

# Acceptance of gifts and donations by Councillors policy

## **PURPOSE:**

The purpose of this policy is to define the City of Launceston's expectations of Councillors with regard to the acceptance and disclosure of gifts and donations, and the requirements of the General Manager to deal with the notification of such gifts and donations.

## **SCOPE:**

This policy applies to Councillors of the City of Launceston.

## **POLICY:**

In relation to the acceptance of gifts and benefits by Councillors of the City of Launceston:

1. Gifts or donations of \$50 or more in value must be disclosed to the General Manager.
2. Gifts or donations that are part of a series of gifts or donations received by a Councillor from the same donor, where the aggregate monetary value of the series of gifts or donations in a financial year is \$50 or more, must be disclosed to the General Manager.
3. Gifts and donations may include a meal and/or beverage, tickets to sporting or theatrical events, corporate hospitality at a corporate facility or at a sporting venue, discounted products for personal use, use of facilities such as gyms, use of holiday homes, free or discounted travel, free training excursions, a loan of money, and/or a loan of property.
4. Where the City of Launceston issues tickets to Councillors to attend City of Launceston run or sponsored/funded events, the relevant Councillor must notify the General Manager of those tickets in the same manner as if the gift was received from a third party.
5. Gifts provided to the City of Launceston and presented to Councillors in fulfilling their civic and ceremonial roles are not received by Councillors. Accordingly, no notification is required. Instead, such gifts will be retained by the Council. The General Manager will arrange for the gift to be displayed within an appropriate area of the City of Launceston.

## **PRINCIPLES:**

In deciding whether it is appropriate to accept a gift or benefit, Councillors should consider:

- the identity of the person who is giving the gift or donation, and their relationship to the Councillor/Council;
- whether the gift or donation being offered is intended to influence a decision or seek a return favour; and
- whether public knowledge of the acceptance of the gift or donation would diminish community trust.

## **Expectations of Councillors**

Councillors who have received a gift or donation as described above must notify the General Manager of that gift or donation. The notice in writing must contain:

1. The name of the Councillor who received the gift or donation;
2. A description of the gift or donation;
3. The name of the donor, if known;
4. The Councillor's relationship to the donor, if known;
5. The suburb or locality where the donor resides, if known;
6. The date on which the gift or donation was received; and

7. The estimated monetary value of the gift or donation.

The notice must be provided to the General Manager within 14 days of receiving the gift or donation. However, if the gift or donation was received by a Councillor outside of Australia, the notification must be provided to the General Manager within 14 days of the Councillor returning to Australia.

Councillors must ensure that they:

1. Never accept an offer of money, regardless of the amount.
2. Avoid situations in which it would appear to a reasonable person that the provision of a gift or benefit may secure (or be an attempt to secure) a favour from the Councillor or the Council.
3. Notify the General Manager of any gift or donation received within the relevant timeframes.

### **Register of gifts and donations**

The General Manager is required to keep a register of the notifications of gifts and donations received from Councillors. The register is available for inspection at Town Hall during business hours, on City of Launceston's website and will be updated at least monthly.

### **RELATED POLICIES & PROCEDURES:**

[14-Plx-016 Aldermen's Expenses and Resources Policy](#)

[14-Plx-032 Code of Conduct for Aldermen](#)

### **RELATED LEGISLATION:**

Local Government Act 1993 (Tas) Ss.56A and 56B

Local Government (General) Regulations 2005

Local Government (General) Amendment Regulations 2018

### **REFERENCES:**

Gifts, Benefits and Hospitality Policy Framework produced by the Victorian Public Sector Commission April 2012; accessed 04 July 2014

### **DEFINITIONS:**

**"token gifts/benefits"** are low-value gifts or benefits that a reasonable person would not perceive are intended to improperly influence an Alderman. City of Launceston defines token gifts or benefits as those with a value of less than \$50.

**"disclosed and recorded"** means that gifts and benefits are captured in the City of Launceston's Gift Register by Aldermen declaring the details of the gifts and benefits to the Executive Assistant to the Mayor or the Administration Officer to the Aldermen

### **REVIEW:**

This policy will be reviewed to coincide with Council elections or more frequently, if dictated by operational demands and with Council's approval.