Gifts and Benefits - Council Members

Council Policy

Owner	Elected Members		
Responsible Officer	Chief Executive Officer		
Decision Number	23214		
Document Number	**GOV-002CP**	Approval Date	2025
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1 Purpose

The purpose of this policy is to set out the requirements for Council Members receiving gifts or benefits and disclosing relevant gifts or benefits.

2 Definitions

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

Term	Definition
Associate	As per section 8 of the *Local Government Act 2019*, a person is an associate of another person if: a) they are in a close family relationship; or b) they are in partnership; or c) one is a company and the other is a director or manager of the company; or d) they are related companies; or e) one is a private company and the other is a shareholder in the company; or f) a chain of relationships can be traced between them under one or more of the above paragraphs.
Campaign donation return	Disclosure to the Electoral Commission as per the requirements of section 148 of the *Local Government Act 2019.*
Council member	An elected member of Council, members of the Risk Management and Audit Committee, and any other Council committee.
Gifts and benefits	Any item or service accepted from clients or customers (including potential clients or customers) or other associates, in the course of official duties and may include, but are not limited to: • offers of cash or shares including lottery tickets • airline upgrades • gift cards and gift baskets • bottles of alcohol, manufacturer's samples or personal items • plants or flowers • promotional materials, including clothes, books, USBs or DVDs • entertainment, such as meals, seats at sporting or theatre events

	• sponsored travel • discounts or other preferential treatment • free or discounted travel or accommodation • meals or other hospitality • free or discounted places at training courses, conferences or seminars.
Nominal value	A single gift or benefit worth less than $40 from the same donor or an **associate** of the donor in a financial year.
Protocol gift	A gift or benefit given to a Council Member for diplomatic, ceremonial or symbolic purposes that will not be sold or transferred (unless in diplomatic, ceremonial or symbolic circumstances).
Register of Declared Gifts and Benefits (Council Members)	A register kept by the Chief Executive Officer (CEO) that sets out the relevant gifts and benefits received by Council Members, is accordance with section 113 of the *Local Government Act 2019*.

3 Policy Statement

3.1 Principles

3.1.1 In alignment with s119 and clause 9.1 and 9.2, schedule 1 of the *Local Government Act 2019,* all Council members are required to disclose gifts and benefits received over the nominal value, in connection with their role. They must discharge duties, responsibilities and obligations impartially and with integrity, including in relation to receiving, accepting and disclosing gifts or benefits.

3.1.2 Council Members 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 Council Member or the Council.

These principles ensure transparency, avoid conflicts of interest and promotes integrity and public confidence in local government processes.

3.2 Relevant gifts or benefits

A relevant gift or benefit is a gift or benefit that exceeds the *nominal value* and includes:

a) gift or benefit received for the Council and accepted by a Council Member; or

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

c) a gift or benefit given to the Council member by the Council.

d) a protocol gift given to Council member for the Council

3.3 Rejecting gifts or benefits

If a Council Member has received any gift or benefit that breaches the principles in clause 3.1, the Council Member must reject the gift or benefit by returning it to the donor, explaining to the donor that acceptance of the gift or benefit would breach this policy. This must still be recorded on the Register of Declared Gifts and Benefits (Council Members).

3.4 Disclosure of relevant gifts or benefits

If a Council Member has received a relevant gift or benefit, the Council Member must inform the CEO as soon as practicable after receipt and provide the following information in writing:

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

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

g) reason for the gift or benefit;

h) any other relevant details.

The CEO will record the details in a Register of Declared Gifts and Benefits (Council Members). This register will be publicly available on the Alice Springs Town Council website.

3.5 Suspected Breach of Policy

In the circumstance a fellow Council Member, the CEO, council team member or member of the public suspect breach of this policy and the principles outlined in 3.1, they are to refer to the Breach of Code of Conduct – Members policy for mitigation strategies.

3.6 Exemptions from disclosure

The principles in clause 3.1 still apply to gifts or benefits that are exempted from disclosure in the list below.

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

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

(b) food, accommodation, hospitality or entertainment included in the attendance of meetings, conferences, training courses, functions or other events that have been organised through the Council or that are required in accordance with performance of the Council Member's official duties;

(c) a donation disclosed (or to be disclosed) by the Council Member in a campaign donation return;

(d) a private and personal gift (such as a birthday present from a family member).

4 Responsibilities

This policy applies to Council Members; there are separate policies for the Chief Executive Officer and team members.

All Council Members are responsible for meeting the requirements of this policy, including providing details, of any relevant gifts or benefits to the CEO as soon as practicable.

The CEO is responsible for recording the details of relevant gifts or benefits in a Register of Declared Gifts and Benefits (Council Members) and ensuring that this register is made publicly available.

5 Related Legislation and Documents

- *Local Government Act 2019*
- Code of Conduct – Members (Schedule 1)
- Breach of Code of Conduct - Council Members
- Breach of Code of Conduct Complaint form
- Gifts and Benefits Policy – CEO
- Gifts and Benefits – Team Members
- Register of Declared Gifts and Benefits (Council Members)

6 Communication and Training

Will this policy be communicated through consultation to teams?	No
Where will this policy be available?	ASTC website
Will training needs arise from this policy? If yes, who will be responsible.	CEO