

# Disclosure of Interest

## Disclosures by Councillors & Designated Persons Return

- 1 The pecuniary interests and other matters to be disclosed in this return are prescribed by Part 8 of this Regulation.
- 2 If this return is the **first return** required to be submitted by you after attaining the position of councillor or designated person, **do not complete Parts C, D and H** of the return. All other Parts of the return should be completed with appropriate information as at the return date, that is, the date on which you attained that position.

If this return is **not the first return** required to be submitted by you after attaining that position, **all Parts of the return should be completed** with appropriate information for the relevant return period since the last return, that is, the period from the return date of the last return to 30 June in this year or the period from the end of the last return period to 30 June in this year (whichever is appropriate).

- 3 The particulars required to complete this form are to be written in block letters or typed.
- 4 If any space is insufficient in this form for all the particulars required to complete it, an appendix is to be attached for that purpose which is properly identified and signed by you.
- 5 If there are **no pecuniary interests** or other matters of the kind required to be disclosed under a particular main heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.
- 6 "\*" means delete whichever is INAPPLICABLE.

### DISCLOSURE OF PECUNIARY INTERESTS AND OTHER MATTERS

by Andrew Craig Guile  
 [full name of councillor or designated person]

in respect of the period from July 2008 to June 2009  
 [return period]

Andrew Guile  
 [councillor's or designated person's signature]

20/7/09 [date]

#### Important information

This information is being collected for the purpose of compliance with section 449 of the Local Government Act 1993. You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest Tribunal.

The information collected on this form will be kept by the general manager at the council chambers in a register of returns. Everyone is entitled to inspect the register of returns free of charge. You may correct or update the information contained in the register of returns by submitting a fresh return at any time.



## 180 Definitions

In this Part and Schedule 3:

**address means:**

- (a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- (b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- (c) in relation to any real property, the postal address of the property or particulars of title of the property.

**disposition of property** means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- (a) the allotment of shares in a company,
- (b) the creation of a trust in respect of property,
- (c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property,
- (d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property,
- (e) the exercise by a person of a general power of appointment over property in favour of another person,
- (f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

**gift** means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

**interest** means:

- (a) in relation to property—an estate, interest, right or power, at law or in equity, in or over the property, or
- (b) in relation to a corporation—a relevant interest (within the meaning of section 9 of the Corporations Act 2001 of the Commonwealth) in securities issued or made available by the corporation.

**listed company** means a company that is listed within the meaning of section 9 of the Corporations Act 2001 of the Commonwealth.

**occupation** includes trade, profession and vocation.

**professional or business association** means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

**property** includes money.

**travel** includes accommodation incidental to a journey.

## 181 Return dates and periods

- (1) A reference in this Part or in Schedule 3 to the return date for a return made by a person under section 449 (1) of the Act is a reference to the date on which the person became the holder of a position required to make such a return.
- (2) A reference in this Part or in Schedule 3 to the return period for a return by a person under section 449 (3) of the Act in a particular year is a reference to:
  - (a) if the last return made by the person was a return under section 449 (1) of the Act, the period commencing on the first day after the return date and ending on 30 June in that particular year, or
  - (b) if the last return made by a person was a return under section 449 (3) of the Act, the period commencing on the expiration of the period to which that return relates and ending on 30 June in that particular year.

## 182 Matters relating to the interests that must be included in returns

- (1) **Interests etc outside New South Wales**

A reference in this Part or in Schedule 3 to a disclosure concerning a corporation or other thing includes a reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
- (2) **References to interests in real property**

A reference in this Part or in Schedule 3 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
- (3) **Gifts, loans etc from related corporations**

For the purposes of this Part and Schedule 3, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the Corporations Act 2001 of the Commonwealth are all given, made or supplied by a single corporation.

**Division 2 Pecuniary interests to be disclosed in returns****183 Real property**

- (1) A person making a return under section 449 (1) of the Act must disclose:
  - (a) the address of each parcel of real property in which he or she had an interest on the return date, and
  - (b) the nature of the interest.
- (2) A person making a return under section 449 (3) of the Act must disclose:
  - (a) the address of each parcel of real property in which he or she had an interest at any time since the last return under Part 2 of Chapter 14 of the Act was made, and
  - (b) the nature of the interest.
- (3) An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - (a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - (b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- (4) In this clause, *interest* includes an option to purchase.



## 189 Sources of income

- (1) A person making a return must disclose:
  - (a) in the case of a return under section 449 (1) of the Act—each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June; and
  - (b) in the case of a return under section 449 (3) of the Act—each source of income received by the person since the last return under Part 2 of Chapter 14 of the Act was made.
- (2) A reference in subclause (1) to each source of income received, or reasonably expected to be received, by a person is a reference to:
  - (a) in relation to income from an occupation of the person:
    - (i) a description of the occupation, and
    - (ii) if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - (b) in relation to income from a trust, the name and address of the settlor and the trustee, or
  - (c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
- (3) The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.

(B) SOURCES OF INCOME (See previous page for details)

- 1. \* Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June;
- \* Sources of income I received from an occupation at any time during the return period.

Description of Occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
Business Manager	Sydney Anglican Schools Ufol	TA Nowra Anglican College

*Anche EG*  
(Signature)

23 JUL 2009  
(Date)

- 2. \* Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June;
  - \* Sources of income I received from a trust during the return period.
- | Name and address of settlor | Name and address of trustee |
|-----------------------------|-----------------------------|
|-----------------------------|-----------------------------|

NIL

*Anche EG*  
(Signature)

23 JUL 2009  
(Date)

- 3. \* Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June
  - \* Sources of other income I received at any time during the return period:
- (Include description sufficient to identify the person from whom, or the circumstances in which, that income was received.)

NIL

*Anche EG*  
(Signature)

23 JUL 2009  
(Date)

Remember if there are no pecuniary interests or matters of the kind required to be disclosed the word "NIL" is to be placed under that heading.

## 184 Gifts

- (1) A person making a return under section 449 (3) of the Act must disclose:
  - (a) a description of each gift received since the last return under Part 2 of Chapter 14 of the Act was made, and
  - (b) the name and address of the donor of each of the gifts.
- (2) A gift need not be included in a return if:
  - (a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - (b) it was a political contribution disclosed, or required to be disclosed, under Part 6 of the *Election Funding Act 1981*, or
  - (c) the donor was a relative of the donee.
- (3) For the purposes of this clause, the amount of a gift other than money is an amount equal to the value of the property given.

## 185 Contributions to travel

- (1) A person making a return under section 449 (3) of the Act must disclose:
  - (a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return under Part 2 of Chapter 14 was made, and
  - (b) the dates on which the travel was undertaken, and
  - (c) the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- (2) A financial or other contribution to any travel need not be disclosed under this clause if it:
  - (a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
  - (b) was made by a relative of the traveller, or
  - (c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - (d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - (e) was a political contribution disclosed, or required to be disclosed, under Part 6 of the *Election Funding Act 1981*, or
  - (f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia.
- (3) For the purposes of this clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

(C) GIFTS

(See previous page for details)

NOTE: - Not required if this is your first return

Description of each gift I received at any time during the return period

Name and address of Donor

NIL

Anshe EG

(Signature)

23 JUL 2009

(Date)

Remember if there are no pecuniary interests or matters of the kind required to be disclosed the word "NIL" is to be placed under that heading.

(D) CONTRIBUTIONS TO TRAVEL

(See previous page for details)

NOTE: - Not required if this is your first return

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period

Dates on which travel was undertaken

Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken

NIL

Anshe EG

(Signature)

23 JUL 2009

(Date)

Remember if there are no pecuniary interests or matters of the kind required to be disclosed the word "NIL" is to be placed under that heading.

## **186 Interests and positions in corporations**

- (1) A person making a return must disclose:
  - (a) the name and address of each corporation in which he or she had an interest or held a position (whether remunerated or not) on the return date (in the case of a return under section 449 (1) of the Act) or at any time since the last return under Part 2 of Chapter 14 of the Act was made (in the case of a return under section 449 (3) of the Act), and
  - (b) the nature of the interest, or the position held, in each of the corporations, and
  - (c) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
- (2) An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
  - (a) formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - (b) required to apply its profits or other income in promoting its objects, and
  - (c) prohibited from paying any dividend to its members.
- (3) An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.

## **187 Positions in trade unions and professional or business associations**

A person making a return must disclose:

- (a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date (in the case of a return under section 449 (1) of the Act) or at any time since the last return under Part 2 of Chapter 14 was made (in the case of a return under section 449 (3) of the Act), and
- (b) a description of the position held in each of the unions and associations

(E) INTERESTS AND POSITIONS IN CORPORATIONS  
(See previous page for details)

Name and address of each Corporation in which I had an interest or held a position * at the return date * at any time during the return period	Nature of interest (if any)	Description of position (if any)	Description of principal objects of corporation (except in the case of public company)
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On a hill P/L	Director		Not currently trading
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*Anshe G6*  
(Signature)

23 JUL 2009  
(Date)

Remember if there are no pecuniary interests or matters of the kind required to be disclosed the word "NIL" is to be placed under that heading.

(F) POSITIONS IN TRADE UNIONS AND PROFESSIONAL OR BUSINESS ASSOCIATIONS  
(See previous page for details)

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) * at the return date * at any time during the return period	Description of position
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Member	Australian Institute of Company Directors
"	NSW Business Association
"	Association of Independent Schools (NSW)
"	Shoalhaven Business Chamber

*Anshe G6*  
(Signature)

23 JUL 2009  
(Date)

Remember if there are no pecuniary interests or matters of the kind required to be disclosed the word "NIL" is to be placed under that heading.

## 190 Debts

- (1) A person making a return must disclose the name and address of each person to whom the person was liable to pay any debt:
  - (a) in the case of a return under section 449 (1) of the Act—on the return date, or
  - (b) in the case of a return under section 449 (3) of the Act—at any time since the last return under Part 2 of Chapter 14 of the Act was made.
- (2) A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since the last return under Part 2 of Chapter 14 of the Act was made, as the case may be.
- (3) A liability to pay a debt need not be disclosed by a person in a return if:
  - (a) the amount to be paid did not exceed \$500 on the return date or at any time since the last return under Part 2 of Chapter 14 of the Act was made, as the case may be, unless:
    - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, as the case may be, and
    - (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
  - (b) the person was liable to pay the debt to a relative, or
  - (c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - (d) in the case of a debt arising from the supply of goods or services:
    - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return under Part 2 of Chapter 14 of the Act was made, as the case may be, or
    - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.

(G) DEBTS  
(See previous page for details)

Name and address of each person to whom I was liable to pay any debt

- \* at the return date
- \* at any time during the return period

NIL

*Anahe E-G*

(Signature)

23 JUL 2009

(Date)

**Remember if there are no pecuniary interests or matters of the kind required to be disclosed the word "NIL" is to be placed under that heading.**

## 188 Dispositions of real property

- (1) A person making a return under section 449 (3) of the Act must disclose particulars of each disposition of real property by the person, at any time since the last return under Part 2 of Chapter 14 of the Act was made, under which he or she wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
- (2) A person making a return under section 449 (3) of the Act must disclose particulars of each disposition of real property to another person, since the last return under Part 2 of Chapter 14 of the Act was made, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

(H) DISPOSITIONS OF PROPERTY

(See previous page for details)

NOTE: - Not required if this is your first return

- 1. Particulars of each disposition of real property by me at any time during the return period as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time.

NIL

*Archie E. G.*

(Signature)

23 JUL 2009

(Date)

Remember if there are no pecuniary interests or matters of the kind required to be disclosed the word "NIL" is to be placed under that heading.

- 2. Particulars of each disposition of property to a person by any other person under arrangements made by me, being dispositions made at any time during the return period, as a result of which I obtained, either wholly or in part, the use and benefit of the property

NIL

*Archie E. G.*

(Signature)

23 JUL 2009

(Date)

Remember if there are no pecuniary interests or matters of the kind required to be disclosed the word "NIL" is to be placed under that heading.

**191 Discretionary disclosures**

A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Part.

(I) DISCRETIONARY DISCLOSURES  
(See previous page for details)

NIL

*Andrew G. G.*  
(Signature)

23 JUL 2009  
(Date)

**Remember if there are no pecuniary interests or matters of the kind required to be disclosed the word "NIL" is to be placed under that heading.**