



Latrobe City Council
Local Law No. 1

Meeting Conduct Local Law 2020

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Part A: Introduction

1. Title

This is the Latrobe City Council Meeting Conduct Local Law which will be known as the "Meeting Conduct Local Law".

2. Objectives of this Local Law

The objectives of this Local Law are to:

- 2.1. regulate the use of the Council's Common Seal; and
- 2.2. prescribe penalties for failure to comply with the standards of conduct contained in the Governance Rules of Latrobe City Council.

3. Authorising Provision

This Local Law is made under sections 5 and 111 of the *Local Government Act 1989*.

4. Scope of the Local Law

This Local Law applies to all Council meetings, as well as to all meetings of Delegated Committees and Community Asset Committees appointed by the Council with all necessary modifications and adaptations, unless this Local Law says otherwise.

5. Period of Operation of the Local Law

This Local Law:

- 5.1. commences on the day following the day on which notice of the making of this Local Law is published in the Victoria Government Gazette, and operates throughout the municipal district; and
- 5.2. ends on the 10th anniversary of the day on which it commenced operation.

6. Revocation of Local Law No. 1 - 2017

On the commencement of this Local Law, the Meeting Procedure Local Law No.1 2017 is revoked.

7. Definitions and Notes

In this Local Law:

Act	means the <i>Local Government Act 2020</i> or <i>Local Government Act 1989</i> as referenced
Authorised Officer	means a member of Council staff who is authorised by Council or the Chief Executive Officer under delegation to carry out specific functions under this Local Law
Chamber	means any room where the Council holds a Council

	meeting
Chair	means the Chairperson of a meeting and includes an acting, temporary and substitute Chairperson
Chief Executive Officer	means the Chief Executive Officer of Council
Common Seal	means the Common Seal of Council
Community Asset Committee	means a Community Asset Committee established by Council under section 65 of the <i>Local Government Act 2020</i>
Community Asset Committee meeting	means a meeting of a Community Asset Committee
Council	means Latrobe City Council
Council meeting	means a meeting of the Council convened in accordance with Council's Governance Rules and includes scheduled meetings and unscheduled meetings
Delegated Committee	means a Delegated Committee established by Council under section 63 of the <i>Local Government Act 2020</i>
Delegated Committee Meeting	means a meeting of a Delegated Committee
Disorderly conduct	means any disorderly conduct of a member of the gallery or a Councillor and includes: <ul style="list-style-type: none">• interjecting when another person is speaking, except, in the case of where a Councillor is raising a Point of Order;• making comments that are defamatory, malicious, abusive or offensive;• refusing to leave the meeting when requested, ordered or directed to do so by the Chair in accordance with the Act and the Governance Rules; and• engaging in any other conduct which prevents the orderly conduct of the meeting.
Governance Rules	means the Governance Rules of Latrobe City Council as in force from time to time pursuant to section 60 of the <i>Local Government Act 2020</i>

Penalty units

mean penalty units as prescribed in the *Sentencing Act*
1992

Part B: Council's Common Seal

Summary: The Common Seal is a formal legal means of evidencing the Council's "signature" on documents when required. The provisions in this Part are designed to protect the integrity of the Common Seal and describe when it may be affixed to a document.

8. Council's Common Seal

- 8.1. The Chief Executive Officer must ensure the security of Council's Common Seal at all times.
- 8.2. The use of the Common Seal shall be in accordance with a specific decision of the Council.
- 8.3. The affixing of Council's Common Seal to any document must be attested to by the signature of the Chief Executive Officer or any other member of Council staff duly authorised by Council.
- 8.4. A person must not use the Common Seal or any device resembling the Common Seal without authority of Council under subclause 8.2.

Penalty: 10 penalty units

Part C: Meeting Conduct

Summary: This Part complements standards of conduct set out in the Governance Rules applying to meetings of Council, Delegated Committees and Community Asset Committees, and deals with offences for failure to comply with those standards.

9. Failure to Withdraw an Expression

- 9.1. It is an offence for a Councillor to fail to withdraw an expression considered by the Chair to be offensive or disorderly, and apologise when called on twice by the Chair to do so pursuant to a decision of the Chair on a point of order under Governance Rule 44 (*Chair to Decide*).

Penalty: 2 penalty units

10. Failure by Person who is not a Councillor to Leave the Chamber on Chair's Order

- 10.1. It is an offence for any person, not being a Councillor, who is guilty of any improper or disorderly conduct, to not leave the Chamber when ordered by the Chair to do so under Governance Rule 56 (*Chair May Remove*).

Penalty: 5 penalty units

11. Failure of Councillor to Leave Chamber on Chair's Order or Resolution of Council

- 11.1. It is an offence for a Councillor not to leave the Chamber:
- 11.1.1 when ordered by the Chair to do so under Governance Rule 56 (*Chair May Remove*); or
 - 11.1.2 when a resolution has been made by Council suspending the Councillor from a portion or the balance of the meeting under Governance Rule 57 (*Suspensions*).

Penalty: 5 penalty units

12. Failure to Comply with Lawful Direction of Chair

- 12.1. It is an offence for any person to fail to comply with a lawful direction of the Chair given pursuant to the Governance Rules in relation to the conduct of the meeting and the maintenance of order.

Penalty: 2 penalty units

13. Fraudulent Signing of Petition or Joint Letter

- 13.1. It is an offence for any person to fraudulently sign a petition or joint letter which is presented to Council or has the intention of being presented to Council pursuant to Rule 66 (*Petitions*) or by any other method.

Penalty: 10 penalty units

14. Recording and Broadcasting Meetings

- 14.1. It is an offence for any person to record or broadcast any part of a meeting in any manner other than in accordance with Governance Rule 54 (*Recording and broadcasting Meetings*).

Penalty: 5 penalty units.

Explanatory Note

The penalty units shown are the maximum penalty which a Court can impose. It is always open to a Court to impose no penalty or a lesser penalty.

If an offence has been committed, the person who committed the offence can be prosecuted in a Court.

Certification

This Local Law was made by resolution of Latrobe City Council on 7 September 2020.

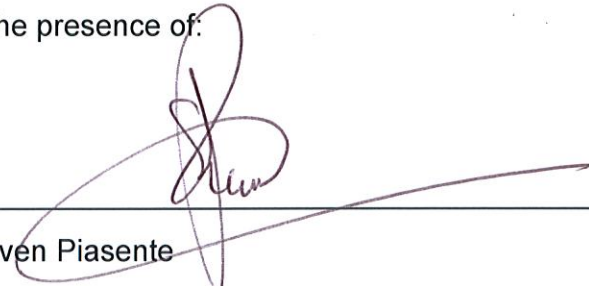
Date of public notice of the making of this Local Law in Latrobe Valley Express: 17 September 2020.

Date of notice of the making of this Local Law in the Victoria Government Gazette: 17 September 2020.

Date of sending this Local Law to the Minister: 24 September 2020.

Date the Local Law came into force: 18 September 2020.

The Common Seal of the Latrobe City Council)
was affixed this 24 day of September 2020)
in the presence of:)



Steven Piasente
Chief Executive Officer

