

ANNUAL RETURN OF INTERESTS POLICY

GOV14

Policy Title:	Annual return of Interests policy		
Policy Type:	Governance		
Policy Custodian:	Chief Executive Officer		
Records Number:	27093	Version:	2.0
Approval Date:	26/09/2025	Next Review Date:	01/08/2029

Purpose

This policy defines the interests that must be disclosed in the Annual Return of Interests, as required by the Local Government Act and Regulations to ensure transparency and accountability. The return retrospectively captures any changes or new interests since the last submission and must be filed within 14 days of starting employment and annually by September 30.

Scope

This policy applies to the Elected Member of Council, CEO and pursuant to Section 178 (1) (b) LGA 2019, Senior Council Staff must also complete an Annual Return of Interests. This policy should be read in conjunction with PC06 Staff Conflict of Interest Policy and GOV03 Conflict of Interest (Elected Member, Local Authority & Council Committee) Policy.

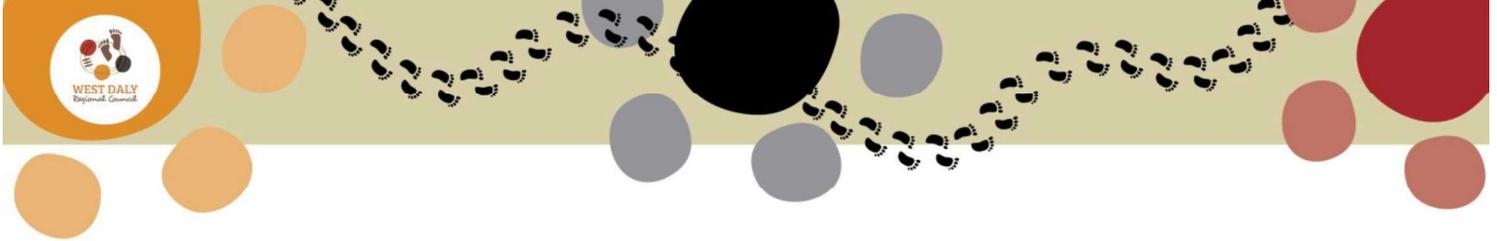
Policy Statement

1. Responsibility

- 1.1. Elected Members, the CEO and Senior Council Staff should at all times avoid situations in which private interest’s clash or might reasonably be deemed to have the potential to clash, with their Council duties.
- 1.2. Elected Members, the CEO and Senior Council Staff should not participate in any action or matter associated with the arrangement of a contract (i.e. evaluation, negotiation, recommendation, or approval), where that person or any member of their immediate family has a direct or indirect interest or holds a position of influence or power in a business undertaking tendering for the work.

2. What information should be disclosed in Annual Returns?

- 2.1. The information you must disclose in Annual Returns relates to you personally. You do not have to disclose any information relating to your spouse, children or any other person.



- 2.2. The value, amount or extent of any asset, income, debt or disposition does not have to be disclosed.

3. Shareholding in a public or private company (including a holding company)

- 3.1. Notify any relevant interest in any shares (as defined in Corporations Act) including equitable as well as legal interest, whether held directly or indirectly, which enables a Member, the Member's spouse or dependants to exercise control over the right to vote or dispose of those shares
- 3.2. Where interests are held in a private holding company (i.e. a proprietary company formed for the purpose of investing in subsidiary companies) all such subsidiary companies, and any subsidiary companies held by those subsidiary companies, should be named.

4. Interest as owner of real estate

- 4.1. Real estate refers to land or things attached to land. For example, a house, shed or jetty. An interest includes, but is not limited to, a financial interest, a right to occupation, a right or power of attorney for someone who is elderly or if you hold shares in the property.
- 4.2. You do not however, need to disclose your interest in real property if you are the executor of a deceased estate or a trustee as part of your occupation or by way of security for a debt
- 4.3. You are required to disclose the street address or the particulars of title of each parcel of real property in which you had an interest and the nature of that interest.

5. Registered company directorship

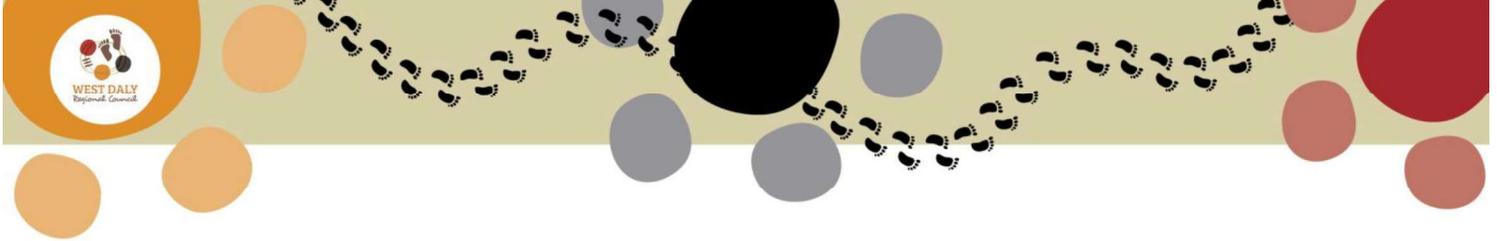
- 5.1. Company directors have duties under the Corporations Act 2001 (Cth). In making decisions for Council, Members may have a conflict if their decisions are to benefit the company in contractual relations.
- 5.2. You are required to indicate the name of the company and the activities conducted.

6. Interest in partnership

- 6.1 A partnership is defined as the relationship which exists between persons carrying on a business in common with a view to profit. It involves two or more people entering into a contractual agreement amongst themselves.
- 6.2 These details are required as Council procures goods and services from organisations outside of Council and if there is a partnership this needs to be declared.

7. Political membership

- 7.1 Wearing or displaying political material by a Member is generally inappropriate. It may give the impression that the Council endorses the political material or supports a particular government party.
- 7.2 In some circumstances, it may create doubts in the minds of clients as to whether their queries or applications will be handled impartially.
- 7.3 Members should take care when considering, or commenting on, political or social issues related to their local government role, to ensure it does not conflict with their official duties.



8. Membership in an organisation where an interest with the member's public duties could foreseeably arise or be seen to arise

- 8.1 A conflict occurs when a person's personal interests conflict with their responsibility to act in the best interests of the Council.
- 8.2 Personal interests include direct interests, as well as those of family, friends, or other organisations a person may be involved with or have an interest in.

9. Any other interest where an interest with public duties could foreseeably arise or be seen to arise

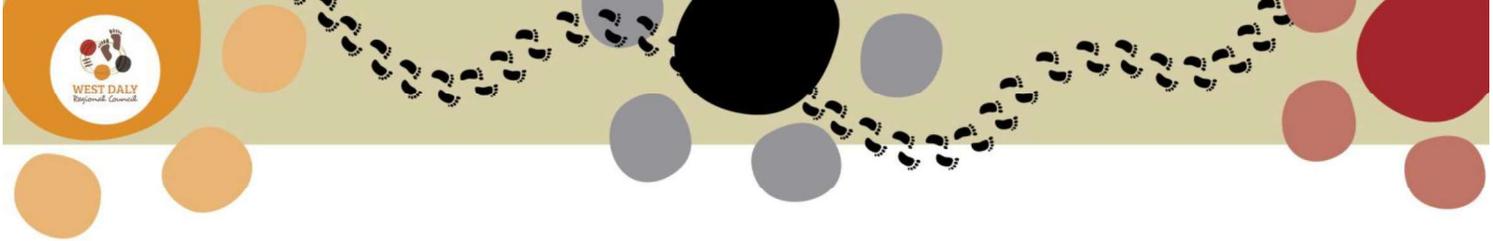
- 9.1. For a material interest, there must be a potential benefit or loss to the relevant person or someone who has a relationship with them.

Examples of relationships, include but are not limited to the following:

- a) family members;
 - b) employers;
 - c) business partners;
 - d) where the relevant person acted as a consultant, contractor or agent;
 - e) a beneficiary of a trust;
 - f) a person who gave a disclosable gift to the Member.
- 9.2. The benefit or loss can be direct or indirect, pecuniary or non-pecuniary.
- 9.2.1. Pecuniary interests are interests that involve an actual or potential financial gain or loss. They may result from the Members or a related party owning property, holding shares or a position in a company bidding for Council work, accepting gifts or hospitality, or receiving income from a second job. Money does not need to actually change hands for an interest to be pecuniary.
 - 9.2.2. Non-pecuniary interests do not have a financial component but may arise from personal or family relationships or involvement in sporting, social or cultural activities. They include any factor which would predispose the Member towards favour or prejudice resulting from friendship, animosity or other personal involvement that could bias the Members judgement or decisions.

10. Any other substantial source of income

- 10.1 Where a reference is made to a disclosure concerning any income, it includes but is not limited to any income received from rental properties, employers, partnerships and interest accrued from corporate shares – even income derived from outside of the Northern Territory.
- 10.2 In an annual return you must disclose each source from which income was received any time during the return period (usually previous 12 months).
- 10.3 Income from a source that must be disclosed is income within the meaning of the Income Tax Assessment Act 1936 (Cth); that is, income you would disclose in an income tax return.



10.4 As a general rule of thumb, income over \$5,000 per annum might be notifiable but smaller amounts from sources which might, in the judgement of the Member, involve sensitivity or be capable of misunderstanding should be included.

References

Local Government (General) Regulations 106, 107.
 Local Government Act 2019 (NT) s.110 - s.111; s.114 - s.117

Related Documents

Schedule 1 Code of Conduct
 Breach of Code of Conduct (Elected Member, Local Authority and Council Committee) Policy
 Conflict of Interest (Elected Member, Local Authority & Council Committee) Policy
 Gifts, Benefits and Hospitality (Elected Member) Policy
 Code of Conduct Employee
 Staff Conflict of Interest Policy
 Breach of Code of Conduct complaint form
 Annual Return of Interests Register (Elected Member)
 Register of Declared Conflicts
 Annual Return of Interests form
 For more information, contact the Policy Custodian.

Review History				
Version Number	Approval Date	Policy Number	Policy Name	Minutes ref./ resolution no.
1.0	27 April 2023	GOV14	Annual return of Interests policy	NA
2.0	26/09/2025	GOV14	Annual return of Interests policy	OCM-2025/68

Endorsement

Signature:	 <small>John Thomas (Nov 26, 2025 13:12:13 GMT+9.5)</small>
Date:	26/09/2025
Name and Position:	John Thomas, Chief Executive Officer