

**COMPLAINT OF SERIOUS BREACH FORM**

(Subsections 5.114(1) and (2) of the *Local Government Act 1995* ("the LG Act"))

**NOTE: A person who makes a false or misleading complaint commits an offence (penalty: \$5,000). If this complaint is made during the campaign period for a local government election (that is, during the period from opening of nominations to the Election Day), the fact of making the complaint and its details must be kept confidential during that period (penalty: \$5,000).**

<b>NAME OF PERSON WHO IS MAKING THE COMPLAINT:</b>
Name: _____ <i>Given Name(s)</i> <i>Family Name</i>

<b>NAME OF THE LOCAL GOVERNMENT (CITY, TOWN, SHIRE) CONCERNED:</b>
--

<b>NAME OF COUNCIL MEMBER/S ALLEGED TO HAVE COMMITTED BREACH:</b>
---

<b>DATE OF INCIDENT:</b>
--------------------------

**WHAT IS YOUR COMPLAINT:** State the type of your complaint by ticking the appropriate box, and include full details of What Happened in that section on the next page

SECTION OF LG ACT	SECTION OF LG ACT
<input type="checkbox"/> s. 5.21 - Member failed to vote on a matter at a Council meeting or a delegated power Committee meeting	<input type="checkbox"/> s. 5.78 - Non-compliance by Member with the requirements of sections 5.79, 5.80, 5.81, 5.82, 5.83, 5.84, 5.85 and 5.86 in relation to the disclosure of information in a return
<input type="checkbox"/> s. 5.65 - Member failed to disclose a disclosable or non-exempted direct or indirect financial interest or a proximity interest in a matter discussed at a Council or Committee meeting	<input type="checkbox"/> s. 5.89 - In relation to a disclosure under section 5.65, or a return lodged under section 5.75 or 5.76, Member provided information in written or oral form that he or she knew to be false or misleading in a material particular or likely to deceive in a material way
<input type="checkbox"/> s. 5.67 - After disclosing a direct or indirect financial interest or a proximity interest in a matter before a Council or Committee meeting, Member remained in the meeting or participated in the discussion or decision-making process on the matter without being allowed to do so under s. 5.68 or s. 5.69 of the LG Act	<input type="checkbox"/> s. 5.90 - Member published information, derived from register of financial interests, without it being a fair or accurate report or summary of the information contained in the register, and without it being published in good faith
<input type="checkbox"/> s. 5.69 - Member, with a direct or indirect financial interest or a proximity interest in a matter at Council or any Committee meeting, contravened a condition imposed by the Minister under s. 5.69 of the LG Act allowing the member to participate etc. in the meeting	<input type="checkbox"/> s. 5.90 - Member published comment on the facts in register of financial interests, without comment being fair and published in good faith
<input type="checkbox"/> s. 5.75 - Member failed to lodge a primary return when due	<input type="checkbox"/> s. 5.93 - Member made improper use of information acquired in the performance of his or her functions under the LG Act or any other written law: (a) to gain directly or indirectly a [financial] advantage for the member or any other person; or (b) to cause [financial] detriment to the local government or any other person
<input type="checkbox"/> s. 5.76 - Member failed to lodge an annual return when due	
<input type="checkbox"/> Other (specify section and Act, as applicable):	

**WHAT HAPPENED?** What are the details of the contravention that is alleged to have resulted in the breach? *[Attach further information if insufficient space]*

**I declare that, to the best of my knowledge and belief, the information I have given in this complaint is not false or misleading.**

**SIGNED:**

**Complainant's Signature:** .....

**Date of signing:** \_\_\_\_\_ / \_\_\_\_\_ / 20\_\_\_\_\_