

6.12 Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy
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- 13.6 Reasonable reimbursement for accommodation, subsistence and incidental expenses incurred will be paid for authorised Council business in accordance with the Australian Tax Office limits for equivalent centres (Attachments 1 and 2).
- 13.7 The outcomes, costs and attendances for all overseas travel are to be included in the Council's first annual report published subsequent to the travel taking place.

14 Legal expenses

- 14.1 Council will not meet the **costs of legal advice or** costs of legal proceedings initiated by a Councillor under any circumstances.
- 14.2 Council will not meet the legal costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- 14.3 Council will not meet the legal costs for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 14.4 Reasonable legal expenses of a Councillor may only be met for legal proceedings being taken against a Councillor in defending an action arising from the performance in good faith of a function under the *Local Government Act 1993* (s.731 refers), or defending an action in defamation, provided that the outcome of the legal proceedings is favourable to the Councillor. ***Councillors to provide a brief and estimate from legal advisor to General Manager prior to engagement.***
- 14.5 Reasonable legal costs may also be available for an inquiry, investigation or hearing into a Councillor's conduct by an appropriate investigative or review body including:
 - 14.5.1 Local Government Pecuniary Interest and Disciplinary Tribunal
 - 14.5.2 Independent Commission Against Corruption
 - 14.5.3 Office of the NSW Ombudsman
 - 14.5.4 Office of Local Government, Department of Premier and Cabinet
 - 14.5.5 NSW Police ***Force Service***
 - 14.5.6 Director of Public Prosecutions
 - 14.5.7 Council's Conduct Review Committee/Reviewer
- 14.6 These reasonable costs are provided subject to the matter of the inquiry, investigation or hearing having proceeded past any initial assessment phase to a formal investigation or review.
- 14.7 In the case of a conduct complaint made against a Councillor, legal costs shall only be made available where a matter has been referred by the General Manager to the Conduct Review Committee/Reviewer to make formal enquiries into that matter in accordance with the adopted Palerang Code of Conduct. ***Expenses to be reimbursed in event of finding no breach***
- 14.8 In the case of a pecuniary interest or misbehaviour matter, legal costs shall only be made available where a formal investigation has been commenced by the Division of Local Government.
- 14.9 Prior approval from ***two of*** the Mayor, ***Deputy Mayor*** and the General Manager should be sought before legal expenditure is incurred.

15 Insurance expenses

In accordance with s.382 of the *Local Government Act 1993*, Council will, for matters arising out of Councillors' performance of their civic duties and/or exercise of their Council function, maintain adequate insurance against public liability and professional indemnity. In addition, Council will maintain relevant cover for personal injury and travel insurance.