



New South Wales

Local Government Amendment (Meetings) Act 1998 No 39

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Local Government Amendment (Meetings) Act 1998 No 39

Act No 39, 1998

An Act to amend the *Local Government Act 1993* with respect to the closure of local council meetings and meetings of committees of which all members are councillors and public access to the business papers and minutes of such meetings; and for other purposes. [Assented to 23 June 1998]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Local Government Amendment (Meetings) Act 1998*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Local Government Act 1993 No 30

The *Local Government Act 1993* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 10A Which parts of a meeting can be closed to the public?

Omit "Members of the public must be allowed" from section 10A (4).

Insert instead "A council, or a committee of a council, may allow members of the public".

[2] Section 10A (5) and (6)

Omit the subsections.

[3] Section 10E Minutes and business papers relating to closed parts of meetings

Omit the section.

[4] Section 12 What information is publicly available?

Omit the following from section 12 (1):

- agendas and business papers for council and committee meetings (but not including, until the relevant date determined under section 10E, business papers for matters considered when part of a meeting is closed to the public)
- minutes of council and committee meetings, but restricted, until the relevant date determined under section 10E (in the case of any part of a meeting that is closed to the public), to the recommendations of the meeting

- the register of business papers and minutes referred to in section 10E (6)
- Insert instead:
- agendas and business papers for council and committee meetings (but not including business papers for matters considered when part of a meeting is closed to the public)
 - minutes of council and committee meetings, but restricted (in the case of any part of a meeting that is closed to the public), to the resolutions and recommendations of the meeting

[5] Section 664 Disclosure and misuse of information

Insert at the end of section 664 (1B):

, or

- (d) any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with section 12.

[6] Schedule 8 Savings, transitional and other provisions consequent on the enactment of other Acts

Insert at the end of clause 1 (1) of the Schedule:

Local Government Amendment (Meetings) Act 1998

[7] Schedule 8

Insert in the Schedule (with appropriate Part and clause numbers):

**Part Provisions consequent on enactment of
Local Government Amendment (Meetings)
Act 1998**

Saving of right to access and inspect documents

Section 10E continues to apply to, and in respect of, the business papers for, and the minutes of, parts of meetings closed before the commencement of this clause.

[Minister's second reading speech made in—
Legislative Assembly on 20 May 1998
Legislative Council on 3 June 1998]