

6.1. Oath and Affirmation of Office by Councillors

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ENDORSED BY: Shane Sullivan, Executive Manager Governance

ATTACHMENTS:

1. Wording of oath or affirmation of office by councillors [6.1.1 - 1 page]

PURPOSE:

To report on the requirement for all Councillors to take an oath or affirmation of office, prior to participating in meetings.

EXECUTIVE SUMMARY:

Under section 233A of the *Local Government Act 1993*, councillors (including mayors) are required to take an oath or affirmation of office. The prescribed words of the oath and affirmation are contained in the attachment to this report.

Oaths or affirmations of office must be taken by each councillor at or before the first meeting of the council after being elected.

An oath and affirmation ceremony is to be conducted for Councillors at 6pm on Monday 10 January 2022, prior to the Council meeting. The names of those Councillors who attended the ceremony and make their oath or affirmation will be read out by the General Manager at the Council meeting.

Any Councillors must have taken the oath or made an affirmation prior to participating in Council Meetings.

FINANCIAL IMPLICATIONS:

Funds are available in the 2021/22 Council support budget allocation for refreshments to be provided at the oaths and affirmation ceremony.

RECOMMENDATION:

1.THAT the General Manager confirm for the meeting the names of those Councillors who have taken the oath or made the affirmation, prior to the Council meeting.

2.THAT the General Manager ensure a record is kept of the taking of the oath or making of the affirmation as required under the *Local Government Act 1993* in the minutes of this Council meeting.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

5. Our Civic Leadership

5.2 Council is well governed and customer focused

BACKGROUND

In accordance with section 233A of the *Local Government Act 1993*, oaths or affirmations of Office must be taken by each councillor at or before the first meeting of the council after being elected. Arrangements have been made for a short ceremony to enable Councillors to complete their oath or affirmation commencing at 6PM prior to the Council Meeting.

CONSULTATION REQUIREMENTS

Community engagement is not required.

DETAIL

The General Manager must ensure that a record is kept of the taking of the oath or affirmation. This can be done by way of a signed statement containing the oath or affirmation or by recording the taking of the oath or affirmation by each councillor in the minutes of the council meeting. The taking of the oath or affirmation by Councillors will be recorded in the Minutes of this meeting.

An oaths and affirmations ceremony for Councillors is planned for 6.00pm on Monday 10 January 2022, prior to the Council meeting. Family, friends and members of the public are invited to the ceremony. The names of those Councillors who attend the ceremony and make their oath or affirmation will be read out by the General Manager at this meeting.

Any Councillor who is unable to attend the ceremony can contact the Executive Manager Governance or the General Manager to make alternate arrangements that align to the requirements of the *Local Government Act 1993*.

A councillor who fails, without a reasonable excuse, to take the oath or affirmation of office, will not be entitled to participate in council meetings until they do so and will be taken to be absent without leave.

1
Attachment

Oath

I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of North Sydney and the North Sydney Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation

I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of North Sydney and the North Sydney Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.