

Moreland City Council

AGENDA

SPECIAL COUNCIL MEETING

I, Peter Brown, Chief Executive Officer of the Moreland City Council call a Special Meeting of the Moreland City Council to be held at the:

Moreland Civic Centre, Council Chamber, 90 Bell Street, Coburg

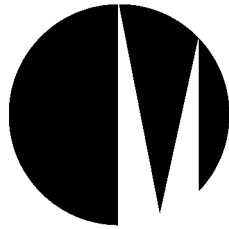
on Thursday 4 December 2008 commencing at 7.00pm

ORDER OF BUSINESS

- 1. APOLOGIES**
- 2. DECLARATION OF INTEREST AND/OR CONFLICT OF INTEREST OF ANY COUNCILLOR**
- 3. ITEM OF BUSINESS**
 1. To swear in the Councillors of the Moreland City Council
 2. To elect an Interim Chairperson
- 4. CLOSE OF BUSINESS**

Peter Brown
CHIEF EXECUTIVE OFFICER

Date of Issue: 2 December 2008



Moreland City Council

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DCS43 SWEARING IN THE ELECTED COUNCIL (D08/172459)

Director Corporate Services

Governance

Executive Summary

The Moreland Municipal elections were held on Saturday 29 November 2008. To fulfil its statutory obligations under the *Local Government Act 1989* the elected candidates must be sworn into office.

Recommendation

Council resolve that each Oath of Office or Affirmation of Office made before the Chief Executive Officer and submitted by the Councillors of the elected Moreland City Council, as annexed to the Minutes, be received and noted.

REPORT

1. Policy Context

This report and recommendation fulfils Council's statutory obligations under the *Local Government Act 1989*.

2. Background

The Moreland Municipal elections were held on Saturday 29 November 2008. It is necessary for the elected candidates to be sworn into office.

3. Issues

Section 63 of the *Local Government Act 1989 (Act)* provides that a person elected to be a Councillor is not capable of acting as Councillor unless he or she has taken the oath or affirmation of office.

Section 63 of the Act prescribes that the following oath of office must be taken:

I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Moreland and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgement.

Section 63 of the Act prescribes that the following affirmation of office must be taken:

I, <Councillor Name> do solemnly, sincerely and truly declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Moreland and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgement.

The oath/affirmation of office must be made, dated and signed before the Chief Executive Officer and recorded in the minutes of the Council meeting.

If a person elected to be a Councillor does not take the oath/affirmation of office within 3 months after the day on which he or she was declared elected, the office of that Councillor becomes vacant.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

The Chief Executive Officer has been consulted in the preparation of this report.

5. Financial and Resources Implications

There are no financial and resource implications associated with this report.