



MANAGEMENT PRACTICE: LEGISLATIVE COMPLIANCE PROCEDURE

DELEGATION: N/A

1. Identifying Current Legislation

1.1. Electronic Versions of Legislation

Council accesses electronic up-to-date versions of legislation through the Western Australian legislation website at www.legislation.wa.gov.au. The WA legislation website is the official WA Government site for the online publication of legislation and is provided and maintained by the Parliamentary Counsel's Office.

Council staff should utilise this website as it is updated on a daily basis.

Federal laws and instruments should be accessed through the Federal Register of Legislation at www.legislation.gov.au

1.2. Australian Standards

The Standards purchased by Council are made available to staff through the F: drive.

2. Identifying New or Amended Legislation WA Government Gazette

Council provides website access for its staff to the WA Government Gazette which publishes all new or amended legislation applicable to Western Australia.

2.2. Department of Local Government, Sport and Cultural Industries

Council receives regular circulars from the Department of Local Government, Sport & Cultural Industries on any new or amended legislation relevant to local government. Such advices are received through Council's Records Section and must be distributed by the Records staff to the relevant Council Officers for implementation and Elected Members for information where applicable.

2.3. Department of Planning

Council receives notification from the Department of Planning on any new or amended legislation. Such advice is received through Council's Records Section and must be distributed by the Records staff to the relevant Council officers for implementation.

2.4. WA Local Government Association

Council receives a weekly circular from the WA Local Government Association. These circulars have sections on finance, planning and environmental law that highlight changes in legislation applicable to Councils and must be distributed to relevant Council officers and Elected Members for information.

3. Obtaining Advice on Legislative Provisions

Advice on matters of legislative interpretation may be sought when deemed necessary. Contact may be made with the respective legal officer/solicitor from the following sources:

- a) WALGA (Legal Officer),
- b) Department of Local Government (Legal Services Branch), or
- c) Council's Panel of Solicitors.

Note: Accessing of any legal advice must first be approved by the staff member's relevant Manager.

4. Informing Council of Legislative Change

If deemed necessary, the Executive Manager or a nominated officer, will, on receipt of advice of legislative amendments, advise Council via a Concept Forum/Briefing on the new or amended legislation where any changes will impact significantly on Council or its operations.

5. Review of Incidents and Complaints for Non-compliance

Council shall review all incidents and complaints in accordance with its incident reporting and complaint handling procedures. Such reviews and investigations will assess compliance with legislation, standards, policies and procedures that are applicable.

6. Reporting of Non-compliance

6.1. Non-compliance

All instances of non-compliance shall be reported as soon as practicable to the respective Executive Manager. The Executive Manager shall determine the appropriate response. If the matter is deemed a significant breach or significant fines and/or criminal sanctions apply, the matter must be reported immediately to the Chief Executive Officer.

The Chief Executive Officer may instigate an investigation into any non-compliance matter and will report significant non-compliance matters to the Council and external agencies as required.

6.2. Compliance Audit Return

Undertake annual review of compliance requirements in accordance with Regulation 14 of the *Local Government (Audit) Regulations 1996*.

7. Auditing Legislative Compliance

Council shall incorporate a review of its processes to ensure legislative compliance is included in its internal audit function.

8. Corporate Calendar

Monthly review of Corporate Calendar to ensure all legislative requirements are being met.

9. Review of Legislative Compliance Procedures

This Procedure will be reviewed every two years.

Prepared:	March 2025
Last Reviewed:	N/A
Next Review Date:	2027
Related Documents	Shire of Jerramungup Record Keeping Plan Register of Delegations Code of Conduct AP4 – Records Management Policy AP9 – Risk Management Governance Framework Policy