

**LEGISLATIVE COUNCIL**

**Local Government Amendment (Conduct) Bill 2012**

**First print**

**Proposed amendments**

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- No. 1 Page 8, Schedule 1, proposed section 440I. Insert after line 17:
- (4) Before determining to take disciplinary action in respect of misconduct serious enough to warrant the making of an order under subsection (2) (g) or (h), the Director-General must afford the councillor a reasonable opportunity to be heard in person by the Director-General as to whether the councillor has engaged in misconduct.
- No. 2 Page 11, Schedule 1. Insert after line 10:
- 440O Abrogation of privilege against self-incrimination**
- (1) A relevant person is not excused from providing information or producing a document under section 440H on the ground that the information or document may tend to incriminate the relevant person or expose the relevant person to a penalty.
  - (2) However, the information provided or document produced by the relevant person is not admissible as evidence against the relevant person in civil or criminal proceedings (other than proceedings under section 665 arising out of the false or misleading nature of the information or document or, if the relevant person is a councillor, for an offence against this Act) if the relevant person objected at the time to so doing on the ground that it might incriminate the relevant person.
- No. 3 Page 12, Schedule 1 [20], line 11. Omit all words on that line. Insert instead: Insert “or, without lawful or reasonable excuse, fails to comply with such a direction given to the person under section 440H” after “the direction”.