

1.15 ELECTED MEMBERS GIFTS AND BENEFITS POLICY

Policy Number	1.15	Date Commenced	17/07/2013
Date Adopted	16/07/2013	Resolution Number	16/07/2013/006
Review Timeframe	4 Years		
Last Review Date	01/11/2016	Next Scheduled Review Date	November 2020
Policy Responsibility	Chief Executive Officer		

Document History

Version	Date Amended	Details Comments e.g. Resolution Number

INTRODUCTION

The purpose of this policy is to provide guidance to Elected Members of Coomalie Community Government Council in relation to offers of and the receipt of gifts or benefits; to ensure that in dealing with the offer of gifts or benefits or the receipt of gifts or benefits, Elected Members are not influenced in the performance of their duties and that there is no perception of undue influence.

OBJECTIVES

The objectives of this policy are to:

Provide guidance to Elected Members for the appropriate, consistent and transparent treatment of offers of or receipt of gifts and benefits by Elected Members of Coomalie Community Government Council.

Complement the provisions of the NT Local Government Act and any other legislative or relevant codes and policies.

POLICY STATEMENT

This policy applies to the Elected Members of Coomalie Community Government Council. It operates in addition to all other obligations under the NT Local Government Act 2008 (the Act) and any other legislation or relevant codes and policies.

1. An Elected Member must not:
 - solicit or encourage gifts or private benefits from any person who might have an interest in obtaining a benefit from Coomalie Community Government Council.
 - seek or accept a bribe or other improper inducement

- by virtue of his or her position, acquire a gift or benefit which has a monetary value, other than one of a nominal or token value
- 2 An Elected Member must not seek or accept any payment, gift or benefit intended or likely to influence, or that could be reasonably perceived by an impartial observer as intended or likely to influence an Elected Member to:
 - act in a particular way (including making a particular decision)
 - fail to act in a particular way
 - otherwise deviate from the proper exercise of his or her statutory duties.
 - 3 An Elected Member may accept gifts or benefits of a nominal or token value that:
 - do not create a sense of obligation on his or her part and
 - that would not be reasonably perceived by an impartial observer to be intended to or likely to influence him or her in carrying out their statutory duty.A gift or benefit with a value of less than \$30.00 is considered a nominal value.
 - 4 An Elected Member must never accept an offer of money, regardless of the amount.
 - 5 Where a protocol gift is given to an Elected Member:
 - as a personal gift, the Elected Member has the right to retain the gift if he or she so wishes
 - as a gift to the Council, the gift shall be retained by Council and exhibited in a suitable place for a period of time determined by the Chief Executive Officer.

Elected Members Voluntary Gifts and Benefits Register

An Elected Members Voluntary Gifts and Benefits Register has been established pursuant to this policy.

Elected Members may make entries on the voluntary Register by completing the Elected Members Gifts and Benefits Disclosure Form (**Attachment B**) and forwarding them to the Administration Manager who is responsible for maintaining the Register.

The Register will contain the following:

Name of Elected Member receiving the gift or benefit.

Details of person/organisation giving the gift or benefit.

Description of the gift or benefit.

Estimated value.

Reason for presentation of the gift or benefit.

Comments in relation to disclosure.

Date of receipt.

Signature of the recipient.

Date of Disclosure

The Elected Members Voluntary Gifts and Benefits Register is available for public inspection upon request.

A separate Register is in place for Protocol Gifts.

Legislation, Terminology and References

Part 7.4 of the Local Government Act requires Councils to have a Code of Conduct.

Coomalie Community Government Council Code of Conduct states:

Gifts and Bribery

Shire Councillors and staff will not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward or benefit (other than gifts of a token kind, or moderate acts of hospitality) for themselves or for any other person or body, relating to their status within the Shire or their performance of any duty or work which touches or concerns the Shire.

If any gift, reward, or benefit is offered (other than gifts of a token kind or moderate acts of hospitality), disclosure is to be in a prompt and full manner.



ATTACHMENT B ELECTED MEMBERS GIFTS AND BENEFITS DISCLOSURE FORM

This form is for use by Elected Members of Coomalie Community Government Council pursuant to Council's Elected Members Gifts & Benefits Policy.

Name of Elected Member Recipient)	
Received from (Provider)	Name: Organisation:
Description of Gift(s) and/or Benefit(s)	
Estimated Value	
Reason for Presentation of Gift(s) or Benefit(s)	
Comments	
Date Gift(s) or Benefit(s) Received	
Signature of Recipient	