



Gifts and Benefits Policy

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Policy Type:	Council
Policy Owner:	Governance and Compliance Manager
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Legislative Reference:	Section 112 of the Local Government Act 2019 (NT) and Section 6 of the Local Government (General) Regulations 2021
Related Documents:	<i>Register of Declared Gifts and Benefits (Council Members and CEO); and Register of Declared Gifts and Benefits (Staff)</i>

1. Purpose

The purpose of this policy is to set out the requirements for Elected Members, the Chief Executive Officer (CEO) and council staff members receiving and disclosing relevant gifts or benefits including entertainment and hospitality.

2. Scope

This policy applies to receiving, refusing, and disclosing relevant gifts and benefits.

3. Policy Statement

The Local Government legislation requires that the Council must adopt a gifts and benefits policy in relation to its elected members, CEO and the council staff.

Elected Members, the CEO and council staff members must, at all times, conduct their official duties impartially and with integrity. In line with the Local Government Act 2019 (NT), anyone employed by or representing Groote Archipelago Regional Council (GARC) must not:

- ask for or encourage gifts or benefits
- accept a gift or benefit, unless the gift or benefit cannot be returned or refused.

3.1. Disclosure of relevant gifts and benefits that cannot be returned/refused

All gifts and benefits received must be declared in writing as soon as practicable to the relevant party:

- Elected Members notify the CEO

- the CEO notifies the Mayor
- council staff members notify the CEO or delegate.

The following details must be included in the written declaration:

- name of the Elected Member / council staff member who received the relevant gift or benefit
- name of the donor, person or organisation, who gave, the gift or benefit
- date the gift or benefit was received
- description of the gift or benefit
- value or estimated value of the gift or benefit
- reason for the gift or benefit
- whether the gift is given to the individual for their personal use (as opposed to the Council)
- any other relevant details.

Details of declared gifts or benefits will be recorded in the appropriate register by the CEO or delegate.

3.2. Exemptions from disclosure

The following gifts or benefits are exempt from disclosure under this policy:

- a gift or benefit given to an Elected Member, the CEO or council staff member by GARC
- a gift or benefit given to GARC as a body corporate, where no individual is considered to have accepted the gift or benefit
- food, accommodation, hospitality or entertainment included in the attendance of meetings, conferences, training courses, functions or other events that have been organised through GARC in accordance with Elected Members, the CEO or council staff members' official duties
- a donation disclosed or to be disclosed by an Elected Member in a campaign donation return a gift or benefit given in a private capacity for personal use, unless the gift or benefit may be perceived by a reasonable person to improperly influence the performance of official duties.

3.3. Management and Disposal of Gifts

The Mayor, CEO or delegate must note in the relevant register how the gift or benefit will be managed and/or disposed. Where possible, the relevant gift or benefit must be donated to a local charity or community organisation.

4. Definitions

Campaign Donation Return Disclosure to the Electoral Commission as per the requirements of Section 148 of the Local Government Act 2019 (NT).

Council staff members mean GARC employees, volunteers, work experience placements, contractors, consultants, and labour-hire staff.

5. Version Control

Version	Amendment History
1.0	