

POLICY LOCATION	Corporate Services	POLICY TITLE	Councillor Gift Policy
POLICY NUMBER	CA33	DATE ADOPTED	April 2021
REVISION NUMBER	1	REVISION DATE	April 2025

Purpose

The purpose of this Policy is to comply with section 138 of the *Local Government Act 2020 (Act)* which requires Council to adopt a Councillor Gift Policy.

Scope

This Policy applies to Councillors of the Buloke Shire Council.

Policy Statement

Councillors must not accept, directly or indirectly, a gift that could influence the performance of their duty as a Councillor.

A gift means anything of value given to a Councillor in the performance of their role as a Councillor but does not include reasonable hospitality.

Guidelines

No cash

Councillors must not accept cash as a gift.

No personal advantage or detriment to council

Councillors must not use their position to obtain any advantage for themselves or any other person, or cause detriment to Council by accepting a gift. This includes acceptance of small gifts in return for taking/not taking a particular action, dealing with a matter more expeditiously than others, or letting it be known that some form of benefit or consideration will be expected from a resident or service provider at some time in the future in return for favourable action to a matter.

Hospitality

A gift in the form of hospitality must be refused unless it is reasonable hospitality and it is received at an event at which the Councillor is attending in an official capacity which is usually evidenced by the Councillor's name badge being clearly displayed on their clothing.

Conditional acceptance

Where refusal to accept a gift may cause offence or embarrassment, it may be accepted by a Councillor on behalf of the Council provided that the gift is delivered to Council's Chief Executive Officer within 7 days of acceptance.

Bribes and inappropriate gifts

Where a Councillor has been offered a bribe or an inappropriate gift, the offer should be immediately rejected on the basis that acceptance would be a contravention of this Policy. The matter should also be reported promptly in writing to Council's Chief Executive Officer.

Disclosable gifts

Councillors must comply with section 128 of the Act which provides that one or more gifts with a total value of, or more than, \$500 received from one person, over a five-year period, will give rise to a conflict of interest, and which must be disclosed in accordance with the Act.

Anonymous gifts

Section 137 of the Act prohibits a Councillor from accepting, directly or indirectly, an anonymous gift for the benefit of the Councillor the value of which is equal to or exceeds the gift disclosure threshold (\$500) unless the Councillor disposes the gift to Council within 30 days of receipt.

Declaration and Gift Register

A gift, whether received or refused by a Councillor, regardless of the monetary value, must be reported in writing to Council's Chief Executive Officer within 7 days of receipt (or offer, if the gift was declined) for entry in Council's Gift Register which is an official record of all gifts received by or offered to Councillors and which is publicly available for inspection.

The Gift Register will include the following details:

- a description of the gift;
- the person or organisation who provided the gift;
- the value of the gift;
- whether the gift was received or declined; and
- the decision that was made regarding the use or disposal of the gift.