GIFTS AND BENEFITS BY CHIEF EXECUTIVE OFFICER

COUNCIL POLICY

PURPOSE

The purpose of this policy is to set out the requirements for the Chief Executive Officer when receiving gifts or benefits (including entertainment and hospitality) and disclosing relevant gifts or benefits.

PRINCIPLES

Council is committed to maintaining the community's confidence in the integrity of Council by acting with honesty, transparency, and accountability.

At all times, the Chief Executive Officer (CEO) must discharge their duties, responsibilities, and obligations impartially and with integrity in relation to receiving, accepting, and disclosing gifts or benefits.

The CEO 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 official duties, responsibilities and obligations.

DEFINITIONS

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

TERM	DEFINITION
Nominal value	means a single gift or benefit less than $50 in value (or multiple gifts or benefits totalling less than $100 in value given by the same donor in a financial year).
Protocol gift	means a gift or benefit given to the Chief Executive Officer for diplomatic, ceremonial or symbolic purposes that will not be sold or transferred (unless diplomatic, ceremonial or symbolic circumstances allow)

POLICY STATEMENT

1. Relevant Gifts or Benefits

1.1. A relevant gift or benefit is a gift or benefit (or multiple gifts and benefits) received and accepted by the Chief Executive Officer that exceeds the nominal value and includes:

(a) Gift or benefit received for the Council and accepted by the Chief Executive Officer; or

(b) Gift or benefit received and accepted by the Chief Executive Officer for the Chief Executive Officer or another person.

2. Rejecting Gifts or Benefits

2.1. If the Chief Executive Officer has been offered any gift or benefit that breaches the principles in Section 2 of this policy, the Chief Executive Officer 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, this must still be recorded on the Gifts and Benefits register.

3. Disclosure of Relevant Gifts or Benefits

3.1. If The Chief Executive Officer has received a relevant gift or benefit, the following information must be recorded in the Register of Declared Gifts and register :

(a) Name of the donor (person or organisation) giving the gift or benefit;

(b) Date the gift or benefit was received;

(c) Description of the gift or benefit;

(d) Whether the gift or benefit is for the Chief Executive Officer, Council, the Elected Member or another person (including full name and relationship of the person to the Elected Member, if applicable);

(e) Value (or estimated value) of the gift or benefit;

(f) Reason for the gift or benefit;

(g) Intention for the gift (personal use, gifted to, donated to)

(h) Any other relevant details.

3.2. The CEO will notify the Mayor of any Gifts and Benefits received and the subsequent treatment.

4. Exemptions for Disclosure

4.1. While the principles under Section 2 still apply, the following gifts or benefits that are exempted from disclosure under this policy:

(a) A gift or benefit given to the CEO in a private capacity for personal use by the CEO or another person

(b) A gift or benefit given to the Chief Executive Officer by the Council;

(c) A protocol gift given to the Chief Executive Officer for the Council; and

(d) A gift or benefit given to the Council in relation to its status as a body corporate where no individual is considered to have accepted the gift or benefit.

ASSOCIATED DOCUMENTS

- Code of Conduct for Chief Executive Officer
- Register of Declared Gifts and Benefits

REFERENCES AND RELATED LEGISLATION

- *Local Government Act 2019* (NT)
- *Independent Commissioner Against Corruption Act 2017* (NT)

POLICY DETAILS

OWNER	CEO	RESPONSIBLE OFFICER	GM Finance and Governance
APPROVAL DATE	21 June 2022	NEXT REVIEW DUE	30 June 2026
RECORDS NUMBER	505366	COUNCIL DECISION	10/405