

Title:	Elected Members – Indemnity
Policy No:	016
Adopted By:	Council
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Responsibility:	Chief Executive Officer
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Version	Decision Number	Adoption Date	History
1	20\2501	23/02/2010	Adopted
2	20\3896	27/04/2011	Amendment Adopted
3	21\0070	15/05/2012	Amendment Adopted
4	21\3462	30/06/2015	Revision Adopted

1 Policy Summary

This Policy covers the rules determined by Council governing Elected Member rights and responsibilities additional to those specified in the Local Government Act and related legislation.

The Policy covers:

- Indemnity - External Boards
- Protection – Legal proceedings

2 Policy Objectives

To provide a clear framework for Elected Members in relation to rights and responsibilities additional to those specified in legislation for the guidance of Elected Members and Council's administration.

Background

From time to time City of Darwin makes policies clarifying Elected Members rights and responsibilities.

3 Policy Statement

Indemnity - External Boards

Council will indemnify Elected Members appointed by Council to the position of Director of external boards of management, or an external board of directors, to the fullest extent permitted by law, in respect of any liability incurred by the Elected Member in the exercise of his or her duties as a director of those boards. In each case, a formal Deed of Indemnity is required to be entered into and executed under a seal of Council.

Protection – Legal Proceedings

Council will assist in the protection of Elected Members who have been misrepresented or defamed in any way in the course of their duties by meeting the cost of an initial investigation into the matter including legal advice to determine if any legal proceedings should be instigated, and subject to further decision of Council, support action when considered necessary.

5 Legislation, terminology and references

Part 4.2 of the Local Government Act.

6 Implementation and delegation

The Chief Executive Officer is responsible for managing implementation of this policy

7 Evaluation and review

This policy should be reviewed once in the term of each Council or more often as required.