



## COUNCIL COMMITTEE HANDBOOK

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City of  
**Kalgoorlie  
Boulder**



## **1. OVERVIEW OF THIS HANDBOOK**

This handbook:

- Provides Council a framework of all matters relating to Council Committees, External Committees, Working Groups and the City's Focus Groups;
- Details the City of Kalgoorlie-Boulder's policies regarding Committees, External Committees and Working Groups;
- Sets out current membership for 2023 – 2025 of Committees and External Committees; and
- Sets out the adopted Terms of Reference for each Committee.

## **2. ADVISORY GROUPS**

Council functions are assisted by Committees and Working Groups. In addition, Council members are involved in external committees in order to act as a liaison between Council and the relevant committees.

### **2.1 COUNCIL COMMITTEES**

Subdivision 2 of Division 2 of Part 5 of the *Local Government Act* contains provisions regarding the establishment of committees and the structure of their meetings. The Standing Orders Local Law 2013 also applies to Council Committees.

To assist with its decision-making responsibilities, Council is able to establish Committees to assist it in performing its wide range of activities and functions. Committees report to Council and are subject to the requirements of the Act and the City's meeting procedures for meetings.

Council may delegate authority to Committees in relation to its decision-making functions, in which case Committee meetings become open to the public (other than in relation to confidential items). Currently, none of Council's Committees have delegated authority and are therefore required to make recommendations to Council, for Council to determine by resolution.

Council has established the following Committees:

1. Audit and Risk Committee;
2. Chief Executive Officer Performance Review Committee; and
3. Strategic and General Purposes Committee.

In addition, Council appoints an elected member and deputy to the Youth Council.

### **2.2 WORKING GROUPS**

Unlike Committees, Working Groups are not formally established under the Local Government Act. Working Groups are established from time-to-time as a mechanism for facilitating and improving broader participation in the City's decision-making process. They provide an engagement mechanism for Elected Members, staff and, where appropriate the community, on a wide range of issues.

The opportunity to obtain such views assists Elected Members and Council to address strategic issues and priorities, well before these are presented to Council or a Committee.



Working Groups make recommendations to the CEO and administrative staff, who may, in turn detail those recommendations and comments within formal reports to Council or a Committee on a particular issue or topic.

Council does not currently have any Working Groups.

## **2.3 FOCUS GROUPS**

Like Working Groups, Focus Groups are not formally established under the Local Government Act. Focus Groups are established from time-to-time as a mechanism for facilitating and improving broader participation in the City's decision-making process.

The City utilises Focus Groups to provide an engagement mechanism for the community to provide feedback and direction on a wide range of issues. The opportunity to obtain such views assists the City to formulate community-focused initiatives before presenting those to Council.

Focus Groups are less formal than Working Groups and do not generally include Elected Member membership although may do so if appropriate.

The City currently has one Focus Group, the Senior's Focus Group.

The City has an internal Focus Group Management Guideline that assists City officers and Focus Group members with the conduct of Focus Groups.

## **3. EXTERNAL COMMITTEES**

External committees are not committees of Council but are external boards of management that are either constitutionally required to have City of Kalgoorlie Councillors as members, or have requested that Council nominate an elected representative to become a member.

Council members are members of the following external Committees:

1. Kalgoorlie-Boulder Liquor Accord;
2. Goldfields Voluntary Regional Organisation of Councils (GVROC);
3. Kalgoorlie-Boulder Visitors Centre;
4. (Joint) Development Assessment Panel;
5. Regional Road Group; and
6. WA Museum of the Goldfields Advisory Board.



#### 4. MEMBERSHIP OF COUNCIL COMMITTEES 2023 – 2025

	Mayor Glenn Wilson	Deputy Mayor Kirsty Dellar	Cr Deborah Bottica	Cr Terrence Winner	Cr Wayne Johnson	Cr Kyran O'Donnell	Cr Linden Brownley	Cr Nardia Turner	Cr Carla Viskovich
Audit and Risk Committee	x	x		x	x	x		x	
Strategic and General Purposes Committee	x	x	x	x	x	x	x	x	x
Chief Executive Officer Performance Review Committee	x		x			x			
Youth Council				x			xx		

x member

xx deputy member

#### 5. MEMBERSHIP OF WORKING GROUPS 2023 – 2025

	Mayor Glenn Wilson	Deputy Mayor Kirsty Dellar	Cr Deborah Bottica	Cr Terrence Winner	Cr Wayne Johnson	Cr Kyran O'Donnell	Cr Linden Brownley	Cr Nardia Turner	Cr Carla Viskovich

x member

xx deputy member



## 6. MEMBERSHIP OF EXTERNAL COMMITTEES 2023 – 2025

	Mayor Glenn Wilson	Deputy Mayor Kirsty Dellar	Cr Deborah Bottica	Cr Terrence Winner	Cr Wayne Johnson	Cr Kyran O'Donnell	Cr Linden Brownley	Cr Nardia Turner	Cr Carla Viskovich
Kalgoorlie-Boulder Liquor Accord						x			
Goldfields Voluntary Regional Organisation of Councils (GVROC)	x				x			xx	
Kalgoorlie-Boulder Visitors Centre			xx	x					
(Joint) Development Assessment Panel		x		xx	x			xx	
Regional Road Group							x		
WA Museum of the Goldfields Advisory Board							x		

x member

xx deputy member



## 7. COMMITTEE POLICY-

### 7.1. PURPOSE

This policy applies to Committees established by Council and was first adopted by resolution of Council on 27 September 2022. This version has been adopted on 30 October 2023.

### 7.2. POLICY DETAILS

#### 7.2.1. *Committee*

In this policy, “Committee” means a Council-established Committee and excludes external committees for which Elected Members are members.

#### 7.2.2. *Number of committees and working groups*

The creation of new Committees is to be restricted by allocating new tasks to an existing Committee wherever possible.

#### 7.2.3. *Creating new committees*

In accordance with section 5.8 *Local Government Act*, a Council resolution by absolute majority endorsing the creation of a new Committee is required in order for a Committee to be established.

When compiling a report or recommendation for Council to establish a new Committee or, the following should be included:

- The purpose of the proposed Committee;
- The terms of reference of the proposed Committee;
- The number of council members and other persons to be appointed to the proposed Committee and if appropriate, names or titles of suggested persons;
- In the case of a Committee only, details of delegation of any powers or duties to the proposed Committee under section 5.16 of the *Local Government Act*;
- Details of City administration staff members responsible for providing assistance to the proposed Committee; and
- Details of a funding source for the operation of the Committee, if applicable.

#### 7.2.4. *Terms of Reference*

The Terms of Reference for a Committee shall be adopted by resolution of Council when the Committee is endorsed, and any amendment to the Terms of Reference shall be adopted by Council following recommendation from the Committee.

#### 7.2.5. *Membership and cessation of membership*

Appointment of a Council member or independent member to a Committee shall be resolved by Council by absolute majority and each appointment shall cease upon the next ordinary

local government election (unless the Council resolves to appoint the member for a lesser term or the member resigns or is removed from office prior to that next election).

City support staff are to ensure records of the members of the Committees are current and include relevant contact details.

In the event a Committee member is absent from three consecutive ordinary meetings of the Committee without first having been granted formal leave of absence by other members of the Committee, his or her seat on the Committee shall become vacant. If required by the relevant Presiding Member, the City support staff will advertise the vacancy.

Committee members should not serve for more than four consecutive two-year terms.

A Committee member may resign their office, in writing to the CEO or relevant Presiding Member, in accordance with Regulation 4 of the *Local Government (Administration) Regulations 1996*.

The Council has the power under section 5.10 of the *Local Government Act 1995* and section 52(1) of the *Interpretation Act 1984* to resolve, by absolute majority, to suspend or remove a Committee member for any reason.

#### **7.2.6. Appointment of independent members to Committees**

Independent Committee members (members who are not Elected Members) must be selected by Council on the basis of their ability to contribute to the effective working of the Committee by:

- Having the relevant skills, knowledge and experience to deliver on the adopted terms of reference;
- Are sufficiently independent of the Council and its members and at the date of appointment to the Committee are without conflicts of interest that will or may impede on the ability of the independent member to be an effective Committee member;
- Appreciation of the City of Kalgoorlie-Boulder Council, administration, its values and strategic plans;
- Having the ability to determine and deliver what the community expects from Council.

At least three months prior to the expiry of the terms of the existing independent Committee members, or on any vacancy, the CEO in consultation with the Presiding Member of the Committee shall determine:

- Appropriate selection criteria for independent candidates;
- Advertisements for the position and medium for distribution;
- Relevant dates for the selection process, including advertising for not less than 14 days.

A sitting independent Committee member must re-apply through the application process.

Applicants will be required to submit a current CV and a statement against the selection criteria. If required by the CEO, Committee or Council, the applicants will participate in an interview and/or provide references to be checked by the CEO and/or the CEO will undertake its own enquiries to verify the qualifications of the applicant.



Upon receipt of applications and closure of the advertising period, the CEO shall review the applications and make recommendations to Council upon assessing the applications against the selection criteria. The Committee will also consider the applications and CEO advice and will make recommendations to Council for the appointment of an independent Committee member.

#### *7.2.7. Roles of Presiding Member of a Committee*

In addition to the roles of Committee member set out below, the Presiding Member must:

- Determine meeting points together with the City support staff;
- Preside at meetings of the Committee, ensuring the debate and meeting procedures comply with the Standing Orders Local Law 2013;
- Check and sign off on meeting minutes; and
- Liaise with City support staff.

#### *7.2.8. Role of a Committee Member*

Each Committee member (whether an elected member or external member) must:

- Attend meetings;
- Act in accordance with the Code of Conduct for Council Members, Committee Members and Candidates;
- Consider only those matters that are within the Committee's adopted Terms of Reference;
- Report to Council on the activities of the Committee if requested to do so by the Council;
- Disclose financial or other interests at meetings as stipulated by the Local Government Act 1995 and Standing Orders Local Law 2013, and ensure these are recorded in the minutes.

#### *7.2.9. Role of City support staff*

The City will ensure that appropriate staff members are allocated to assist all Committees.

The relevant City support staff assigned to a Committee must:

- Convene meetings of the Committee;
- Prepare meeting agendas, record minutes of meetings and ensure that minutes are recorded in accordance with the City's records management practices;
- Ensure minutes of the Committee are included in the agenda at the next Ordinary Council Meeting to enable recommendations of the Committee to be adopted by Council; and
- Expend budgeted funds if authorised to do so.

#### *7.2.10. Role of the Council*

The role of Council in relation to the Committees is as follows:

- Appoint members to the Committee during the term of operation as and when required;
- Make formal decisions on reports and recommendations received from the Committee;

- Through the Governance and Policy Committee, conduct a biennial review of each Committee's purpose and any delegations of authority to determine whether they are still relevant and whether the Committee is still required.

#### *7.2.11. Code of Conduct*

All Committee members are subject to the Code of Conduct for Council Members, Committee Members and Candidates.

#### *7.2.12. Appointment of Presiding Member*

Pursuant to section 5.12(1) of the *Local Government Act*, Council must appoint by absolute majority a member of the Committee to be the presiding member of the Committee.

If the presiding member is not available to attend a meeting, and Council has not appointed a deputy pursuant to section 5.12(2) of the *Local Government Act*, then pursuant to section 5.14 of the *Local Government Act* the Committee members present at the meeting shall choose one of themselves to preside at the meeting.

#### *7.2.13. Convening a meeting and preparing agenda*

Notice of a meeting is to be issued by the City support staff by email to all Committee members, such notice to include the time, date and location of the relevant meeting.

City support staff are to ensure that at least half of the elected members can be in attendance before confirming the meeting with the external members.

City support staff will prepare agendas and provide these to all Committee members by no later than 72 hours prior to the relevant meeting where possible.

#### *7.2.14. Quorum*

Pursuant to section 5.19 of the *Local Government Act*, the quorum for a meeting of a Committee is at least 50% + 1 of the number of offices (whether vacant or not) of members of the Committee.

An elected member can attend a meeting even if they are not a member of that Committee, as a non-voting and non-participating observer.

#### *7.2.15. Disclosure of financial or other interests*

Committee members must disclose, at the commencement of a Committee meeting and prior to any discussion regarding a report item, any financial or other interest in respect of a report.

The disclosure of financial or other interests by Committee members are to be recorded in the minutes.

#### *7.2.16. Conducting meetings and recording minutes*

Unless otherwise directed in writing by the Presiding Member not less than 24 hours prior to a relevant meeting, meetings can be held in person, by telephone or by video conference.

The Standing Orders Local Law 2013 applies to all Committee meetings.

Disclosure of financial or other interests by Committee members are to be recorded in the minutes of the meeting.

All members appointed to a Committee have one vote and are entitled to appoint a proxy to vote on their behalf if they are unable to attend a Committee meeting (that proxy is a non-participating observer only).

Records of all Committee decisions and actions required must be recorded in the Committee minutes.

Minutes of a Committee meeting are to be formally accepted at the next Ordinary Council Meeting by adoption of Council..

#### *7.2.17. Disbanding a Committee*

Council may by resolution determine at any time that a Committee is no longer required and is to be disbanded.

A record is to be kept of all disbanded Committees.

#### *7.2.18. Dissolving Committees*

After local government election, which occur in October every two years, all Committees are to be dissolved.

No meetings are to be scheduled or held while Committees are dissolved.

At the next Ordinary Council Meeting after an election, Elected Members are to be appointed to Committees by Council Resolution.

Named external representatives are to be (re)appointed by Council resolution after Committees are re-established.

### **7.3.REPORTING REQUIREMENTS**

Committees must report to Council following a Committee meeting, and all Committee agenda items and decisions will be included in the next Ordinary Council Meeting agenda.

### **7.4. RELEVANT LEGISLATION AND POLICIES**

*Local Government Act 1995 (WA)*

*Local Government (Administration) Regulations 1996*

*Standing Orders Local Law 2013*

*Code of Conduct for Council Members, Committee Members and Candidates*

*Local Government (Model Code of Conduct) Regulations 2021*



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## **8. EXTERNAL COMMITTEES POLICY**

### **8.1. PURPOSE**

This policy was adopted by Council on 30 October 2023.

The purpose of this policy is to provide clarity in relation to the purpose of Elected Member membership on external committees and the process for determining such membership.

### **8.2. POLICY DETAILS**

#### **8.2.1. *Appointment of Elected Members to external committees***

At the next Ordinary Council Meeting after an election, Elected Members are to be appointed to external committees by Council Resolution.

Representation on external committees will remain until the next ordinary local government election unless the Elected Member ceases to be a member of Council for any reason (in which case, an alternative appointment will require a Council resolution).

#### **8.2.2. *Role of Elected Members appointed to external committees***

Elected members who are appointed to external committees as representatives of the City must:

- Attend meetings or advise the proxy to attend in the elected member's absence if a proxy has been designated
- Provide the committee/group with guidance on City policies and activities;
- Liaise regularly with co-ordinators of the committee/group so as to be fully informed of its current activities, aims and objectives;
- Liaise regularly with nominated support staff at the City;
- Report to elected members at Council meetings on the activities of the committee/group if requested; and
- Provide minutes and agendas of the meetings in accordance with the City's record management practices.



## **9. WORKING GROUPS POLICY**

### **9.1. PURPOSE**

This policy applies to Working Groups established by Council and was adopted by resolution of Council on 30 October 2023.

Working Groups are intended as a means of enabling Elected Members and community members to engage about matters relating to the Working Group's Terms of Reference in a structure that is less formal than a Council Committee, to provide direction to City officers in relation to their functions and to shape officer recommendations to Council.

### **9.2. POLICY DETAILS**

#### **9.2.1. *Standing Orders Local Law 2013***

Parts 6, 8, 9 and 13, 15.1, 15.2, and 16 of the Standing Orders Local Law 2013 are deemed by this policy to apply to all Working Group meetings.

#### **9.2.2. *Number of Working Groups***

The creation of new Working Groups is to be restricted by allocating new tasks to an existing Working Group wherever possible.

#### **9.2.3. *Creating new Working Groups***

A Council resolution endorsing the creation of a new Working Group is required in order for a Working Group to be established.

When compiling a report or recommendation for Council to establish a new Working Group the following should be included:

- The purpose of the proposed Working Group;
- The terms of reference of the proposed Working Group;
- The number of council members and other persons to be appointed to the proposed Working Group and if appropriate, names or titles of suggested persons;
- Details of City administration staff members responsible for providing assistance to the proposed Working Group; and
- Details of a funding source for the operation of the Working Group, if applicable.

#### **9.2.4. *Membership and cessation of membership***

##### ***Elected Members***

Appointment of all Council members to a Working Group shall be made by Council resolution.

Each appointment shall cease upon the next ordinary local government election (unless the Council resolves to appoint the member for a lesser term or the member resigns or is removed from office prior to that next election).

The Council may resolve to suspend or remove an Elected Member from a Working Group member for any reason.



#### *Independent members*

Appointment of independent members to a Working Group shall be determined by the CEO from time to time for such period as is determined by the CEO in accordance with the following paragraph. All appointments shall cease upon the next ordinary local government election (unless the CEO appoints the member for a lesser term or the member resigns or is removed from office prior to that next election).

An independent Working Group member may resign from membership of the Working Group by giving the CEO written notice of the resignation, to be with immediate effect.

#### *Other membership requirements*

City support staff are to ensure records of the members of the Working Group are current and include relevant contact details.

In the event a Working Group member is absent from three consecutive meetings without first having been granted formal leave of absence by other members of the Working Group, his or her seat on the Working Group shall become vacant (in the case of an Elected Member, this shall be determined by resolution of Council and in the case of an external member, by CEO determination). If required by the relevant Presiding Member, the City support staff will advertise the vacancy.

Working Group members should not serve for more than four consecutive two-year terms.

#### *9.2.5. Appointment of independent members to Working Groups*

Independent Working Group members (members who are not Elected Members) must be selected by the CEO on the basis of their ability to contribute to the effective working of the Working Group by:

- Having the relevant skills, knowledge and experience to deliver on the adopted terms of reference;
- Are sufficiently independent of the Council and its members and at the date of appointment to the Working Group are without conflicts of interest that will or may impede on the ability of the independent member to be an effective Working Group member;
- Appreciation of the City of Kalgoorlie-Boulder Council, administration, its values and strategic plans; and
- Having the ability to determine and deliver what the community expects from Council and the City.

At least three months prior to the expiry of the terms of the existing independent Working Group members, or on any vacancy, the CEO in consultation with the Presiding Member of the Working Group shall determine:

- Appropriate selection criteria for independent candidates;
- Advertisements for the position and medium for distribution;
- Relevant dates for the selection process, including advertising for not less than 14 days.

Following a local government election, a sitting independent Working Group member must re-apply through the application process.

Applicants will be required to submit a current CV and a statement against the selection criteria. If required by the CEO, the applicants will participate in an interview and/or provide references to be checked by the CEO and/or the CEO will undertake its own enquiries to verify the qualifications of the applicant.

Upon receipt of applications and closure of the advertising period, the CEO shall review and assess the applications against the selection criteria to determine appropriate appointments.

#### 9.2.6. *Terms of reference for Working Group*

The Terms of Reference or any amendment to them shall be recommended by the City for adoption by Council and must be adopted by Council before being enacted.

#### 9.2.7. *Appointment of Presiding Member*

The members of a Working Group are to elect a presiding member from amongst themselves in the manner set out in Schedule 2.3, Division 1 of the *Local Government Act*, at their first meeting following a local government election.

If the presiding member is not available to attend a meeting at any time, the Working Group members present at the meeting shall choose one of themselves to preside at the meeting.

#### 9.2.8. *Roles of Presiding Member of a Working Group*

In addition to the roles of Working Group members set out below, the Presiding Member must:

- Determine meeting points together with the City support staff;
- Preside at meetings of the Working Group, ensuring meeting procedures comply with relevant parts of the Standing Orders Local Law 2013; and
- Liaise with City support staff.

#### 9.2.9. *Role of a Working Group Member*

Each Working Group member (whether an Elected Member or external member) must:

- Attend meetings;
- Act in accordance with the conduct expectations set out below in section 10.2.12;
- Consider only those matters that are within the Working Group's adopted Terms of Reference;
- Report to Council on the activities of the Working Group if requested to do so by the Council;
- Disclose financial or other interests at meetings as stipulated by the Local Government Act and Standing Orders Local Law 2013, and ensure these are recorded in the minutes.

#### 9.2.10. *Role of City support staff*

The City will ensure that appropriate staff members are allocated to assist all Working Groups.

The relevant City support staff assigned to a Working Group must:

- Convene meetings of the Working Group;



- Prepare meeting agendas, take minutes of meetings and ensure that minutes are recorded in accordance with the City's records management practices;
- Where required by the CEO, prepare reports to Council to enable recommendations of the Working Group to be adopted by Council; and
- Expend budgeted funds if authorised to do so.

#### 9.2.11. *Role of the Council*

The role of Council in relation to the Working Groups is as follows:

- Determine and adopt the Working Groups' terms of reference;
- Appoint Elected Members as members to the Working Group during the term of operation as and when required;
- Make formal decisions on reports and recommendations received from staff in relation to the outcomes or recommendations of the Working Group;
- Through the Governance and Policy Committee, conduct a biennial review of each Working Group's purpose and whether the Working Group is still required.

#### 9.2.12. *Conduct Expectations*

As a member of a Working Group, it is expected that members will:

- Act with reasonable care and diligence;
- Act with honesty and integrity;
- Act lawfully;
- Identify, disclose and appropriately manage any conflict of interest;
- Avoid damage to the reputation of the City of Kalgoorlie-Boulder;
- Participate in decision making in an honest, fair, impartial and timely manner;
- Active seek out training and development opportunities to improve their performance of their role;
- Attend and participate in all formal and informal meetings;
- Treat others with respect, courtesy and fairness;
- Respect and value diversity in the community;
- Base decisions on relevant and factually correct information;
- Make decisions based on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness;
- Read all agenda papers and other documentation provided;
- Be open and accountable to, and represent, the Kalgoorlie-Boulder community; and
- Ensure use of social media and other communication is appropriate and factually correct.

#### 9.2.13. *Convening a meeting and preparing agenda*

Notice of a meeting is to be issued by the City support staff by email to all Working Group members, such notice to include the time, date and location of the relevant meeting.

City support staff will prepare an agenda based on outstanding items from the last Working Group meeting and the discussion points required by the City. Members are able to include additional agenda items by notifying the City support officers of the nature of the same, prior to the publication of the agenda or as general business items during the relevant Working Group meeting.



City support staff will prepare agendas and provide these to all Working Group members by no later than 48 hours prior to the relevant meeting where possible.

Where a matter requires a decision, that decision should be determined by majority (determined by vote with hands).

#### 9.2.14. *Quorum*

The quorum for a meeting of a Working Group is 50% + 1 of the then-current number of members of the Working Group.

A Working Group can still meet even if quorum cannot be met, but decisions cannot be made without quorum.

An Elected Member can attend a meeting even if they are not a member of that Working Group, as a non-voting and non-participating observer.

#### 9.2.15. *Disclosure of financial or other interests*

Working Group members must disclose, at the commencement of a Working Group meeting and prior to any discussion regarding a report item, any financial or other interest in respect of a report.

The disclosure of financial or other interests by Working Group members are to be recorded in the minutes of the meeting.

#### 9.2.16. *Conducting meetings and recording minutes*

Unless otherwise directed in writing by the Presiding Member not less than 24 hours prior to a relevant meeting, meetings can be held in person, by telephone or by video conference.

All members appointed to a Working Group have one vote and are entitled to appoint a proxy to vote on their behalf if they are unable to attend a Working Group meeting (that proxy is a non-participating observer only).

Records of all decisions and actions required must be recorded in the Working Group minutes.

Minutes of the Working Group meeting are retained by the City's support team for record keeping in accordance with the applicable record management policies and procedures.

#### 9.2.17. *Disbanding a Working Group*

Council may by resolution determine at any time that a Working Group is no longer required and is to be disbanded.

A record is to be kept of all disbanded Working Groups.

#### 9.2.18. *Dissolving Working Groups*

After local government election, which occur in October every two years, all Working Groups are to be dissolved.

No meetings are to be scheduled or held while Working Groups are dissolved.



At the next Ordinary Council Meeting after an election, Elected Members are to be appointed to Working Groups by Council resolution.

Named external representatives are to be (re)appointed by CEO determination after Working Groups are re-established.

### **9.3. REPORTING REQUIREMENTS**

Working Groups make recommendations to the CEO and administrative staff, who in turn will detail those recommendations and comments within formal reports to Council or a Committee on a particular issue or topic, as and when required.

City officers will not act on or make recommendations to Council in relation to any decisions, actions or recommendations of a Working Group unless with CEO authority to do so.

The minutes of a Working Group meeting are not required to be endorsed by resolution of Council and do not need to be reported to Council.

### **9.4. ROLES AND RESPONSIBILITIES**

The CEO is responsible for administering this Working Group Policy.

### **9.5. RELEVANT LEGISLATION AND POLICIES**

*Local Government Act 1995 (WA)*

*Local Government (Administration) Regulations 1996*

*Standing Orders Local Law 2013*



## **10. AUDIT AND RISK COMMITTEE**

### **Adoption of terms of reference**

These terms of reference were adopted by Council resolution dated 27 March 2023 and subsequently on 20 November 2023 and replaces all previous terms of reference relating to the Audit and Risk Committee.

### **Purpose**

The objective of the Audit and Risk Committee is to provide independent assurance and assistance to the City of Kalgoorlie-Boulder (“the City”) in relation to systems of risk management and internal control, legislative compliance, financial management and external and internal audit. The Audit and Risk Committee is not responsible for the management of these functions.

### **Roles and Functions**

#### **External Audit**

1. Provide guidance and assistance to Council as to the carrying out of the functions of the City in relation to audits.
2. Meet with the auditor at least once a year and report to Council on the matters discussed and outcome of those discussions.
3. Liaise with the CEO to ensure that the City does everything in its power to assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995.
4. Ensure that audits are conducted successfully and expeditiously.
5. Examine the reports of the auditor after receiving a report from the CEO on the matters and:
  - a. Report to Council if any matters raised require action to be taken by the City; and
  - b. Ensure that appropriate action is taken in respect of those matters.
6. Review the report prepared by the CEO addressing any matters identified as significant by the auditor in the audit report, and stating what actions the City has taken or intends to take with respect to each of those matters.
7. Review the scope of the audit plan and program and its effectiveness.
8. Review the annual Compliance Audit Return and report to the Council the results of that review.

#### **Internal Audit**

1. Consider the CEO’s review of the appropriateness and effectiveness of the financial management systems and procedures not less than once in every three years and report



to Council the results of that review as per regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996.

2. Consider the implications of findings on the City, its risks and controls from special internal audit assignments undertaken by internal audit at the request of Council or CEO.
3. Recommend to Council the person or persons to be appointed as internal auditor.
4. Review the level of resources allocated to internal audit and the scope of its authority.
5. Review reports of internal audits, monitor the implementation; of recommendations made by the audit and review the extent to which Council and management reacts to matters raised.
6. Facilitate liaison between the internal and external auditor to promote capability, to the extent appropriate, between their audit programs.

### **Annual Financial Report**

1. Review the City's draft annual financial report, focusing on:
  - a. Accounting policies and practices;
  - b. Changes to accounting policies and practices;
  - c. The process used in making significant accounting estimates;
  - d. Significant adjustments to the financial report (if any) arising from the audit process;
  - e. Compliance with accounting standards and other reporting requirements; and
  - f. Significant variances from prior years.
2. Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed.

### **Risk Management, fraud and internal control**

1. Consider the CEO's review of the appropriateness and effectiveness of the City's systems and procedures in regard to risk management, internal control and legislative compliance not less than once in every three years and report to Council the results of that review as per regulation 17 of the Local Government (Audit) Regulations 1996.
2. Review whether management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of business and financial risks, including fraud.
3. Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings.
4. Review the impact of the risk management framework on its control environment and insurance arrangements.





5. Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.
6. Provide oversight on significant risk exposures and control issues, including fraud risks, governance issues and other matters as necessary or requested by the CEO or Council.
7. Review whether management has in place relevant policies and procedures, and these are periodically reviewed and updated.
8. Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with.
9. Review whether appropriate policies and procedures are in place for the management and exercise of delegations.
10. Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

#### **Other**

1. Address issues brought to the attention of the Audit and Risk Committee, including responding to requests from Council for advice that are within the parameters of the Audit and Risk Committee's Terms of Reference.
2. Seek information or obtain expert advice through the CEO on matters of concern within the scope of the Audit and Risk Committee's Terms of Reference following authorisation from the Council.
3. The Audit and Risk Committee will ensure the Terms of Reference complies with relevant legislation and will propose amendments when necessary to ensure that it accurately reflects the committee's current role and responsibilities.
4. The Audit and Risk Committee will review the Terms of Reference once a year and more frequently if required. Any substantive changes to the Terms of Reference will be recommended by the Audit and Risk Committee and formally approved by Council.

#### **Delegation Powers**

1. The Audit and Risk Committee has no delegated authority and no authority to implement its recommendations without resolution of Council.
2. The Audit and Risk Committee is a formally appointed committee of Council and is responsible to that body.
3. The Audit and Risk Committee does not have executive powers or authority to implement actions in areas over which the Chief Executive Officer has legislative responsibility.

#### **Membership**





1. The Audit and Risk Committee shall be comprised of:
  - at least three (3) elected members;
  - independent presiding member; and
  - not more than two independent external members.
2. The City will ensure appropriate support is provided to the Audit and Risk Committee.
3. Appointments to the Audit and Risk Committee will be until the next ordinary local government election day.
4. In accordance with section 5.12 of the Local Government Act 1995, the Audit and Risk Committee shall appoint a member as presiding member at the first meeting following the next ordinary local government election day.
5. The Council has the power under section 5.10 of the *Local Government Act 1995* and section 52(1) of the *Interpretation Act 1984* to resolve, by absolute majority, to suspend or remove a Committee member for any reason.

### **Quorum**

The quorum for a committee meeting is set by section 5.19 of the Local Government Act.

### **Meetings**

1. The Audit and Risk Committee must elect a presiding member and deputy presiding member in accordance with section 5.12 and Schedule 2.3 of the Local Government Act.
2. A schedule of meetings will be developed and agreed to by the Audit and Risk Committee.
3. The Audit and Risk Committee shall report to Council by way of its minutes and any recommendations it may make.
4. The meetings of the Audit and Risk Committee are closed to members of the public.
5. The Audit and Risk Committee will meet at least four times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion.
6. The need for any additional meetings will be decided by the Chairperson of the Audit and Risk Committee, or the CEO, though other Committee members may take requests to the Chairperson for additional meetings. A forward meetings plan, including meeting dates and agenda items, will be agreed by the Audit and Risk Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in these Terms of Reference.

### **Evaluation of Audit and Risk Committee's effectiveness**

At the meeting of the Audit and Risk Committee prior to the ordinary Council elections, the Committee shall undertake a review to evaluate its effectiveness, and as a guide the following should be determined:

1. Are its purpose and role and functions being met?



2. Should the purpose and role and functions be amended?
3. Is it functioning effectively and as per the requirements of the Local Government Act?
4. Are its members regularly attending meetings?
5. Review the Terms of Reference, including membership and make recommendations to Council on any required changes.

DOCUMENT CONTROL				
Responsible Department	Governance and Office of the CEO.			
Description of Changes	Update of membership paragraph.			
Version	Resolution Number	Endorsement Date:	Last Reviewed Date:	Next Review Date:
1	15.1.1	27 September 2022	August 2022	August 2023
2	14.1.4	27 March 2023	February 2023	February 2024
3	14.1.5	19 May 2025	March 2025	August 2025
4	14.1.1	16 June 2025	March 2025	August 2025



## **11. CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE**

### **Adoption of terms of reference**

These terms of reference were adopted by Council resolution dated 22 August 2022.

### **Purpose**

In line with the Local Government Act 1995 (the Act), and the Standards for Chief Executive Officer Recruitment, Performance and Termination (the Standards), the purpose of the Chief Executive Officer Performance Review Committee (the Committee) is to:

1. Undertake the review of the Chief Executive Officers (CEO) Performance in accordance with Regulation 17 of Schedule 2, Division 3 of the Local Government (Administration) Regulations 1996, the Standards and the contract of employment of the CEO;
2. Establish any additional performance criteria, with agreement from the CEO, in line with Regulation 16 of Schedule 2, Division 3 of the Local Government (Administration) Regulations 1996; and
3. Undertake duties as resolved by the Council relating to the role of CEO.

### **Roles and Functions**

The role of the Committee is to:

1. Assist the Council in the engagement and oversight of a consultant to assist the committee and Council in conducting the CEO performance review in line with the process adopted by Council;
2. Conduct with the CEO, elected members and the consultant, the performance review process and provide a recommendation to Council on the result of the performance review;
3. Develop any additional performance criteria, with the agreement of CEO, for recommendation to Council arising from the performance review process;
4. Make any other relevant recommendations relating to the CEO's employment.

### **Delegation Powers**

1. This Committee has no delegated authority and no authority to implement its recommendations without resolution of Council.
2. The Committee is a formally appointed committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the Chief Executive Officer (CEO) has legislative responsibility.

### **Membership**

1. The Committee shall be comprised of at least three elected members one of which must be the Mayor. There shall be two deputy members.
2. The City will ensure appropriate support is provided to the Committee.



3. Appointments to the Committee will be until the next ordinary local government election day.

### **Quorum**

The quorum for a committee meeting is set by section 5.19 of the Local Government Act 1995.

### **Meetings**

1. The Committee must elect a presiding member in accordance with the Committee Policy, section 5.12 and Schedule 2.3 of the Local Government Act.
2. A schedule of meetings will be developed and agreed to by the Committee that align with the adopted CEO performance review process being completed by 30 June each year.
3. The Committee shall report to Council by way of its minutes and any recommendations it may make.

DOCUMENT CONTROL				
Responsible Department	Governance and Office of the CEO.			
Description of Changes				
Version	Resolution Number	Endorsement Date:	Last Reviewed Date:	Next Review Date:
1	15.1.1	27 September 2022	August 2022	August 2023
2	14.1.5	19 May 2025	March 2025	March 2027



## **12. GENERAL AND STRATEGIC PURPOSES COMMITTEE**

### **Adoption of terms of reference**

These terms of reference were adopted by Council resolution dated 18 December 2023.

### **Purpose**

The purpose of the Committee is to consider all operational and strategic reports of officers aligned to the Council's Strategic Community Plan and Corporate Business Plan.

### **Roles and Functions**

The role of the Committee is to include:

1. Review and make recommendations in relation to strategic direction of Council aligned to the Community Strategic Plan and the Corporate Business Plan;
2. Review reports and make recommendations to Council in relation to the commercial activities of Council;
3. Review and make recommendations on draft policies and guidelines;
4. Review any aspects of the organisation and make recommendations to Council in relation to strategic priorities;
5. Review and make recommendations in relation to support for external groups and activities;
6. Review and make recommendations to Council on masterplans and community engagement activities related to major projects; and
7. Review and make recommendations to Council on other areas of Council operations.

### **Delegation Powers**

1. This Committee has no delegated authority and no authority to implement its recommendations without resolution of Council.
2. The Committee is a formally appointed committee of Council and is responsible to that body.
3. The Committee does not have executive powers or authority to implement actions in areas over which the Chief Executive Officer (CEO) has legislative responsibility.

### **Membership**

1. The Committee shall be comprised of the Mayor and all Councillors.
2. The City will ensure appropriate support is provided to the Committee.
3. Appointments to the Committee will be until the next ordinary local government election day.

### **Quorum**

The quorum for a committee meeting is set by section 5.19 of the Local Government Act 1995.

### **Meetings**

1. The Committee must elect a presiding member in accordance with the Committee Policy, section 5.12 and Schedule 2.3 of the Local Government Act 1995.
2. A schedule of meetings will be developed and agreed to by the Committee that align with the adopted CEO performance review process being completed by 30 June each year.
3. The Committee shall report to Council by way of its minutes and any recommendations it may make.

## **14. YOUTH COUNCIL**

### **Adoption of terms of reference**

These terms of reference were adopted by Council resolution dated 26 June 2023 following Youth Council adoption on 16 May 2023.

### **Vision**

Our vision is for Kalgoorlie-Boulder to be a positive, connected, and supportive community.

### **Mission**

Our mission is to be a platform of youth empowerment which advocates for the development, leadership, and support of young people by taking action to make positive change in Kalgoorlie-Boulder.

### **Purpose**

- 1.1. The purpose of the Kalgoorlie-Boulder Youth Council (*KBYC*) is to engage with the City of Kalgoorlie-Boulder (*CKB*) Council, the Community, and relevant stakeholders to advocate and take action on behalf of young people in Kalgoorlie-Boulder.
- 1.2. The *KBYC* are to provide recommendations on youth matters, projects and financial expenditure through formal agenda reports to Council for consideration and endorsement.

### **Roles and Functions**

The role of the Kalgoorlie-Boulder Youth Council is to:

- 1.3. Advocate on behalf of young people and report to Council on matters that affect young people in Kalgoorlie-Boulder.
- 1.4. Support the development of young people and youth related services, by organising events and activities in Kalgoorlie-Boulder.
- 1.5. Provide leadership on community issues and connect young people with each other and the wider community.
- 1.6. Provide advice to the State Government through the Minister for Youth and Department of Communities via the City of Kalgoorlie-Boulder.
- 1.7. Represent young people at civic events or matters.

### **Delegation Powers**

- 1.1 The Kalgoorlie-Boulder Youth Council is a formal committee of Council.
- 1.2 The Kalgoorlie-Boulder Youth Council has no delegated authority and no authority to implement its recommendations without resolution of Council.
- 1.3 The Kalgoorlie-Boulder Youth Council is responsible to the Council. The Kalgoorlie-Boulder Youth Council does not have executive powers or authority to implement actions in areas over which the Chief Executive Officer has legislative responsibility.



### **Membership Requirements**

- 1.1 Members must be 12 – 25 years.
- 1.2 Members must reside, undertake education and/or be employed in the municipality of Kalgoorlie-Boulder.
- 1.3 Members over the age of 18 must provide a valid Working With Children Check (WWC Check).
- 1.4 There will be a minimum of 8 and a maximum of 15 members. If *KBYC* membership drops below 8 members, the *KBYC* will actively seek new members.
- 1.5 Members can be employed by the City of Kalgoorlie-Boulder, but cannot be employed within the Community Development Team.

### **Core Responsibilities of Members**

- 3.1 Receive information and advise City officers, Elected Members, and external stakeholders on relevant policies, projects, and initiatives.
- 3.2 Make formal recommendations to Council on matters relating to young people in Kalgoorlie-Boulder.
- 3.3 Identify priorities and gaps in local youth services, taking action to address identified youth needs.
- 3.4 Participate in development and skill building opportunities provided by the City.
- 3.5 Plan, deliver and support youth events, activities, and initiatives.
- 3.6 Communicate and collaborate with other youth representative bodies, community groups and service providers to meet the objectives of the *KBYC*.
- 3.7 Actively promote information regarding the *KBYC*, the City, and relevant youth and community projects and initiatives.
- 3.8 Undertake active involvement at City and community lead events or projects which contribute to the fulfillment of the *KBYC* objectives.

### **Membership Process**

- 1.1 Applications for prospective members are open all year round and in line with the local government election cycle when the committee is dissolved. If membership is at capacity, applicants will be placed on a waiting list for consideration once a position is vacant.
- 1.2 The *KBYC*, in line with Local Government elections as prescribed by the *Local Government Act 1995*, will be fully dissolved every two years in October when Local Government elections are held. All current sitting *KBYC* members can reapply.
- 1.3 Applicants are required to meet with City Officers and the current sitting Youth Mayor or suitable representative (where practical) as part of the application process.





- 1.4 Applicants must attend a minimum of two (2) *KBYC* Casual Meetings before the application is presented at a *KBYC* Formal Meeting for consideration.
- 1.5 Applications for *KBYC* membership when received for a dissolved committee, as part of the Local Government Election cycle, are exempt from attending two (2) meetings prior to their application being considered directly by City Officers and recommended to the City of Kalgoorlie-Boulder Council for endorsement.
- 1.6 Completed applications will be reviewed by City Officers prior to being presented to the *KBYC* at a meeting for recommendations and comments, before being presented for Council endorsement.
- 1.7 Once the application has *KBYC* received Council endorsement, it will be presented at an Ordinary Council Meeting for final approval.
- 1.8 Applications for a dissolved *KBYC* committee will be subject to the same above process, and will proceed directly to the City of Kalgoorlie-Boulder Council for endorsement.

### **Terms of Membership**

- 6.1 Members will join the *KBYC* for a two-year term commencing from;
  - 6.1.1. The date when their application is accepted by the City of Kalgoorlie-Boulder Council, endorsing committees of Council following Local Government Elections.
  - 6.1.2. The date when their application is accepted during an existing two-year term.
  - 6.1.3. Applicants accepted within an existing two-year term will serve the remaining time and re-elect at the October Council elections.
- 6.2 Member's term ends when either of the following occur:
  - 6.2.1 Member's two-year term is completed;
  - 6.2.2 Members submit their written resignation to the *KBYC*;
  - 6.2.3 Membership is revoked after a review conducted by City Officers due to member's failure to comply with *KBYC* Terms of Reference and/or Behaviour Guidelines; and/or
  - 6.2.4 Membership has been reviewed under the Conditions of Membership and is recommended to the *KBYC* to be terminated.
  - 6.2.5 Members who do not attend three (3) consecutive meetings (scheduled Formal and Casual), without an apology or do not attend 75% of meetings in 12 months of their appointment will have their membership reviewed.
  - 6.2.6 Member reaches the age of 26, existing members that turn 26 while serving may serve the remainder of their term until the next October meeting date, creating a vacancy thereafter. They may not reapply thereafter.
  - 6.2.7 All terms of office are dissolved on Local Government elections every second year in October.





6.2.8 If the committee cannot reach a quorum due to a member(s) failing to meet conditions of membership, the committee member's membership status will be reviewed and recommended directly to an Ordinary Council Meeting for termination.

6.3 Members may re-apply after each term.

### **Conditions of Membership**

- 7.1 Members are required to attend a minimum of 75% of meetings in a 12 month period. A member that does not attend three (3) consecutive meetings (scheduled Formal and Casual), without an apology or does not attend 75% of meetings in 12 months of their appointment will have their membership reviewed.
- 7.2 *KBYC* members must represent the *KBYC* by participating in a minimum of three City or Community events within a year.
- 7.3 Members who do not adhere to the *KBYC Behaviour Guidelines* will have their membership reviewed.

### **Meetings**

- 8.1 Hold a minimum of three (3) Formal meetings per year.
- 8.2 Hold a minimum of (12) Casual meetings per year. These meetings are closed to members of the public.
- 8.3 Meeting schedule will be determined by the *KBYC* at the commencement of the financial year.
- 8.4 A quorum is required for a Formal Meeting to take place. The quorum for a Formal Meeting is 50% plus one of the current *KBYC* membership.
- 8.5 Decision making by the *KBYC* does not have effect unless it has been made by a simple majority, except in the case an item which requires an absolute majority.

### **Youth Mayor and Deputy Youth Mayor'**

- 9.1 Members are to elect a Youth Mayor and Deputy Youth Mayor from amongst themselves for a one-year term. Term commences from date of election.
- 9.2 Youth Mayor and Deputy Youth Mayor elections are to be held annually in February.
- 9.3 The role of the Youth Mayor is to;
  - 9.3.1 Preside at *KBYC* meetings in accordance with the *Local Government Act 1995*;
  - 9.3.2 Carry out the official duties on behalf of *KBYC*; and
  - 9.3.3 Act as the official spokesperson of the *KBYC*.
- 9.4 The role of Deputy Youth Mayor is to perform the duties of Youth Mayor in their absence.
- 9.5 The election for the office of Youth Mayor/Deputy Youth Mayor is only to occur when;
  - 9.5.1 The current Youth Mayor/Deputy Youth Mayor term ends;



- 9.5.2 The office is vacated by the current Youth Mayor/Deputy Youth Mayor; or
- 9.5.3 Any other scenario arises whereby either position is vacant.
- 9.6 If the office of Youth Mayor is vacant the following will occur;
  - 9.6.1 In the absence of a Deputy Youth Mayor, the *KBYC* members present at meetings shall choose one of themselves to preside at *KBYC* meetings.
  - 9.6.2 Any current member of the *KBYC* may nominate to the position of Youth Mayor.
- 9.7 Youth Mayor/Deputy Youth Mayor's term will end when either of the following occur;
  - 9.7.1 Their one-year term is completed;
  - 9.7.2 They submit their resignation to the *KBYC*; and/or
  - 9.7.3 Their position is revoked after a review conducted by City officers due to member's failure to comply with *KBYC Terms of Reference* and/or *Behaviour Standards*.

## **Youth Mentor**

- 10.1 The role of Youth Mentor is to:
  - 10.1.1 Assist and support City officers with the operations of the *KBYC*;
  - 10.1.2 Provide assistance to the *KBYC* in meeting their objectives; and
  - 10.1.3 Provide guidance, support, and insight to the *KBYC* on matters set before them.
- 10.2 Youth Mentor applications will be considered as per the membership process detailed in item 5.
- 10.3 Youth Mentors will join the *KBYC* for a two-year term commencing from the date their application is accepted.
- 10.4 Youth Mentors will join the *KBYC* for a two-year term commencing October alternative years from Local Government Elections.
- 10.5 Youth Mentor term ends when either of the following occur:
  - 10.5.1 Youth Mentors two-year term is completed;
  - 10.5.2 Youth Mentor submits their written resignation to the *KBYC*; and/or
  - 10.5.3 Membership is revoked after a review conducted by City officers due to member's failure to comply with *KBYC Terms of Reference* and/or *Behaviour Standards*.
- 10.6 Youth Mentors must reapply after their term ends.
- 10.7 Youth Mentors must have a valid WWC Check.
- 10.8 There is a maximum of three (3) Youth Mentor positions at any time.
- 10.9 Youth Mentors are non-voting members.



## **Media Protocol**

- 11.1 *KBYC* members must have obtained approval from the City's Marketing Department to speak directly to the media.
- 11.2 The Youth Mayor will act as the official spokesperson for the *KBYC*.
- 11.3 The *KBYC* must at all times comply with the City of Kalgoorlie-Boulder *Social Media Procedure*.

## **Administration**

- 12.1 City officers will:
  - 12.1.1 Oversee the operations of *KBYC*;
  - 12.1.2 Provide an agenda to the members before each meeting;
  - 12.1.3 Keep concise notes/minutes and register them in the City's record keeping system;
  - 12.1.4 Send the notes/minutes to the group members and relevant staff;
  - 12.1.5 Facilitate professional and leadership development opportunities;
  - 12.1.6 Assist with promotion and recruitment of the *KBYC*;
  - 12.1.7 Administer the *KBYC* operational budget and purchases; and
  - 12.1.8 Be a channel for communication between Elected Members, other City Staff and the *KBYC*.
- 12.2 The *KBYC* will be provided with an operational budget allocation by Council at the commencement of each financial year in line with the adoption of the City's annual budget. The budget will cover the cost of projects and sundry items, including administration.

## **Council Representation**

- 13.1 The role of the Councillor Delegate is:
  - 13.1.1 Assist and support *KBYC* members and City officers in the needs of the *KBYC* and be a direct link back to the City of Kalgoorlie-Boulder Mayor and Council;
  - 13.1.2 Provide assistance to the *KBYC* in meeting their objectives; and
  - 13.1.3 Provide guidance, support, and insight to the *KBYC* on matters set before them.
- 13.2 Councillor delegates are to be nominated every two years after the Local Government Elections during other committee delegations.
- 13.3 There will be a maximum capacity of two Councillors allowed in the *KBYC* at any one time.
- 13.4 Councillor delegates must have a valid WWC Check.
- 13.5 Councillors are a non-voting member.



*The Kalgoorlie-Boulder Youth Council Committee Terms of Reference will be reviewed at the end of each year to determine if the core purpose is still being met, or if any changes or additions should be made.*

DOCUMENT CONTROL				
Responsible Department	Governance and Office of the CEO.			
Description of Changes				
Version	Resolution Number	Endorsement Date:	Last Reviewed Date:	Next Review Date:
1	15.1.1	27 September 2022	August 2022	August 2023
2	14.4.1	26 June 2023	May 2023	May 2024
3	14.1.5	19 May 2025	March 2025	March 2027