

Councillor Conflicts of Interest

9 May 2024

How spouses manage conflicts of interest

A question has been raised with Council on how spouses would manage any conflicts of interest that may emerge during their time as elected members of Council.

There is no legal or statutory prohibition on spouses being elected to, and serving on, the same Council at the same time.

Under the *Local Government Act 2009* ("the Act"), where one Councillor has a conflict of interest in a matter that is to be decided by Council, this will also generate a conflict of interest for the other Councillor who is the spouse of that Councillor.

This is because, under the Act, each is a close associate or related party of the other (depending on whether it is a prescribed or declarable conflict of interest) and both are obligated to comply with the requirements of the Act.

It is always the responsibility of any Councillor to identify and manage any conflicts of interest in a way that accords with the requirements of the Act.

Further information about Councillors' conflicts of interest can be found in [Chapter 5B of the *Local Government Act 2009*](#).