

Local Government Regulations Amendment Regulations 2025

Contents

Part 1 — Preliminary

1.	Citation	1
2.	Commencement	1

Part 2 — *Local Government (Administration)* *Regulations 1996 amended*

3.	Regulations amended	2
4.	Regulation 3 amended	2
5.	Regulation 19AA amended	2
6.	Regulation 19ADA inserted	3
	19ADA. Compliance with communications agreement	3
7.	Regulations 28C and 28D inserted	3
	28C. Additional matters regulated by communications agreement (Act s. 5.92A(2)(d))	3
	28D. Content of communications agreement (Act s. 5.92A(4))	3
8.	Regulation 29E inserted	7
	29E. Transitional provision for <i>Local Government Regulations Amendment Regulations 2025</i>	7

Part 3 — *Local Government (Model Code of Conduct)* *Regulations 2021 amended*

9.	Regulations amended	8
10.	Schedule 1 amended	8
	10A. Communications agreement	8

Local Government Regulations Amendment Regulations 2025

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Local Government Regulations Amendment Regulations 2025*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published on the WA legislation website (*publication day*);
- (b) Part 2 (but only regulations 3 and 8) — on the day after publication day;
- (c) the rest of the regulations — on 19 October 2025.

**Part 2 — *Local Government (Administration)
Regulations 1996* amended**

3. Regulations amended

This Part amends the *Local Government (Administration) Regulations 1996*.

4. Regulation 3 amended

In regulation 3(1) insert in alphabetical order:

communications agreement, in relation to a local government, means —

- (a) the default communications agreement that is taken to be the local government's communications agreement under section 5.92B; or
- (b) the communications agreement adopted by the local government that has effect as the local government's communications agreement under section 5.92C;

5. Regulation 19AA amended

In regulation 19AA delete the definition of ***local government employee*** and insert:

local government employee means an employee of the local government;

6. Regulation 19ADA inserted

After regulation 19AD insert:

19ADA. Compliance with communications agreement

A code of conduct must contain a requirement that a local government employee must (when acting in their capacity as such) comply with the local government's communications agreement.

7. Regulations 28C and 28D inserted

At the beginning of Part 7 insert:

28C. Additional matters regulated by communications agreement (Act s. 5.92A(2)(d))

For the purposes of section 5.92A(2)(d), the circumstances in which correspondence sent by the mayor or president on behalf of the local government must be provided to all council members by the CEO is a prescribed matter.

28D. Content of communications agreement (Act s. 5.92A(4))

(1) In this regulation —

administrative matter, in relation to a council member or committee member, means the following —

- (a) the scheduling of council meetings or committee meetings;
- (b) the council member's or committee member's compliance obligations under the Act, including in relation to disclosure of financial interests and gifts;

r. 7

- (c) information technology support for the council member or committee member;
- (d) arrangements for the council member or committee member to attend training or a conference;
- (e) event invitations received by the council member or committee member;
- (f) the council member's or committee member's entitlement to a fee, allowance, reimbursement or superannuation contribution payment under the Act;
- (g) any other matter of an administrative nature;

request for information, in relation to a local government, means a request for —

- (a) access to information held by the local government under section 5.92 or otherwise; or
 - (b) other information.
- (2) A local government's communications agreement must include content providing for —
- (a) council members and committee members to make requests for information; and
 - (b) the way in which, and the employees of the local government to whom, a request for information must be made; and
 - (c) time limits within which a response to a request for information must be given; and
 - (d) the way in which information must be provided in response to a request for information; and
 - (e) the way in which disputes regarding the response given to a request for information are to be resolved; and

- (f) the employees of the local government with whom council members and committee members may communicate or have dealings in relation to a request for information.
- (3) A local government's communications agreement must include content providing for the agreement not to apply to anything that a council member, committee member or employee of the local government does as part of —
 - (a) the deliberations at a council or committee meeting; or
 - (b) recruiting, reviewing the performance of or terminating the employment of the CEO in accordance with the adopted standards.
- (4) A local government's communications agreement must include content providing for —
 - (a) council members and committee members to make requests for assistance regarding administrative matters; and
 - (b) the way in which, and the employees of the local government to whom, a request for assistance regarding an administrative matter must be made; and
 - (c) time limits within which a response to a request for assistance regarding an administrative matter must be given; and
 - (d) the way in which information must be provided in response to a request for assistance regarding an administrative matter; and
 - (e) the employees of the local government with whom council members and committee members may communicate or have dealings in

r. 7

relation to a request for assistance regarding an administrative matter.

- (5) A local government's communications agreement must include content providing for the following —
- (a) a request for information or a request for assistance regarding an administrative matter by a commissioner of the local government may be made to the CEO or another employee of the local government in the manner determined by the commissioner;
 - (b) the CEO must ensure that the commissioner is given a response to the request for information or request for assistance regarding an administrative matter —
 - (i) as soon as practicable; and
 - (ii) in the manner requested by the commissioner (which may include in writing or in a briefing);
 - (c) disputes regarding the request for information or request for assistance regarding an administrative matter must be resolved by —
 - (i) if there are joint commissioners and 1 of them is appointed to be the chairperson — the chairperson; or
 - (ii) otherwise — the commissioner who made the request.

8. Regulation 29E inserted

At the end of Part 7 insert:

29E. Transitional provision for *Local Government Regulations Amendment Regulations 2025*

For the purposes of Schedule 9.3 clause 62(2), regulations 28C and 28D, as to be inserted by the *Local Government Regulations Amendment Regulations 2025* regulation 7, apply in relation to the exercise before 19 October 2025, under the *Interpretation Act 1984* section 25(2), of the Minister's power to make an order under section 5.92B, as to be inserted by the *Local Government Amendment Act 2023* section 74.

Part 3 — *Local Government (Model Code of Conduct) Regulations 2021* amended

9. Regulations amended

This Part amends the *Local Government (Model Code of Conduct) Regulations 2021*.

10. Schedule 1 amended

- (1) After Schedule 1 clause 10 insert:

10A. Communications agreement

A council member or committee member must not contravene section 5.92A(3) of the Act.

- (2) In Schedule 1 clause 20(1) insert in alphabetical order:

administrative matter, in relation to a council member or committee member, means the following —

- (a) the scheduling of council meetings or committee meetings;
- (b) the council member's or committee member's compliance obligations under the Act, including in relation to disclosure of financial interests and gifts;
- (c) information technology support for the council member or committee member;
- (d) arrangements for the council member or committee member to attend training or a conference;
- (e) event invitations received by the council member or committee member;
- (f) the council member's or committee member's entitlement to a fee, allowance, reimbursement or superannuation contribution payment under the Act;
- (g) any other matter of an administrative nature;

communications agreement, in relation to a local government, means —

- (a) the default communications agreement that is taken to be the local government’s communications agreement under section 5.92B of the Act; or
- (b) the communications agreement adopted by the local government that has effect as the local government’s communications agreement under section 5.92C of the Act;

request for information, in relation to a local government, means a request for —

- (a) access to information held by the local government under section 5.92 of the Act or otherwise; or
- (b) other information.

- (3) In Schedule 1 clause 20(1) in the definition of ***local government employee*** paragraph (b) delete “services.” and insert:

services;

- (4) Delete Schedule 1 clause 20(3) and insert:

- (3) Subclause (2)(a) does not apply to anything that a council member does as part of —
- (a) the deliberations at a council or committee meeting; or
 - (b) making a request for information or a request for assistance regarding an administrative matter in accordance with the local government’s communications agreement.

Clerk of the Executive Council