

# Acceptance of Gifts and Benefits – Members

## Council Policy 103



Policy Number	CP103
Area Responsible	Governance and Planning
Strategic Plan Reference	Goal 4 A Supportive Organisation
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Minutes Reference	Item 13.1 Ordinary Council Meeting 24/02/17
Last Reviewed	24/02/17
Next Review Date	Feb 2020

### 1. Purpose

The purpose of this policy is to outline the minimum standard of behaviour expected of members of the Council, Local Authorities, and Council Committees in relation to acceptance of gifts and benefits.

### 2. Scope

The policy applies to all members of Council, Local Authorities, and Committees of Council (herein referred to as members).

### 3. Policy Objectives

The policy objectives are:

- To clarify what a gift or benefit is in the context of this policy
- To ensure gifts and benefits are dealt with in accordance with the *Local Government Act* and are recorded in a register

### 4. Policy Statement

MacDonnell Regional Council's (MRC) Code of Conduct warns against responsibilities to MRC, ratepayers and communities being compromised, this can occur with the acceptance of gifts or benefits.

### Definitions

<b>Gift</b>	An item of value given to an elected member of Council by an existing or potential supplier/customer or other person(s). Some examples are money, alcohol, tickets to functions or events, clothes or vouchers.
<b>Benefit</b>	Something which is believed or perceived to be of value to the person getting the gift. Some examples are seats in a private box at a sporting venue, access to confidential information, favours and hospitality.
<b>Nominal Value</b>	A gift or benefit over \$50.
<b>Gift/Benefit Register</b>	Details kept as a list by the office of the Chief Executive Officer.

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### General Principles

MRC residents and ratepayers have a right to expect the business of MRC to be conducted with efficiency, fairness and integrity.

Generally it is acceptable for an elected member to receive a single small gift/token benefit of a personal nature below the nominal value in this policy. An elected member must be identified in the gift/benefit register if they repeatedly receive single gifts that are individually below the nominal value, but in total are above the nominal value. This should be discussed with the CEO.

If a member is in doubt about whether a gift or benefit should be declared, the matter should be discussed with the CEO.

### Response

Gifts over the nominal value should be either;

- politely declined
- accepted and “surrendered” to MRC
- accepted by an elected member only in exceptional circumstances after discussion with the President and the CEO, who may advise to offer the gift to a community group or club

Gifts over the nominal value received by an elected member must be declared within 30 days of receipt and recorded on the gift/benefit register.

Care should be taken to avoid offence if the gift is to be passed onto a community group or club by advising of this possible outcome upon receipt.

## 5. Legislation and References

Related Legislation	<b>Local Government Act</b>
Related Policies	<b>Code of Conduct - Members</b>
Related Procedures	<b>Register of Gifts and Benefits received by a Member</b>
Associated Documents	

## 6. Delegation and Implementation

Delegate	<b>Director Corporate Services</b>
Implementation Officer	<b>Manager Governance &amp; Planning</b>

## 7. Administration

InfoXpert file number	
On Internet (Council Policy)	28/04/2017
On Intranet (Operational Policy)	