Policy Location	Governance		
Policy Title	Councillor Expenses Entitlement		
Policy No	16	**Date Approved**	8 July 2015
Revision No	2	**Revision Date**	2018

Purpose

To establish the entitlements for a Councillor to have necessary out of pocket expenses incurred while performing their civic, statutory and policy making duties as a Councillor either reimbursed or paid by Council.

Scope

This Policy applies to Councillors with regard to the expenses incurred in the process of carrying out Council business.

Policy Statement

Intent:-

These guidelines give a broad overview of how a Council can provide assistance to its Councillors in carrying out their duties

The *Local Government Act 1989* (Section 75) provides for the reimbursement of "necessary out of pocket expenses" incurred while performing the duties as a Councillor

Objectives:-

To establish the entitlements for a Councillor to have necessary out of pocket expenses incurred while performing duties as a Councillor either reimbursed or paid by Council.

Compliance with the *Local Government Act 1989*, Sections 75, 75A, 75B and 75C.

Statement:-

1. The basic test that will be applied to determine whether or not an expense is lawfully incurred is whether the expenditure is "necessary" to complete duties as a Councillor.

2. Where this criteria is satisfied and a Councillor has incurred an out of pocket expense they may be reimbursed by Council

Guidelines

Annually as part of the budget process an amount will be set aside for reimbursement of Councillor expenses.

Note that this is separate to the annual allowance remuneration set out in Section 74 of the *Local Government Act 1989.*

Councillor expenses are specified for the following purposes

1. Travelling Expenses

Upon the completion and forwarding of an expenses claim form to the CEO's Department (Appendix 1), travelling expenses will be paid to Councillors under the following circumstances:

- To attend Council and Special Council meetings and meetings of Committees of Council.
- To attend formal briefing sessions and civic or ceremonial functions convened by Council or the Mayor
- To attend meetings scheduled by Council
- To attend a meeting, function or undertake other official duties as a representative of Council or the Mayor
- To attend meetings of community groups, organisations and statutory authorities to which the Councillor has been appointed Council's delegate or is authorised by Council to attend, but the reimbursement by Council is to be diminished by however much the Body pays travelling expenses directly
- To attend an inspection of a road, property or area or to discuss with any person any matter related to Council business, and/or to carry out activities in the capacity of a Councillor
- To attend discussions with Council officers on any matters relating to the Shire
- To attend meetings or to participate in deputations to which the Councillor has been appointed as a representative of Council or Mayor

The rate of reimbursement of motor vehicle expenses shall be based on the rates set out in the *Australian Taxation Act* for reimbursement or employees' use of vehicles for business purposes.

In the first instance Councillors should attempt to utilize

2. Interstate Travelling Expenses

Travelling expenses associated with conference airfares, accommodation and taxi is available. The reimbursement requires the CEO's authorisation prior to payment.

A Council resolution is required to approve any interstate travel before it occurs.

3. Stationery

Council shall upon request, provide Councillors with standard stationery held or obtained general for the organisations requirements.

The stationery may include, but not necessarily be limited to, paper, business cards, writing implements, writing pads, envelopes and the like.

Requests for stationery should be made to the CEO's office.

4. Memberships

Councillors will be reimbursed for payment of memberships. Memberships must relate to the duties of a Councillor.

This requires the CEO's authorisation prior to reimbursement or payment

5. Child Care

Councillors incurring bona fide child care expenses (for children being cared for up to and including the age of 14 years) paid to:

1. A recognised child care provider; or

2. To a person who does not:

a) Have a family or like relationship with the Councillor; or
b) Reside either permanently or temporarily with the Councillor, or
c) Have a relationship with the Councillor or his or her partner such that it would be inappropriate for Council to reimburse monies paid to the care provider; will be reimbursed such child care expenses when the child care is necessary to allow the Councillor to attend:

- Council meetings and functions involving Council business;
- Council functions;
- Meetings arising as a result of a Councillor being appointed by the Council to an external body.

6. Communication Expenses

Councillors shall be provided with communication equipment which may include:

- Mobile phone
- Laptop computer
- Tablet/iPad
- Printer

with Broadband connection to the Internet to ensure that they can be adequately and efficiently perform their duties as a Councillor.

Where a Councillor has opted to use their personal phone/smart phone and/or tablet for Council business and has completed the declaration form (Appendix 2), the following shall apply.

- Councillors with a smart phone will be reimbursed $15 for data and $30 for calls per month
- Councillors with a mobile phone will be reimbursed $30 for calls per month
- Councillors using their own tablet or iPad will be reimbursed $25 per month for data usage

Note: These amounts will be reviewed on an annual basis and be applicable from 1 July each year

7. Conferences & Seminars

Council will provide the following facilities to Councillors attending conferences or seminars which have been authorised by Council or as determined by the CEO and Mayor:

a) Registration fees

The payment of registration fees for attendance at conference/seminar sessions

b) Conference Dinner/Meals

Payment for the main conference/seminar dinner, if not covered by registration cost, together with all meals, within reasonable limits, for the duration of the conference or seminar.

c) Accommodation

The payment of accommodation costs on the following basis:

Accommodation, dinner and breakfast costs only.

Any additional accommodation costs incurred as a result of the attendance of partners and/or children shall be borne by the Councillor

Lunches and alcohol will not be reimbursed

d) Car Parking Fees

Council will meet the cost of the following car parking fees

I. Hotel/motel parking – additional car parking fees not included in accommodation cost
II. Airport parking, costs included in the parking of a Councillor's private vehicle at the airport for the duration of the conference/seminar
III. Commercial car parking fees associated with attending meetings or functions on behalf of Council
IV. City Link toll fees

Further Information

1. Receipts

Councillors are to provide fully accredited receipts for any expenses incurred. The expenses will, unless authorised by the CEO, be paid in arrears. Copies of receipts should be attached to the claim form.

2. Timeframe

All expense claims must be lodged with the CEO's office within three (3) months of being incurred. At the end of the financial year all claims must be received within two weeks after June 30. Any claims received after this time will require a Council resolution to be paid.

3. Exclusions

Any expenses arising from a breach of road, traffic parking or other regulations or laws, will not be reimbursed or funded in any way by Council.

If a Councillor does not claim a particular expense, this cannot be offset against a claim for any additional amount of some other expense.

Claims for expenses, other than those included in this policy, will not be reimbursed, except when they are subject to a Council resolution.

References

Legislation

This Policy was developed in accord with the following legislation:

- *Local Government Act 1989*
- *Australian Taxation Act*

Documents

This Policy is implemented in conjunction with the following documents:

- Buloke Shire Council Risk Management Policy
- Buloke Shire Occupational Health and Safety Policy
- Buloke Shire Staff Code of Conduct

Councillor Expenses Claim Form

Councillor……

Date Submitted……..

Vehicle Size (circle) for travel claim 4cyl 6cyl

Date	Details of Expenses	Total kms	Value
		Total Reimbursement	

I certify that the costs claimed for reimbursement have been incurred by me while performing my duties as a Councillor with the Shire of Buloke.

Signature _____ Date_____

Authorised by_____ Date_____

Account Code _____/_____

Please ensure copies of all receipts are attached

Councillor Declaration of communication devices and reimbursement

Name: _____

Personal mobile/smart phone number _____

During the current financial year I nominate (circle appropriate) to use my own equipment and will reimbursed accordingly

personal mobile ($30.00 per month calls)

smart phone ($15.00 per month phone data usage and $30.00 per month phone calls)

tablet/iPad ($25 per month data usage)

The reimbursed amount will be reviewed on an annual basis by the Director Corporate Services with a recommendation to the CEO.

Signed (Councillor) …….. Date: …….

Name ……

Signed (CEO) …… Date: ……

Name……