

c2016-061  
GRNS--The Greens

LEGISLATIVE COUNCIL

**Local Government and Elections Legislation Amendment (Integrity) Bill 2016**

**First print**

**Proposed amendments**

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No. 1 **Disqualification of real estate agents and close associates of corporate 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).

- (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



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(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*.