**Legislative Assembly**

**LOCAL GOVERNMENT LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2012**

(Amendments and New Clauses to be moved by Mr Wynne)

1. Clause 2, page 2, line 27, omit "20, 22 and 23" and insert "21, 23 and 24".
2. Clause 2, page 2, line 30, omit "20, 22 and 23" and insert "21, 23 and 24".
3. Clause 16, lines 13 to 14, omit all words and expressions on those lines.
4. Clause 17, omit this clause.

NEW CLAUSES

1. Insert the following New Clauses to follow clause 13—

'A Definitions

In section 81A of the **Local Government Act 1989**, in the definition of ***misconduct***—

(a) in paragraph (b), after "Councillor;" **insert** "or"; and

(b) after paragraph (b) **insert**—

"(c) the failure to vote at a meeting of a Council if required to vote under section 90(1)(b);".

B Application to Councillor Conduct Panel

After section 81B(1) of the **Local Government Act 1989 insert**—

"(1A) If a Councillor who is required to vote under section 90(1)(b) fails to vote, the Chief Executive Officer must make an application for a Councillor Conduct Panel to make a finding of misconduct against the Councillor.".'