

Councillor Conduct Tribunal decision

10 May 2019

Key issue: Register of Interests: failure to record membership of election association in register of interests

The Mayor and one councillor failed to record their membership of the group's election association, which oversaw the legal requirements of the group, in their register of interests.

Membership of the group's election association should have been captured in item 14 of the approved form within 30 days of the councillors commencing their term as councillors.

In relation to the Mayor, it was noted that the association initially appeared on the Mayor's register of interest but was omitted after the Mayor received advice that the association had been wound up.

The Mayor subsequently amended his register of interest in August 2017 to include his membership with the association after a complaint was made to council. In relation to the councillor, the association did not appear on the councillor's register until August 2017 after the complaint to council.

The councillors submitted their failure to include the membership in their register of interests was a genuine error as they were acting on incorrect advice that the association had been wound up.

The Councillor Conduct Tribunal found it is incumbent upon councillors, and especially a Mayor, to be vigilant and make appropriate enquires to satisfy themselves that they are meeting their legal obligations.

The Tribunal said it is reasonable that the Mayor is held to a higher standard of conduct.

In making the orders, the Tribunal took into account full and early co-operation with the OIA which saved the OIA the cost of a full investigation.

All councillors were ordered to make public admissions at a council meeting that they had engaged in misconduct and pay \$100 to the council for failing to update their register of interests.

Councillor Conduct Tribunal decisions can be found [here](#).