

GIFTS & BENEFITS POLICY (Council Members)

GOV_PLCY06

Policy Title:	Gifts & Benefits Policy (Council Members)		
Policy Type:	Governance		
Policy Owner:	Council		
Policy Custodian:	Executive Manager		
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Purpose

The purpose of this policy is to clearly define the conduct that is required of Council Members of West Daly Regional Council, in relation to offers of gifts, benefits, and hospitality.

The policy is intended to support Council Members to avoid conflicts of interest and to maintain high levels of integrity, accountability, transparency, and public trust.

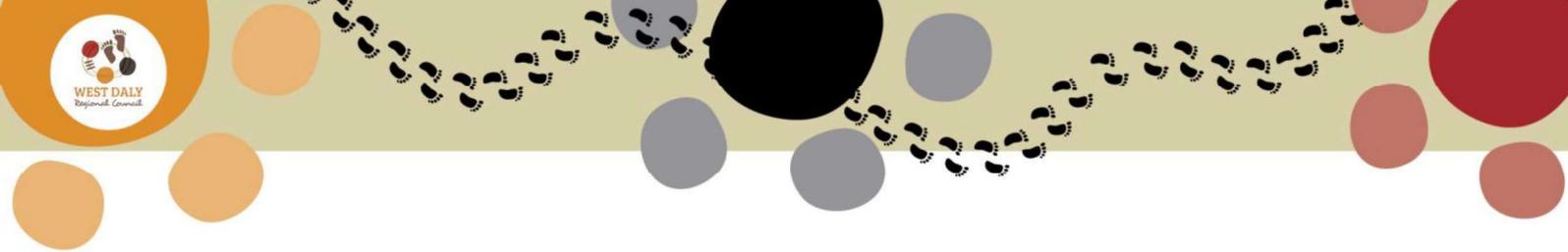
Scope

This policy applies to all Council Members of the West Daly Regional Council, and to any gift, benefit or hospitality that is offered to, or accepted by, an Council Member.

Policy Statement

1. Policy Principles

- 1.1. Council is committed to having transparent and accountable procedures and processes for managing gifts, benefits and hospitality offered to our Council Members.
- 1.2. All Council Members must, at all times, discharge their duties, responsibilities, and obligations impartially and with integrity, including in relation to receiving, accepting and disclosing gifts, benefits and offers of hospitality.
- 1.3. Council Members must not accept a gift or benefit that exceeds the allowable limit of \$300 (AUD), or a gift or benefit of any value that may be perceived by a reasonable person to improperly influence the performance or decisions of the Member or the Council.
- 1.4. In all circumstances, Council Members must not accept offers of money, bribes, or other offers prohibited through this policy or by legislation.
- 1.5. Council Members must also adhere to clauses 9.1 and 9.2 of the Code of Conduct relating to gifts (see Schedule 1 of the *Local Government Act 2019*).

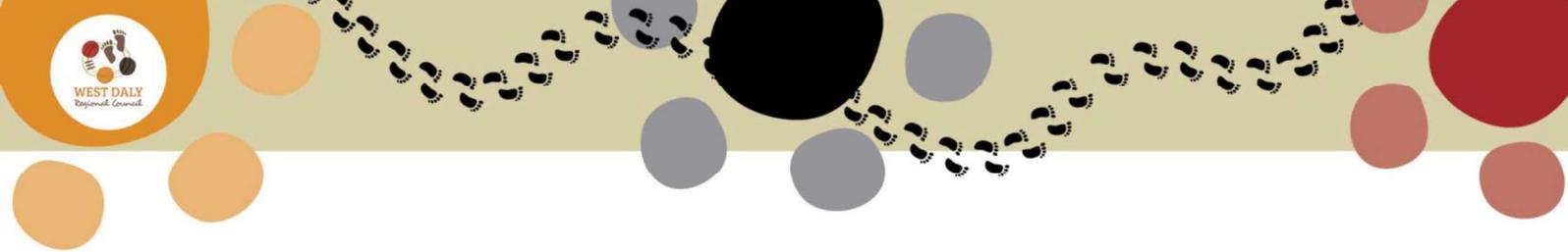


2. Relevant Gifts, Benefits and Offers of Hospitality

- 2.1. A relevant gift, benefit or offer of hospitality, is an offer that exceeds the *nominal value*, this being \$50.00 (AUD) and includes:
 - a) A gift or benefit received for the Council and accepted by a Council Member; or
 - b) A gift or benefit received and accepted by a Council Member for the Council Member or another person.
 - c) A gift or benefit given to the Council Member by the Council; or
 - d) A protocol gift given to a Council Member for the Council.
- 2.2. Offers below the nominal value are gifts, benefits or hospitality that is of inconsequential or trivial value to both the person making the offer and the Council Member.
- 2.3. Examples include promotional items such as a pen, note pad, or key ring, and modest hospitality that would be considered a basic courtesy, such as light refreshments during a meeting.
- 2.4. Council Members may generally accept offers below the nominal value without having to apply the provisions of this policy, as long as the offer does not create a conflict of interest or lead to reputational damage (e.g., where there have been repeated, regular offers).
- 2.5. All offers of relevant gifts or benefits are to be declared, whether accepted or refused.

3. Rejecting Gifts, Benefits, or offers of Hospitality

- 3.1. When deciding whether to accept an offer of a gift, benefit or hospitality, Council Members should first consider if the offer could be perceived as influencing them in performing their duties or lead to reputational damage for Council.
- 3.2. The more valuable the offer, the more likely that a conflict of interest or reputational risk will be created. Similarly, regular offers of smaller gifts can also be perceived as creating conflicts or reputational risk.
- 3.3. If a Council Member has received, or is offered, any gift, benefit or offer of hospitality that breaches the policy principles (listed at subclause 1.2 – 1.5), the Member must reject the gift or benefit by returning it to the donor and respectfully explaining to the donor that acceptance of the gift, benefit or offer of hospitality would breach this policy.
- 3.4. It is important that the offer is declined in a way that does not cause offence to the donor or damage stakeholder relationships. This can be achieved by explaining Council’s policy and ensuring the donor understands that the offer is appreciated.
- 3.5. In some cases, it would be inappropriate to refuse an offer – for example an official or protocol gift from government or international delegates. In this case the gift should be accepted on behalf of Council and passed over to the Chief Executive Officer (CEO).
- 3.6. Council Members are to refuse offers:
 - a) Likely to influence them, or be perceived to influence them, in the course of their duties, or that raise an actual, potential, or perceived conflict of interest.
 - b) That could bring them, or Council, into disrepute.

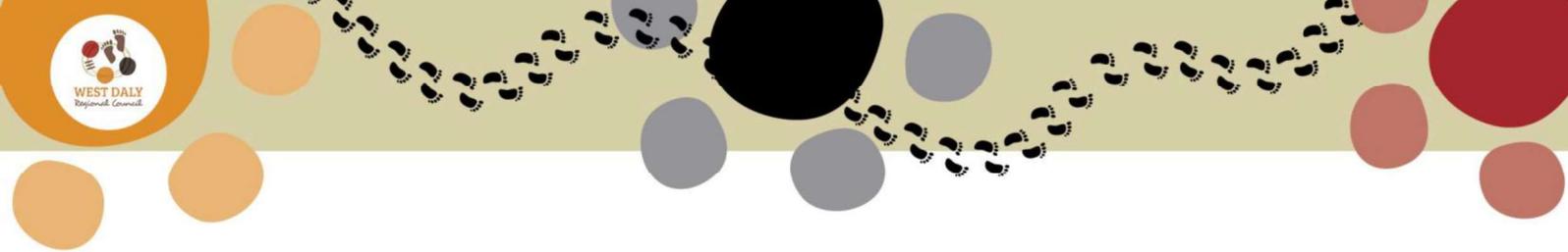


- c) Made by a person or organisation about which they will likely make or influence a decision (this also applies to processes involving grants, sponsorship, regulation, enforcement, or licensing).
- d) Likely to be a bribe or inducement to make a decision or to act in a particular way.
- e) That extend to their relatives or friends.
- f) Of money, or used in a similar way to money, or something easily converted to money.
- g) Where acceptance could be perceived as endorsement of a product or service, or acceptance would unfairly advantage the sponsor in future procurement decisions.
- h) Made by a person or organisation with a primary purpose to lobby Council, Members, or staff.
- i) Made in secret.

3.7. If a Council Member considers they have been offered a bribe or inducement, the offer must be reported to the CEO who will report any suspected criminal or corrupt conduct to the appropriate authorities.

4. Disclosure of Relevant Gifts, Benefits or Hospitality

- 4.1. All offers of relevant gifts or benefits are to be declared, regardless of whether the Council Member accepts or refuses that gift or benefit.
- 4.2. If a Council Member has been offered a relevant gift or benefit, the Council Member must inform the CEO as soon as practicable after receipt and complete the *Gifts, Benefits and Hospitality Declaration Form*.
- 4.3. The CEO or the CEO's delegate will record the details in the *Register of Declared Gifts and Benefits* and will include the following details:
 - a) name of the Council Member that received the relevant gift or benefit;
 - b) name of the donor (person or organisation) giving the gift or benefit;
 - c) date the gift or benefit was received;
 - d) description of the gift or benefit;
 - e) whether the gift or benefit is for the Council, the Council Member or another person including the full name and relationship of the person to the Council Member, if applicable);
 - f) value (or estimated value) or valuation amount of the gift or benefit;
 - g) reason for the gift or benefit;
 - h) any other relevant details
- 4.4. A copy of the register will be made available on the Council's website.
- 4.5. The Register of Declared Gifts and Benefits will be reviewed by Council Annually.
- 4.6. In compliance with the *Local Government Act 2019*, individual entries in the register will be retained for three years after the conclusion of the general election after the entry was made.



5. Exemptions from Disclosure

5.1. The policy principles outlined at clauses 1.2 – 1.5, still apply to gifts or benefits that are exempted from disclosure at clause 5.2(a-d) below.

5.2. The following gifts or benefits are exempted from disclosure under this policy:

- a) A gift or benefit given to the Council in relation to its status as a body corporate where no individual Member or Members are considered to have accepted the gift or benefit.
- b) Food, accommodation, hospitality, or entertainment included in the attendance of meetings, conferences, training courses, functions or other events that have been organised through the Council or that are required in accordance with performance of the Member’s official duties.
- c) A donation disclosed (or to be disclosed) by the Council Member in a campaign donation return.
- d) A private and personal gift (such as a birthday present from a family member).

6. Breach of Policy

6.1. Council Members who are found to be in breach of this policy may also be in breach of the *Code of Conduct*. This includes where an individual fails to avoid where possible or identify, declare, and manage a conflict of interest related to gifts, benefits, and hospitality.

6.2. Any alleged breaches will be handled in accordance with the provisions outlined in the *Breach of Code of Conduct*.

References	
Related Legislation	Section 112 of the <i>Local Government Act 2019</i>
Related Policies	GOV02 Breach of Code of Conduct (Council Member, Local Authority and Council Committee) GOV03 Conflict of Interest (Council Member, Local Authority and Council Committee) Policy
Related Procedures	GOV_PRC07_Gifts and Benefits Procedure
Related Forms	Gifts and Benefits Declaration Form
Related Documents	Register of Gifts and Benefits (Council Members)



Definitions

For the purposes of this Policy, the following definitions apply:

Term	Definition
Allowable limit	means gifts or benefits totalling more than \$50.00 but not exceeding \$300.00 from government or private industry sources, received from the same donor or an associate of the donor in a single transaction or financial year.
Benefit	means preferential treatment, privileged access, favours or other advantages offered to an individual. Benefits may include invitations to sporting, cultural or social events, access to discounts as a result of a person’s employment or position, loyalty programs, and promises of a new job.
Bribe	means to give money or some other form of consideration to a public official so as to persuade the official not to exercise their common law or statutory powers or to bestow some privilege or favour.
Campaign donation return	see section 148 of the <i>Local Government Act 2019</i> .
Conflict of interest	means a potential, perceived or actual conflict between a member’s official duties and responsibilities in serving the public interest, and their own private interests.
Council	refers to the West Daly Regional Council
Gifts	are free or discounted items or services and any item or service that would generally be seen by the public as a gift. These include items of high value (e.g. artwork, jewellery, or expensive pens), low value (e.g. a small bunch of flowers), consumables (e.g. chocolates), and services (e.g. painting and repairs).
Hospitality	is the friendly reception and entertainment of guests. Hospitality may range from light refreshments at a business meeting to expensive restaurant meals and sponsored travel and accommodation. Reasonable hospitality is a meal or service provided by a not-for-profit organisation to a Mayor, Council Member or Local Authority Member who attends a function or event in an official capacity.
Money	includes cash, cheques, money orders, travellers’ cheques, direct deposits, shares, vouchers or items which can be easily converted to cash. This includes vouchers and credit notes.
Nominal value	means gifts or benefits totalling less than \$50 from the same donor or an associate of the donor in a financial year.
Associate	See section 8 of the <i>Local Government Act 2019</i>
Protocol gift	means a gift or benefit given to a Council Member for diplomatic, ceremonial, or symbolic purposes that will not be sold or transferred (unless in diplomatic, ceremonial, or symbolic circumstances). Protocol gifts are the property of Council, irrespective of value, and should be accepted by individuals on behalf of Council.
Register of declared gifts and benefits	means the register referred to at section 113 of the <i>Local Government Act 2019</i> .
Value	is the face value or current estimated retail value.



Valuation	means the process of determining the value of a gift or benefit. In cases where there is doubt about the value of a gift or benefit, a valuation may be obtained directly from the donor or through a formal, independent valuation process.
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Review History

Version Number	Approval Date	Policy Number	Policy Name	Resolution	Doc ID
V2.0	17/03/2022	GOV06	Gifts, Benefits and Hospitality Policy	030/2022	27126
V2.1	17/02/2026	GOV_PLCY06	Gifts and Benefits Policy (Council Members)	OCM-2026/7	27138

Endorsement

Signature:	 <small>John Thomas (Feb 23, 2026 16:14:01 GMT+9,5)</small>
Date:	23/02/2026
Name and Position:	John Thomas, Chief Executive Officer