

# Gifts and Benefits Policy (CEO)

Council Policy



Policy Name	Gifts and Benefits Policy (CEO)		
Type	Council Policy		
Owner	Elected Members		
Responsible Officer	Director Corporate Services		
Decision Number	22481	Approval Date	28/02/2023
Records Number	D2023/004045	Next Review Date	28/02/2025

## 1 Purpose

The purpose of this policy is to set out the requirements for the Chief Executive Officer (CEO) receiving gifts or benefits, and disclosing relevant gifts or benefits.

This policy applies only to the CEO; there are separate policies for Council Members and Alice Springs Town Council staff.

## 2 Definitions

The purpose of this policy, the following definitions apply:

Term	Definition
<b>Associate</b>	As per section 8 of the <i>Local Government Act 2019</i> , 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.
<b>Gifts or Benefits</b>	Any item or service accepted from clients or customers (including potential clients or customers) or other <b>associates</b> , in the course of official duties and may include, but are not limited to: <ul style="list-style-type: none"><li>• offers of cash or shares including lottery tickets</li><li>• airline upgrades</li><li>• gift cards and gift baskets</li><li>• bottles of alcohol, manufacturer's samples or personal items</li><li>• plants or flowers</li><li>• promotional materials, including clothes, books, USBs or DVDs</li><li>• entertainment, such as meals, seats at sporting or theatre events</li><li>• sponsored travel</li><li>• discounts or other preferential treatment</li><li>• free or discounted travel or accommodation</li><li>• meals or other hospitality</li><li>• free or discounted places at training courses, conferences or seminars.</li></ul>

# Gifts and Benefits Policy (CEO)

Council Policy



<b>Nominal Value</b>	A single gift or benefit worth less than \$40 from the same donor or an <b>associate</b> of the donor in a financial year.
<b>Register of Declared Gifts and Benefits (CEO)</b>	A register required to be kept by Alice Springs Town Council listing gifts or benefits received by the CEO. This register is to be made available to Elected Members at all times, and be presented at least once a year to Council.

## 3 Policy Statement

### 3.1 Principles

The CEO must, at all times, discharge official duties, responsibilities and obligations impartially and with integrity in relation to receiving, accepting and disclosing gifts or benefits.

The CEO must not accept a gift or benefit from any person or organisation, which may be perceived by a reasonable person to influence the CEO's performance of official duties, responsibilities and obligations.

### 3.2 Relevant gifts or benefits

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

- (a) gift or benefit offered to the CEO for the Council; or
- (b) gift or benefit offered to the CEO for the CEO or another person.

### 3.3 Rejected gifts or benefits

If the CEO has received a gift or benefit that is in contradiction to the principles in 3.1, the CEO should reject the gift or benefit by returning it to the donor, explaining that acceptance of the gift or benefit would breach this policy.

### 3.4 Disclosure of relevant gifts or benefits

The CEO must notify the Mayor as soon as practicable if they are offered any gift or benefit that is not exempt, including in circumstances where the CEO rejects the gift or benefit, and provide the following information:

- (a) the name of the donor (person or organisation) offering the gift or benefit;
- (b) the date the gift or benefit was offered;
- (c) a description of the gift or benefit;
- (d) the value (or estimated value) of the gift or benefit;
- (e) whether the gift or benefit is for the CEO or another person (including the full name and relationship of the person to the CEO, if applicable);
- (f) the reason for the gift or benefit;
- (g) whether the CEO rejected or proposes to accept the gift or benefit; and
- (h) any other relevant details.

# Gifts and Benefits Policy (CEO)

Council Policy



This information must also be recorded in the **Register of Declared Gifts and Benefits (CEO)**. This register is to be made available to Elected Members at all times, and be presented at least once a year to Council.

## 3.5 Exemptions from disclosure

While the principles in clause 3.1 still apply, the following gifts or benefits are exempted from disclosure under this policy:

- (a) a gift or benefit given to the CEO in a private capacity for personal use by the CEO or another person – unless the gift or benefit may be perceived by a reasonable person to improperly influence the performance of official duties, responsibilities or obligations;
- (b) a gift or benefit given to the CEO by the Council;
- (c) a protocol gift (gift or benefit that is primarily for diplomatic, ceremonial or symbolic purposes and are not be sold or otherwise transferred, unless in diplomatic, ceremonial or symbolic circumstances) given to the CEO for the Council;
- (d) a gift or benefit given to the CEO for the Council in relation to its status as a body corporate where no single individual is considered to be the recipient of the gift or benefit; or
- (e) food, hospitality or accommodation included in the attendance of meetings, conferences, training courses, functions or other events that have been paid for by the Council and are directly relevant to the performance of the CEO's official duties, responsibilities or obligations.

## 4 Responsibilities

This policy applies to the CEO; there are separate policies for Council Members and Alice Springs Town Council staff.

The CEO is responsible for meeting the requirements of this policy, including informing the Mayor of any relevant gifts or benefits, and recording the details of relevant gifts or benefits in the **Register of Declared Gifts and Benefits (CEO)**.

The CEO, or authorised delegate, is responsible for maintaining the **Register of Declared Gifts and Benefits (CEO)**, and this must be presented to Council at least once a year.

## 5 Related Documents

- *Local Government Act 2019 (NT)*
- *Code of Conduct*
- *Register of Declared Gifts and Benefits (CEO)*
- *Gifts and Benefits Policy (Council Members)*
- *Gifts and Benefits Policy (Staff)*

# Gifts and Benefits Policy (CEO)

Council Policy



## 6 Version History

Version	Date	Action/Description of changes made	By
V1.0	24/01/2023	New policy	Director Corporate Services

## 7 Communication and Training

Will this policy be communicated through internal communications?	Yes
Where will this policy be available?	Intranet, ASTC website
Will training needs arise from this policy? If yes, who will be responsible.	CEO