

City of Rockingham – Governance and Councillor Support

Attendance at Meetings by Electronic Means



Name of Council Member: _____

Location (full address) from where I will attend the meeting from:

I will attend the meeting using:

The City of Rockingham supplied IPAD

My own personal device

In accordance with *Local Government (Administration) Regulations 1996, r.14C 'Attendance at meetings by electronic means may be authorised'* I request approval to attend the meeting/s indicated below by electronic means:

(Refer to r.14C on the reverse side of this Form for detail)

Meeting	Date	Meeting	Date
Ordinary / Special Council		Behaviour Complaints Committee	
Planning and Asset Services		Audit Committee	
Corporate and Community Development		Customer Service Review Committee	
Councillor Engagement Session <i>CES are not subject to r.14C and r. 14CA requirements but are dealt with as an administrative decision, approved by the Mayor</i>			

Confidential Meetings / Business

In accordance with *Local Government (Administration) Regulations 1996, r.14CA* I declare:
(Refer to r.14CA on the reverse side of this Form for detail)

1. That I can and will maintain confidentiality during the meeting or the closed part of the meeting (as the case requires), *r.14CA (5)*.
2. That subsequently if I cannot maintain confidentiality, I will leave the meeting or the closed part of the meeting, *r.14CA (6)*.
3. That I will inform the Presiding Member as required with the understanding that these declarations are required to form part of the recorded minutes of the meeting, *r.14CA (7)*.

Reason for attendance by electronic means

Please detail the exceptional circumstance requiring attendance by electronic means:

Signature of Council Member _____ **Date** ____ / ____ / ____

Approved - Signature of Mayor _____ **Date** ____ / ____ / ____

Attendance at Meetings by Electronic Means

Local Government Act 1995 (LGA) s.5.25
Local Government (Administration) Regulations 1996

14C. Attendance at meetings by electronic means may be authorised (Act s. 5.25(1)(ba))

(1) In this regulation —

meeting means —

- (a) an ordinary meeting of the council; or
- (b) a special meeting of the council; or
- (c) a meeting of a committee of the council; or
- (d) a meeting of an audit committee of a local government;

natural disaster includes fire, flood, lightning, movement of land and storm;

relevant period, in relation to the proposed meeting referred to in subregulation (3), means the period of 12 months ending on the day on which the proposed meeting is to be held.

(2) A member of a council or committee may attend a meeting by electronic means —

(a) if —

- (i) a public health emergency or state of emergency exists or a natural disaster has occurred; and
- (ii) because of the public health emergency, state of emergency or natural disaster, the member is unable, or considers it inappropriate, to be present in person at the meeting; and
- (iii) the member is authorised to attend the meeting by electronic means by the mayor, president or council;

or

(b) if the member is otherwise authorised to attend the meeting by electronic means by the mayor, president or council.

(3) The mayor, president or council cannot authorise a member to attend a meeting (the proposed meeting) under subregulation (2)(b) if the member's attendance at the proposed meeting under that authorisation would result in the member attending more than half of the meetings (including the proposed meeting) of the council or committee, in the relevant period, under an authorisation under subregulation (2)(b).

(4) Subregulation (3) does not apply to a member who is a person with a disability as defined in the *Disability Services Act 1993* section 3.

(5) In deciding whether to authorise a member to attend a meeting by electronic means under subregulation (2), the mayor, president or council must have regard to whether the location from which the member intends to attend the meeting, and the equipment that the member intends to use to attend the meeting, are suitable for the member to be able to effectively engage in deliberations and communications during the meeting.

[Regulation 14C inserted: SL 2020/20 r. 7; amended: SL 2022/185 r. 5.]

14CA. Provisions relating to attendance at meetings by electronic means (Act s. 5.25(1)(ba))

(1) In this regulation —

meeting has the meaning given in regulation 14C(1).

(2) The electronic means by which a member may attend a meeting under an authorisation under regulation 14C(2) include telephone, video conference or other means of instantaneous communication, as determined by the mayor, president or council.

(3) A member who attends a meeting under an authorisation under regulation 14C(2) by electronic means determined under subregulation (2) is, whether or not the member is physically in the State, taken to attend and be present at the meeting for the purposes of the Act and these regulations while the member is in contact by those electronic means with each other member present at the meeting.

Attendance at Meetings by Electronic Means

(4) Subregulations (5) to (7) apply if —

- (a) a member has been authorised to attend a meeting by electronic means under regulation 14C(2); and
- (b) the meeting, or part of the meeting, is to be closed to members of the public under section 5.23(2).

(5) The member must not attend the meeting or the closed part of the meeting unless, before the meeting, or the part of the meeting, is closed, the member declares that the member can maintain confidentiality during the meeting or the closed part of the meeting (as the case requires).

(6) If the member makes the declaration under subregulation (5) and subsequently cannot maintain confidentiality, the member must leave the meeting or the closed part of the meeting.

(7) A member's declaration under subregulation (5) must be recorded in the minutes of the meeting.

[Regulation 14CA inserted: SL 2022/185 r. 6.]