a fellow of the Royal Australian and New Zealand College of Psychiatrists.

DR B. MCKENNY  
Interim Chief Psychiatrist

## MENTAL HEALTH ACT 2009

*Authorised Mental Health Professional*

NOTICE is hereby given in accordance with Section 94(1) of the Mental Health Act 2009, that the Chief Psychiatrist has determined the following person as an Authorised Mental Health Professional commencing from date of Gazettal:

A person's determination will expire three years after the date of Gazettal.

Libby Druce

DR B. MCKENNY  
Interim Chief Psychiatrist

## MENTAL HEALTH ACT 2009

*Authorised Mental Health Professionals*

NOTICE is hereby given in accordance with Section 94(1) of the Mental Health Act 2009, that the Chief Psychiatrist has determined the following persons as Authorised Mental Health Professionals commencing from date of Gazettal:

A person's determination will expire three years after the date of Gazettal.

Vivienne Buckton  
Sean Millar  
Dumisani Nyathi  
Alison Smyth  
Carol-Ann Stanborough  
Teresa Stocks  
Julie Turner  
Michael Van Der Schoot  
Darryl Van Vugt

DR B MCKENNY  
Interim Chief Psychiatrist