



Name	EM07 Elected Member gifts and benefits
Policy Type	Council
Responsible Officer	Governance and Risk Advisor
Approval Date	15/11/2017
Review Date	14/11/2021

### 1. Purpose

The purpose of this policy is to provide guidance to Elected Members in relation to offers of and the receipt of gifts or benefits; to ensure that in dealing with the offer of gifts or benefits or the receipt of gifts or benefits, Elected Members are not influenced in the performance of their duties and that there is no perception of undue influence.

### 2. Scope

This policy applies to the Elected Members

### 3. Definitions

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

Protocol gift	A gift given to the Council in recognition of its status as a Local Government body, often acknowledging a service provided by the Council or a partnership or other relationship (e.g. Sister City) with the Council. It is given by another body, as opposed to an individual or commercial entity, with no expectation of future benefit from the Council.
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### 4. Policy Statement

From time to time, Elected Members may be offered gifts or benefits. This policy has been developed to provide guidelines for the appropriate, consistent and transparent treatment of offers of or receipt of gifts and benefits by Elected Members.

This policy operates in addition to all other obligations under the NT Local Government Act (the Act) and any other legislation or relevant codes and policies.

An Elected Member must not:

- solicit or encourage gifts or private benefits from any person who might have an interest in obtaining a benefit from Litchfield Council
- seek or accept a bribe or other improper inducement
- by virtue of his or her position, acquire a gift or benefit which has a monetary value, other than one of a nominal or token value

An Elected Member must not seek or accept any payment, gift or benefit intended or likely to influence, or that could be reasonably perceived by an impartial observer as intended or likely to influence an Elected Member to:

- act in a particular way (including making a particular decision)
- fail to act in a particular way
- otherwise deviate from the proper exercise of his or her statutory duties

An Elected Member may accept gifts or benefits of a nominal or token value that:

- do not create a sense of obligation on his or her part and
- that would not be reasonably perceived by an impartial observer to be intended to or likely to influence him or her in carrying out their statutory duty.
- has a nominal or token value less than \$50

An Elected Member must never accept an offer of money, regardless of the amount.

### ***Elected Members Voluntary Gifts and Benefits Register***

An Elected Members Voluntary Gifts and Benefits Register has been established pursuant to this policy.

Elected Members may make entries on the voluntary Register by completing the Elected Members Gifts and Benefits Disclosure Form (**Attachment A**) and forwarding them to the Governance Manager who is responsible for maintaining the Register.

The Register will contain the following:

- Name of Elected Member receiving the gift or benefit.
- Details of person/organisation giving the gift or benefit.
- Description of the gift or benefit.
- Estimated value.
- Reason for presentation of the gift or benefit.
- Comments in relation to disclosure.
- Date of receipt.
- Signature of the recipient.
- Date of Disclosure

The Elected Members Voluntary Gifts and Benefits Register will be available for public inspection upon request.

### ***Protocol Gifts***

Where a protocol gift is given to an Elected Member it is treated as a gift to Council. The gift shall be retained by Council and exhibited in a suitable place for a period of time determined by the Chief Executive Officer.

A separate Register for Protocol Gifts which are received will be maintained.

**5. Associated Documents**

EM01 Elected Member Code of Conduct

**6. References and Legislation**

Part 7.4 of the Local Government Act requires Councils to have a Code of Conduct which Elected Members must comply.

**7. Review History**

Date Reviewed	Description of changes (Inc Decision No. if applicable)
11/10/2012	PA12/CAM/043 – approved as LC30
15/11/2017	Renamed to EM07, updated reference to protocol gifts and formatted to updated policy template (1718/099)