

## 1 OBJECTIVE OF POLICY


- 1.1 The objective of the policy is to regulate and monitor behaviour for the acceptance of gifts by Councillors and employees in line with Council's Code of Conduct and provide a transparent and accountable process when handling gifts and benefits which promotes public confidence in Moree Plains Shire Council.

## 2 DEFINITION OF A GIFT OR BENEFIT

- 2.1 Gifts or benefits include, but are not limited to, free (or less than market value) accommodation, entertainment (eg, tickets to major sporting events, concerts, etc), hospitality (eg, meals, alcohol, invitations to use a corporate box at a major event) or items such as telephones or apparel or travel.
- 2.2 Councillors and employees as a part of their role with MPSC are prohibited from receiving all gifts or benefits unless exempted below or where specific approval is provided in writing by the General Manager. The General Manager's exemption will state the reason why this exception is being made (see 2.7).
- 2.3 Family members of Councillors or employees should also refuse the receipt of such gifts where the acceptance of the gift is unlikely to be seen by a reasonable 'impartial observer' to create a conflict of interest, perceived conflict of interest or influence the performance of duties or function of the Councillor or employee.
- 2.4 Professional business meetings (such as lunches) which include receiving or providing a token lunch or snack are not considered a gift or benefit under this policy. The token amount approved for these purposes is less than 100.00 Australian dollars and should not be recurrent. Recurrent meetings which involve such transactions must be declared in writing to the General Manager to seek specific approval.
- 2.5 Items received at conferences or seminars as a part of the registration fee are also exempted under this policy, however prizes or other benefits gained as a part of attendance must be declared for the General Manager's consideration.
- 2.6 Text books or related resources under \$100 supplied by registered training organisation to all participants in a Council sponsored development event are exempted.
- 2.7 Use of corporate credit cards that result in gaining frequent flier or other reward points for personal benefit is prohibited. Employees and Councillors must not gain similar benefits by using personal credit cards or cash and then seeking Council reimbursement for a business transaction.
- 2.8 Approval by the General Manager should only be given where the acceptance of the gift is unlikely to be seen by a reasonable 'impartial observer' to create a conflict of interest, perceived conflict of interest or influence the performance of duties or functions.

## 3 GIFTS AND BENEFITS REGISTER

- 3.1 All gifts and benefits must be declared in writing by Councillors and employees and are to be entered into the Moree Plains Shire Council Gifts and Benefits Register maintained by Executive after completion of a Gift Disclosure Form. (Folder: 05-0195)

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MANEX Reviewed:	January 2012	Council Reviewed:	July 2012	Resolution No:	12/07/204	Version	1	Page 1 of 3

- 3.2 The Gift and Benefit Register shall be available for public inspection.
- 3.3 A Councillor may refer any entry in the Gifts Register to a Council Meeting for review by the Council.
- 3.4 The Gifts and Benefits Register will be archived annually through Council's record system.
- 3.5 All gifts will be surrendered to the Executive Office who will receipt these against the gifts register. These gifts will be cleared at least annually for an agreed charitable purpose or other suitable purpose such as employee awards as determined by the General Manager and Mayor. A record of disposal will be entered into the gift register and signed off by the General Manager and the Mayor.

**4 BRIBES**

- 4.1 The Code of Conduct states that a bribe or other improper inducement must not be sought or accepted.
- 4.2 Any offer of a bribe must be reported in writing to the General Manager for consideration of appropriate action.


**5 BREACHES OF THIS POLICY**

- 5.1 The obligation to comply with this policy rests with each Councillor and employee.
- 5.2 Disciplinary action may be applied if this policy is breached.
- 5.3 Any person, whether a member of the public, or Councillor or Employee may make a complaint alleging a breach of this policy and hence Council's Code of Conduct.
- 5.4 If you suspect a Councillor, including the Mayor or an Employee, has breached this policy and hence the Code of Conduct you must report this matter to the General Manager.
- 5.5 Where you believe the General Manager has breached this policy and hence the Code of Conduct report must be submitted to the Mayor.
- 5.6 Reports from Councillors, Employees, Council Volunteers or Contractors may be made under the Pubic Interest Disclosures Act and Council's PID Policy where there are instances of suspected serious maladministration or corrupt conduct, or serious and substantial waste.
- 5.7 Councillors should not make allegations of suspected breaches of the code at Council meetings or other public forums.

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**HISTORY**

Previous Policy dated 27 September 2005.  
 Amendment by Manex dated 9 March 2010.  
 Resolution of Approval by Council dated 1 April 2010  
 Draft approved MANEX 31<sup>st</sup> January 2012

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**Moree Plains Shire Council - Gifts and Benefits Declaration Form**

Name of Councillor or Employee: \_\_\_\_\_

Payroll Number (if Employee): \_\_\_\_\_

Declaration of Gift or Benefit Received

Item or Benefit: \_\_\_\_\_

Approximate Value: \_\_\_\_\_

Supplier Details: \_\_\_\_\_

Date Supplied: \_\_\_\_\_

Please briefly list any previous gifts or benefits which were provided to you by this supplier including dates \_\_\_\_\_ and \_\_\_\_\_ items.

\_\_\_\_\_

Gift was received or refused: Received/ Refused

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Declaration was received by Executive and lodged onto gift register:

Signed: \_\_\_\_\_ Name: \_\_\_\_\_ Title: \_\_\_\_\_


Date: \_\_\_\_\_

\_\_\_\_\_

Gift was surrendered to Executive office on \_\_\_\_\_ Date.

Signed Officer Surrendering item: \_\_\_\_\_

Signed Officer receiving item: \_\_\_\_\_

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MANEX Reviewed:	January 2012	Council Reviewed:	July 2012	Resolution No:	12/07/204	Version	1	Page 3 of 3	