

8. *Disposition of property*

Disposition of real property means any conveyance, transfer, assignment, settlement, payment or other alienation of real property, and includes:

- the creation of a trust in respect of real property;
- the grant or creation of any lease, mortgage, charge, easement, licence, power, partnership or interest in respect of real property;
- the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of any debt, contract, chose in action or any other interest in respect of real property;
- the exercise by a person of a general power of appointment over real property in favour of any other person; and
- any transaction entered into by any person with intent thereby to diminish, directly or indirectly, the value of his or her own real property and to increase the value of the property of any other person.
- **(a) section 5.86(1)**
Requires the designated employee to disclose particulars of any dispositions of real property which occurred during the return period and by which the Elected Member designated employee has retained (either wholly or in part) the use and benefit of the property or the right to reacquire the property at a later time.

Example of disclosure for disposition of property in accordance with part (a) section 5.86(1)

Address of property	Manner of disposition	Date of disposition	Nature of interest retained
50 Terrace Road Wanneroo WA 6065	Sale by private treaty	28 February 2015	none

- **(b) section 5.86(2)**
Part (b) additionally requires that a designated employee must disclose particulars of each disposal of real property in which they had an interest by any person other than themselves under arrangements made by a designated employee and by which disposal the designated employee obtained, either wholly or in part, the use and benefit of the property.

Example of disclosure for disposition of property in accordance with part (b) section 5.86(2)

Address of property	Person by whom property disposed	Person to whom property disposed	Manner of disposition	Date of disposition	Nature of interest obtained
---------------------	----------------------------------	----------------------------------	-----------------------	---------------------	-----------------------------

50 Terrace Road Wanneroo WA 6065	Donald Johnson Johnson's Real Estate	John Owens	By public auction	28 February 2015	50% share Tenant in common
-------------------------------------------	-----------------------------------------------	------------	----------------------	---------------------	----------------------------------

Disclosures need only be made for property located in the district or in an adjoining district.