# GIFTS AND BENEFITS FOR ELECTED MEMBERS

## COUNCIL POLICY

## PURPOSE

The purpose of this policy is to establish clear, compliant requirements for Elected Members regarding the acceptance, management, and disclosure of gifts or benefits.

## PRINCIPLES

City of Palmerston (Council) is committed to acting in the best interests of the community and upholding the principles of honesty, transparency and accountability, which are all key components of good governance.

## DEFINITIONS

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

| TERM | DEFINITION |
|---|---|
| Council | The collective of Elected Members, elected to represent the Palmerston community. |
| Council Gift | Means a gift or benefit (or multiple gifts and benefits) (including hospitality and entertainment) given to an Elected Member for diplomatic, ceremonial or symbolic purposes that will not be sold or transferred. |
| Elected Member | Means a person elected as a member of the Council to make decisions on behalf of the Palmerston community. |
| Hospitality | An item or service (food, drink, transportation, entertainment, tickets to events or accommodation) provided by a third party. |
| Register of declared gifts and benefits | Section 113 requires City of Palmerston to maintain a register that outlines the details of gifts and benefits declared by Elected Members. The register is required to be publicly available. |
| Relevant Gift or Benefit | Means a gift or benefit (or multiple gifts and benefits) (including hospitality) given to an Elected Member, excluding items purchased by Council for Elected Members such as tickets to a community event. |

# POLICY STATEMENT

## 1. Responsibilities of Elected Members

1.1. An Elected Member must, at all times, discharge their duties, responsibilities, and obligations impartially and with integrity in relation to receiving, accepting, and disclosing gifts or benefits.

1.2. An Elected Member must not accept a gift or benefit of any value that may be perceived by a reasonable person to improperly influence the performance or decisions of the Elected Member or Council.

1.3. Elected Members must be familiar with and comply with the requirements of the *Local Government Act 2019* (NT) (the Act) and any other legislative requirements.

1.4. Elected Members must adhere to the Code of Conduct for Elected Members which contains conduct relating to gifts and benefits. Types of gifts and benefits

## 2. Types of gifts and benefits

2.1. Relevant Gifts and Benefits

A relevant gift or benefit is a gift, benefit or hospitality received and accepted by an Elected Member that includes:

(a) gift or benefit received for the Council and accepted by an Elected Member; or
(b) gift or benefit received and accepted by an Elected Member for the Elected Member or another person.

2.2. Council Gifts

A Council gift is a gift received and accepted by an Elected Member for Council which is diplomatic, ceremonial or symbolic in nature that cannot be sold or transferred. Council gifts may include artwork, books, publications, plaques and commemorative items.

2.3. Hospitality

By nature of their position, Elected Members may, from time to time, be invited or offered hospitality or entertainment which is outside Council's usual business activities. Where an Elected Member receives an offer of hospitality such as tickets to an event and cannot attend, they must decline the offer or provide it to the CEO for disposal. Elected Members must disclose the offer of any hospitality or entertainment that would be more than $50 in value for each circumstance. Elected Members are not expected to declare reasonable hospitality items such as a cup of coffee or a light meal.

## 3. Rejecting gifts, benefits or hospitality

If an Elected Member has been offered any gift, benefit or hospitality that breaches this policy and its principles, the Elected Member must reject the gift or benefit by not accepting or returning it to the donor respectfully explaining the acceptance of the gift or benefit would breach this policy. Where the gift or benefit cannot be returned, it must be provided to the Chief Executive Officer (CEO) for disposal

## 4. Disclosure of gifts or benefits

4.1. All offers of relevant gifts, benefits or hospitality are required to be declared, whether the gifts and benefit were accepted or refused. The Elected Member must inform the CEO as soon as practicable and the provide the following information in writing:

(a) Name of the Elected Member who 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 relevant gift or benefit is for Council, the Elected Member or another person (including full name and relationship of the person to the Elected Member, if applicable);

(f) value (or estimated value) of the gift or benefit;

(g) reason for the gift or benefit;

(h) intention for the gift (personal use, gifted to, donated to); and

(i) any other relevant details.

4.2. The CEO will record the details in the Register of Declared Gifts and Benefits. The register will then be published on the City of Palmerston website in accordance with the Act.

## 5. Exemptions for disclosure

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

(a) A gift or benefit given to an Elected Member by the Council;

(b) A Council gift given to an Elected Member for the Council;

(c) A gift or benefit given to the Council in relation to its status as a body corporate where no individual Elected Member or Elected Members are considered to have accepted the gift or benefit;

(d) A donation disclosed (or to be disclosed) by the Elected Member in a campaign donation return.

(e) Gifts of inconsequential or trivial value such as pens, note pads, key rings and other stationary.

# ASSOCIATED DOCUMENTS

- Code of Conduct for Elected Members and Committee Members
- Breach of Code of Conduct for Elected Members Policy
- Register of Declared Gifts and Benefits
- Gifts and Benefits Declaration Form

# REFERENCES AND RELATED LEGISLATION

- *Local Government Act 2019* (NT)
- *Local Government (General) Regulations 2021* (NT)

# POLICY DETAILS

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| OWNER | CEO | RESPONSIBLE OFFICER | General Manager Finance and Governance |
| APPROVAL DATE | 6 May 2025 | NEXT REVIEW DUE | May 2029 |
| RECORDS NUMBER | 634539 | COUNCIL DECISION | 10/1868 |