

LEGISLATIVE COUNCIL

Local Government and Elections Legislation Amendment (Integrity) Bill 2016

First print

Proposed amendment

No. 1 **Caps on electoral expenditure for local government elections**

Page 7, Schedule 1 [24]. Insert after line 31:

Caps on electoral expenditure for local government elections

It is the intention of Parliament that regulatory provisions be made for the imposition of caps on electoral expenditure for future ordinary or mayoral local government elections.

No. 2 **Disqualification of real estate agents and close associates of property developers**

Page 8, Schedule 2. Insert after line 13:

[2] Section 275 (1) (i) and (j)

Insert at the end of section 275 (1) (h):

, or

- (i) if he or she is while holding that office a real estate agent, except as provided by subsections (8) and (9), or
- (j) if he or she is while holding that office a close associate of a property developer, except as provided by subsections (8) and (9).

[3] Section 275 (8)–(10)

Insert before the note at the end of the section:

(8) If:

- (a) on the commencement of this subsection, a real estate agent or close associate of a property developer is a councillor or mayor, or
- (b) after the commencement of this subsection, a councillor or mayor becomes a real estate agent or close associate of a property developer,

the person is not disqualified from holding civic office because of subsection (1) (i) or (j) for the balance of the person's term of office as a councillor or for the period of 2 years (whichever is the shorter period).

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- (9) Despite anything to the contrary in this Chapter, a real estate agent or close associate of a property developer is not disqualified because of subsection (1) (i) or (j) from being nominated for election or being elected to a civic office. If elected, the person is disqualified from holding that civic office unless:
- (a) the person has ceased to be a real estate agent or close associate of a property developer before the first meeting of the council concerned after the election, or
 - (b) it is an election as mayor by the councillors during the period that the person is not disqualified by the operation of subsection (8).
- (10) In this section:
- close associate* of a property developer means a person of the kind referred to in section 96GB (1) (b) of the *Election Funding, Expenditure and Disclosures Act 1981*.
- real estate agent* has the same meaning as in the *Property, Stock and Business Agents Act 2002*.