

Councillor Gifts Policy



1. Purpose

This policy sets out Campaspe Shire Council's framework for Councillors when responding to offers of gifts, benefits and hospitality.

The policy aims to ensure that Councillors are not compromised in the performance of their duties by accepting offers which may result in a sense of obligation, could be interpreted as an attempt to influence, or could diminish public trust in the Council.

2. Scope

This policy applies to Campaspe Shire Councillors.

3. Policy Statement

Council is committed to an open and transparent environment in relation to the offer and acceptance or decline of gifts, benefits and hospitality.

To support this commitment, Council has developed a framework for assessment and recording of gifts, benefits and hospitality which is underpinned by the principles incorporated in the Victorian Public Sector Commission's Gifts Benefits and Hospitality Model Policy¹, which are:

Obligations:

Councillors will comply with the provisions of the Local Government Act 2020 in relation to gifts, benefits and hospitality.

Impartiality

Councillors have a duty to place the public interest above their private interests when carrying out their official functions. Councillors will not accept gifts, benefits or hospitality that could raise a reasonable perception of, or actual, bias or preferential treatment. Councillors will not accept offers from those about whom they are likely to make business decisions.

Accountability¹

Councillors are accountable for:

- declining non-token offers of gifts, benefits and hospitality, or where an exception applies under this policy, seeking approval to accept the offer.
- declaring all non-token offers of gifts, benefits and hospitality;
- recording non-token gift offers regardless of whether they are accepted or not.

The Mayor and Chief Executive Officer are accountable for overseeing management of acceptance or refusal of non-token gifts, benefits and hospitality, modelling good practice and promoting awareness of gifts, benefits and hospitality policies and processes to Councillors.

Integrity¹

Councillors strive to earn and sustain public trust through responding to offers of gifts, benefits and hospitality in a manner that is consistent with community expectations.

Councillors will refuse any offer that may lead to an actual, perceived or potential conflict of interest.

Councillors will not solicit gifts for themselves or anyone else, in any form. To do so may constitute misuse of their position and may result in a serious misconduct allegation. It may also constitute corruption and lead to criminal prosecution.

Risk-based approach¹

Campaspe Shire Council, through its policies, processes and the Audit and Risk Committee, will ensure gifts, benefits and hospitality risks are appropriately assessed and managed.

4. Management of Offers of Gifts, Benefits and Hospitality

4.1. Gifts, Benefits and Hospitality

4.1.1. Gifts

Section 3 of the *Local Government Act 2020* defines "Gift" -

means any disposition of property otherwise than by will made by a person to another person without consideration in money or money's worth or with inadequate consideration, including—

- (a) *the provision of a service (other than volunteer labour); and*
- (b) *the payment of an amount in respect of a guarantee; and*
- (c) *the making of a payment or contribution at a fundraising function;*

A gift is anything of monetary or other value that is offered by an external organisation or individual to a Councillor as a result of their role with Council. It includes free or discounted items or services, benefits or hospitality that exceeds common courtesy.

The following constitutes a gift:

- goods and services given of a commercial value
- property (real or otherwise)
- transfers of money
- loans of money or property
- free services (tickets to events, conferences, accommodation, entertainment, sporting events etc)
- goods and services made available at heavily discounted prices.

Examples of gifts include:

- A bottle of wine or spirits
- Tickets to sporting events
- Gift voucher
- Corporate hospitality at a corporate facility
- Discounted products for personal use
- Use of a holiday home
- Free or discounted travel
- Free training excursions
- Door prize or voucher if a Councillor has not personally paid to attend.

¹ Based on (and amended for relevance to Council) the Victorian Public Sector Commission, Gifts Benefits and Hospitality Model Policy, July 2018

4.1.2. Benefits

Benefits mean something that is believed to be of value to the receiver. Examples of benefit include:

- Preferential treatment
- Access to a sporting event
- Privileged access (including access to confidential information)
- Access to discount or loyalty programs
- Personal services
- Promise of a new job.

4.1.3. Hospitality

Hospitality is considered a gift, unless the hospitality was reasonable and received as part of attending a function or event in an official capacity as a Councillor.

- Reasonableness test: the hospitality must be of a standard and type that an independent observer would consider appropriate and not excessive.
- Official capacity test: it must clearly be your duty as a Councillor to attend the relevant function or event.

Hospitality that exceeds common courtesy will be avoided. It is inconsistent with community expectations and has a high risk of creating a conflict of interest. Examples of gift offers of hospitality that exceed common courtesy include:

- A 'fine dining and wines' working lunch at another organisation's premises
- An offer to pay for a working lunch at a café
- An offer of a free spot on an industry golf day
- Attending as a guest in a corporate box at sporting or other event
- Attending a concert or theatre event
- Attending an industry golf day at a reduced fee
- Being 'shouted' a meal at a restaurant
- Accepting discounted or complimentary tickets for a family member to attend an event.

Reasonable hospitality that does not exceed common courtesy does not need to be declared. Hospitality that does not exceed common courtesy and is therefore not a gift includes:

- Sandwiches and pastries over a lunchtime meeting
- A cup of coffee at another organisation's premises
- A cup of coffee at a café (unless there is a conflict of interest).

Refer to 4.3 *Deciding on Acceptance of an Offer for IBAC's GIFT Test and HOST Test*.²

4.2. Types of Offers (gifts, benefits, or hospitality)

4.2.1. Gestures

Councillors can accept gestures without approval or declaring the offer on Council's Gifts, Benefits and Hospitality Register.

An example of a gesture is an object with no monetary value such as flowers cut from the person's garden or homemade baked goods.

A gesture may also be a souvenir or memento received from a person or company as a result of attending a seminar or conference held, conducted or sponsored by them, for which an appropriate fee was paid to attend. An example of this is a tie, pen, cap, mug or promotional items.

² <https://www.ibac.vic.gov.au/node/444>, Gifts Benefits and Hospitality Policy, p11: Accessed 8 May 2023

4.2.2. Token offers

Councillors can accept token offers without approval or declaring the offer on Council's Gifts, Benefits and Hospitality Register.

A token offer is an offer of a gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the individual. It may include promotional items such as pens and note pads, and modest hospitality that would be considered a basic courtesy, such as light refreshments during a meeting.

A token offer cannot be worth more than **\$50.00**.

4.2.3. Non-token offers

Councillors can only accept non-token offers if they have a legitimate business benefit.

All accepted non-token offers must be approved in writing by the Chief Executive Officer, recorded in the Gift Register and be consistent with the following requirements:

- the offer does not raise an actual, potential or perceived conflict of interest or have the potential to bring the individual or Council into disrepute, and
- there is a legitimate business reason for acceptance. It is offered in the course of the individual's official duties, relates to the individual's responsibilities and has a benefit to Council or the municipality.

Councillors may be offered a gift, benefit or hospitality where there is no opportunity to seek written approval from the CEO prior to accepting. For example, they may be offered a wrapped gift that they later identify as being a non-token gift. In these cases, the Councillor must seek approval from the CEO within five business days to accept the offer.

However, where the gift would likely bring the Councillor or Council into disrepute, Council should return the gift. If it represents a conflict of interest for the Councillor, Council should either return the gift or transfer ownership to Council to mitigate this risk.

4.2.4. Repeat offers

Councillors must refuse repeat offers from the same source if they create a conflict of interest or may lead to reputational damage.

Receiving multiple offers (token or non-token) from the same person or organisation can generate a stronger perception that the person or organisation could influence a Councillor.

4.2.5. Ceremonial gifts

Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government, within Australia or internationally. They are usually provided when conducting business with official delegates or representatives from another organisation or community.

Ceremonial gifts remain the property of the Council, irrespective of value, and should be accepted by individuals on behalf of Council. A letter of thanks will be prepared and sent by the Council acknowledging the gift to Council and not the individual Councillor.

All ceremonial gifts must be disclosed and recorded on Council's Gifts, Benefits and Hospitality Register but this information does not need to be published online.

4.2.6. Corporate gifts

Councillors may be involved in social, cultural or community events where official gifts are presented or exchanged. It is reasonable for Councillors in performing official duties as representatives of Council to accept official gifts on behalf of the Council, when it would appear impolite or inappropriate to decline the offer of a gift.

Corporate gifts remain the property of the Council, irrespective of value, and should be accepted by individuals on behalf of Council. A letter of thanks will be prepared and sent by the Council acknowledging the gift to Council and not the individual Councillor.

All corporate gifts received must be disclosed and recorded in the Gifts, Benefits and Hospitality Register but this information does not need to be published online.

4.2.7. Anonymous gifts

In accordance with Section 137 of the Local Government Act 2020 (the Act) Councillors must not accept anonymous gifts. The Act states³

- (1) *Subject to subsection (2), a Councillor must not accept, directly or indirectly, a gift for the benefit of the Councillor the amount or value of which is equal to or exceeds the gift disclosure threshold³ unless—*
- (a) *the name and address of the person making the gift are known to the Councillor; or*
 - (b) *at the time when the gift is made—*
 - (i) *the Councillor is given the name and address of the person making the gift; and*
 - (ii) *the Councillor reasonably believes that the name and address so given are the true name and address of the person making the gift.*

Penalty: 60 penalty units.

- (2) *If the name and address of the person making the gift are not known to the Councillor for whose benefit the gift is intended, the Councillor is not in breach of subsection (1) if the Councillor disposes of the gift to the Council within 30 days of the gift being received.*
- (3) *In addition to the penalty specified in subsection (1), a Councillor who is found guilty of a breach of that subsection must pay to the Council the amount or value of the gift accepted in contravention of that subsection.*

If for any reason a Councillor finds themselves in possession of a gift (that exceeds the disclosure threshold) when they don't know the name and address of the person who gave the gift, the Councillor must give the gift to the Council within 30 days to avoid committing an offence.

4.2.8. Prohibited offers

A prohibited offer is any offer that is inconsistent with community values and could bring a Councillor's integrity, or that of the Council, into disrepute. Councillors are prohibited from accepting, and must refuse, the following gift offers:

- Offers of money or equivalent: gift cards, gift vouchers, or gifts that are easily converted into money (for example, shares).
- Offers that create a conflict of interest (real, potential, or perceived).
- Offers from individuals or groups that may be involved with a permit application or regulatory activity (for example, planning permit, infringement appeal).
- Offers from current or prospective suppliers, or any offer that is made during a procurement or tender process by a person or organisation involved in the process.
- Bequests to Councillors resulting from their position with Council. Arrangements may be made to donate the bequest to a charitable institution in the name of the donor or returned to the donor's immediate family within 30 days of the bequest.

Accepting a prohibited gift may constitute misuse of a Councillor's position, and a breach of this policy, and may result in a serious misconduct allegation. In addition, if the gift was offered with the expectation of something in return, such as preferential treatment, accepting it may constitute a bribe or other form of corruption and lead to criminal prosecution.

4.2.9. Conferences

Attendance offered at no charge to conferences (sponsored attendance, participation, travel or accommodation) must be declined unless the invitation is issued by a government department or a Local Government affiliated peak body, such as Municipal Association of Victoria, and Rural Council's Victoria.

Door prizes and raffle prizes at functions or conferences are not considered a gift if the Councillor has personally paid for their attendance, or when the Councillor has personally paid for the raffle ticket.

³ Currently \$500

4.3. Deciding on Acceptance of an Offer

When deciding whether to accept an offer, Councillors should first consider if the offer could be perceived as influencing them in the performance of their duties or lead to reputational damage. The more valuable the offer, the more likely that a conflict of interest exists or reputational damage will occur.

The GIFT test and HOST test, developed by the Victorian Public Sector Commission, provide guidance on the assessment of offers.

4.3.1. GIFT Test

G	Giver	Who is providing the gift, benefit or hospitality and what is their relationship to me? Does my role require me to select contractors, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision I make?
I	Influence	Are they seeking to gain an advantage or influence my decisions or actions? Has the gift, benefit or hospitality been offered to me publicly or privately? Is it a courtesy or a token of appreciation or valuable non-token offer? Does its timing coincide with a decision I am about to make?
F	Favour	Are they seeking a favour in return for the gift, benefit or hospitality? Has the gift, benefit or hospitality been offered honestly? Has the person or organisation made several offers over the last 6-12 months? Would accepting it create an obligation to return a favour?
T	Trust	Would accepting the gift, benefit or hospitality diminish public trust? How would the public view acceptance of this gift, benefit or hospitality? What would my colleagues, family, friends or associates think?

4.3.2. Host Test

H	Host	To whom is the gift or hospitality being provided? Will recipients be external business associates, or individuals of the host organisation?
O	Objectives	For what purposes will hospitality be provided? Is the hospitality being provided to further the conduct of official business? Will it promote and support government policy objectives and priorities? Will it contribute to staff wellbeing and workplace satisfaction?
S	Spend	Will public funds be spent? What type of hospitality will be provided? Will it be modest or expensive, and will alcohol be provided as a courtesy or an indulgence? Will the costs incurred be proportionate to the benefits obtained?
T	Trust	Will public trust be enhanced or diminished? Could you publicly explain the rationale for providing the gift or hospitality? Will the event be conducted in a manner which upholds the reputation of the public sector? Have records in relation to the gift or hospitality been kept in accordance with reporting and recording procedures?

4.4. Requirement for Refusing Offers

Councillors should consider the GIFT test and the HOST Test and the requirements below to help decide whether to refuse an offer. Councillors must refuse all offers:

- likely to influence them, or be perceived to influence them, in the course of their duties or that raise an actual, potential or perceived conflict of interest
- that could bring them or Council into disrepute
- made by a person or organisation about which they will likely make or influence a decision (this also applies to processes involving grants, sponsorship, regulation, enforcement or licensing), particularly offers:
 - made by a current or prospective supplier
 - made during a procurement or tender process by a person or organisation involved in the process
 - likely to be a bribe or inducement to make a decision or act in a particular way
 - that extend to their relatives or friends
 - of money, or used in a similar way to money, or something easily converted to money
 - where, in relation to hospitality and events, the organisation will already be sufficiently represented to meet its business needs
 - where acceptance could be perceived as endorsement of a product or service, or acceptance would unfairly advantage the sponsor in future procurement decisions
 - made by a person or organisation with a primary purpose to lobby Council
 - made in secret
 - have no legitimate business benefit.

4.4.1. Attempts to Bribe

A Councillor who receives a gift offer that they believe is an attempted bribe must refuse the offer. They must report the matter to the Chief Executive Officer (CEO) or Public Interest Disclosure Co-ordinator who should report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-Corruption Commission (IBAC).

A Councillor who believes another person within the Council may have solicited or been offered a bribe which they have not reported, must notify the CEO or report the matter as a public interest disclosure in accordance with Council's Public Interest Disclosure Procedures.

4.5. Retention and Disposal of Gifts

The Chief Executive Officer may dispose of gifts by any of the following methods:

- Return to the donor.
- Transfer to other public agencies or authorities.
- Transfer as a gift to a recognised charitable aid or non-profit organisation.
- Archival action by the Victorian Museum or State Library;
- By offer to the recipient.
- Destruction; or
- By resolution of Council.

4.6. Recording Offers

4.6.1. Declaration of Official Gifts Form

Councillors must complete the Declaration of Official Gifts Form within 14 days of receiving the gift (or 14 days of the date of returning to Australia if the gift was received overseas).

The form will include all information required to populate the Gifts, Benefits and Hospitality Register.

4.6.2. Gifts, Benefits and Hospitality Register

With the exception of gestures (4.2.1) and token offers (4.2.2), all accepted offers, must be recorded in the Gifts, Benefits and Hospitality Register, and include:

- Date of declaration.
- Name of Councillor.
- The name of the person or organisation making the offer.
- A description of the offer.
- Business reason for accepting the offer (if accepted).
- The estimated retail value of the offer.
- Whether it was accepted or declined (as Councillors may choose to register a declined offer).
- What was done with the gift (e.g. kept by recipient, returned, provided to Council).

The business reason for accepting the non-token offer must be recorded in the register with sufficient detail to link the acceptance to the individual's work functions and benefit to the Council.

Councillors should consider the following examples of acceptable and unacceptable levels of detail to be included in the register when recording the business reason:

Acceptable

"Individual is responsible for evaluating and reporting on the outcomes of the Council's sponsorship of Event A. Individual attended Event A in an official capacity and reported back to the Council on the event."

"Councillor presented to a visiting international delegation. The delegation presented the Councillor with a cultural item worth an estimated \$200. Declining the gift would have caused offence. The gift was accepted on behalf of the Council."

Unacceptable

- "Networking"
- "Maintaining stakeholder relationships"

In accordance with Council's Public Transparency Policy, the Gifts, Benefits and Hospitality Register will be published on Council's website.

Consideration will be given to maintaining reasonable confidentiality in situations where public disclosure will prejudice a proposed development or business venture, legal advice or legal proceedings.

4.7. Monitoring and Reporting

4.7.1. Audit and Risk Committee

Council's Audit and Risk Committee will be provided with an annual report on administration and quality control of this policy, processes and Gifts Register.

The report will include analysis of gifts, benefits and hospitality, including multiple offers from the same source and offers from business associates, risk mitigation strategies and any proposed improvements.

4.7.1. Biannual Personal Interest Returns

In addition to the requirements of this policy, Councillors are required to provide details of gifts received under Section 134(1) of the Local Government (Governance and Integrity) Regulations 2020 (Regulations) when lodging a biannual interest return during March and September annually.

Section 134(1) of the Regulations state:

- (k) *subject to subregulation (4), the details of any gift received by the specified person, the value of which equals or exceeds \$500 or the threshold amount fixed by the Secretary under subregulation (2) (whichever is greater), including gifts in the form of goods or services and multiple gifts that together equal or exceed that amount, which was received at any time since the specified person lodged the preceding initial or biannual personal interests return, including—*
 - (i) *a description of the gift; and*

(ii) the monetary value of the gift; and

(iii) the name of the person who gave the gift; and

(iv) if the gift was given on behalf of another person or body, the name of that person or body;

(4) Subregulation (1)(k) does not apply in respect of the following—

- (a) gifts received by a specified person from a family member;
- (b) gifts disclosed in an election campaign donation return made under section 306 of the Act;
- (c) any reasonable hospitality received by the specified person at an event or function that the person attended in an official capacity as a Councillor, Chief Executive Officer, member of Council staff or member of a delegated committee.

4.7.2. Other Reporting

A Councillor who has a conflict of interest as a result of receiving a gift, benefit or hospitality must disclose the conflict of interest in accordance with Section 8 of Council's Governance Rules.

In accordance with Section 306 of the Act, gifts above the gift disclosure threshold that are election campaign donations must be disclosed in an election campaign donation return.

5. Definitions

Term	Details
Bribe	A bribe is an offer of money or other inducement made with the intention to corruptly influence a Councillor, officer or contractor in the performance of their duties. Bribery or attempted bribery of a public official is a criminal offence.
Types of Conflicts of Interest	<p>A conflict of interest is a conflict between a Councillor's public duty to act in the best interest of the Council and their private interests (financial or non-financial). A conflict exists whether it is:</p> <ul style="list-style-type: none"> • Real – it currently exists • Potential – it may arise, given the circumstances • Perceived – members of the public could reasonably form the view that a conflict exists, or could arise, that may improperly influence the person's performance of their duty to the Council, now or in the future.
Division 2 – Conflict of Interest Section 126 Definitions	<p>(1) In this Division—</p> <p>family member means—</p> <ul style="list-style-type: none"> (a) a spouse or domestic partner of the relevant person; or (b) a parent, grandparent, sibling, child, grandchild, step-parent, step-sibling or step-child of the relevant person or of their spouse or domestic partner; or (c) any other relative that regularly resides with the relevant person; <p>matter means a matter with which a Council, delegated committee, community asset committee or a member of Council staff is concerned and that will require—</p> <ul style="list-style-type: none"> (a) a power to be exercised, or a duty or function to be performed, or a decision to be made, by the Council, delegated committee or community asset committee in respect of the matter; or (b) a power to be exercised, or a duty or function to be performed, or a decision to be made by a member of Council staff in respect of the matter; <p>not-for-profit organisation means a body that—</p> <ul style="list-style-type: none"> (a) operates exclusively for charitable, civil, sporting or other social purposes; and (b) does not share or allocate the funds or profits of the body or organisation with the owners, shareholders or executives of the body or organisation; <p>relevant person means a person who is a—</p> <ul style="list-style-type: none"> (a) Councillor; or (b) member of a delegated committee who is not a Councillor; or

Term	Details
	<ul style="list-style-type: none"> (c) member of Council staff. (2) For the purposes of this Division, a relevant person has a conflict of interest if the relevant person has— <ul style="list-style-type: none"> (a) a general conflict of interest within the meaning of section 127; or (b) a material conflict of interest within the meaning of section 128.
Section 12 General conflict of interest	<ul style="list-style-type: none"> (1) Subject to section 129, a relevant person has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty. (2) For the purposes of subsection (1)— <ul style="list-style-type: none"> private interests means any direct or indirect interest of a relevant person that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief; public duty means the responsibilities and obligations that a relevant person has to members of the public in their role as a relevant person.
Section 128 Material Conflict of Interest	<ul style="list-style-type: none"> (1) Subject to section 129, a relevant person has a material conflict of interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter. (2) The benefit may arise or the loss incurred— <ul style="list-style-type: none"> (a) directly or indirectly; or (b) in a pecuniary or non-pecuniary form. (3) For the purposes of this section, any of the following is an affected person— <ul style="list-style-type: none"> (a) the relevant person; (b) a family member of the relevant person. (c) a body corporate of which the relevant person or their spouse or domestic partner is a Director or a member of the governing body; (d) an employer of the relevant person, unless the employer is a public body; (e) a business partner of the relevant person; (f) a person for whom the relevant person is a consultant, contractor or agent. (g) a beneficiary under a trust or an object of a discretionary trust of which the relevant person is a trustee. (h) a person from whom the relevant person has received a disclosable gift. (4) For the purposes of subsection (3)(h), disclosable gift means one or more gifts with a total value of, or more than, \$500 or if an amount is prescribed for the purposes of this subsection, the prescribed amount, received from a person in the 5 years preceding the decision on the matter— <ul style="list-style-type: none"> (a) if the relevant person held the office of Councillor, was a member of Council staff or was a member of a delegated committee at the time the gift was received; or (b) if the gift was, or gifts were, or will be, required to be disclosed as an election campaign donation— but does not include the value of any reasonable hospitality received by the relevant person at an event or function that the relevant person attended in an official capacity as a Councillor, member of Council staff or member of a delegated committee.
Section 129 Exemptions (Conflict of Interest)	<p>A conflict of interest does not arise if any of the following applies—</p> <ul style="list-style-type: none"> (a) the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the relevant person in relation to the matter; (b) the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the municipal district and does not exceed the interest held by the other residents, ratepayers or electors;

Term	Details
	<ul style="list-style-type: none"> (c) the relevant person does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances; (d) the interest only arises because the relevant person is the representative of the Council on a not-for-profit organisation that has an interest in the matter and the relevant person receives no personal advantage from the not-for-profit organisation; (e) the interest only arises because a family member of the relevant person is a member but not an office-holder of a not-for-profit organisation; (f) the interest only arises because the relevant person is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter; (g) the interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations.
Value	Value means the face value or estimated retail value

6. Acknowledgements

Traditional Owners

The Shire of Campaspe is the traditional lands of the Dja Dja Wurrung, Taungurung and Yorta Yorta Peoples. We respect and acknowledge their unique Aboriginal cultural heritage and pay our respect to their ancestors, descendants and future leaders as the Traditional Owners of this country. We acknowledge their living culture and their unique role in the life of this region.

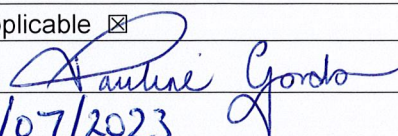
Appendix 1: First Level Assessment

Type	Can be accepted?	Declaration required?	CEO approval required?	Gifts Benefits and Hospitality Register entry?
4.1.3 Hospitality	No, unless it fits within the definitions under: 1. Reasonableness test and 2. Official capacity test Refer to 4.1.3 of this policy	Yes	Yes	Yes
4.2.1 Gestures	Yes	No	No	No
4.2.2 Token Offers	Yes	No	No	No
4.2.3 Non-Token Offers	No, unless there is a legitimate business benefit	Yes	Yes	Yes
4.2.4 Repeat Offers	No, if there is a conflict of interest or reputational risk	Yes	Yes	Yes
4.2.5 Ceremonial Gifts	Yes, on behalf of Council	Yes	Yes	Yes (but not published on the public register)
4.2.6 Corporate Gifts	Yes, on behalf of Council, if it would be impolite or inappropriate to decline	Yes	Yes	Yes (but not published on the public register)
4.2.7 Anonymous offers	No	Yes	Yes	Yes
4.2.8 Prohibited offers	No	Yes	Yes	Yes
4.2.9 Conferences	No, unless it is a peak body such as the Municipal Association of Victoria or Rural Councils Victoria	Yes	Yes	Yes

Appendix 2: Second Level Assessment (if required)

If an offer fits any criteria within Section 4.4 *Requirement for Refusing Offers* of the policy, it must be refused.

Policy Information

Document Number:	ECM Number		
Document Type:	Council Policy		
Document Status:	Under Review		
Policy Owner (by position):	Manager Governance and Strategy		
Internal Endorsement Required:	Audit and Risk Committee		
Final Approval By:	Council		
Date Approved:	17/02/2021		
Evidence of Approval:	Minutes dated: 17/02/2021		
Version	2	Frequency of Review	4 Years
Review Date:	20/02/2027		
Related Legislation:	Local Government Act 2020 Victorian Charter of <i>Human Rights and Responsibilities Act 2006</i> . <i>Gender Equality Act 2020</i> <i>Victorian Disability Act 2006</i>		
Related Strategic Documents, Policies, or Procedures	Governance Rules Councillor Code of Conduct		
Attachments:	Declaration of Official Gifts Form		
Date Rescinded:	Not Applicable <input checked="" type="checkbox"/>		
Chief Executive Officer:			
Date:	26/07/2023		

Approval History: Date:	Reason for review
5/05/2023	Review of policy into new template and to incorporate Victorian Public Sector Commission Model Policy and IBAC Model Policy elements
26/03/2021	Administrative update to Approval History Reference No
19/02/2021	Administrative update to apply consistent references to Campaspe Shire Council ('Council')
17/02/2021	Minute Book Reference No 177 (Item 9.6)

Currency: Documents are amended from time to time; therefore, you should not rely on a printed copy being the current version. Please consult the Campaspe Shire Council website to ensure that the version you are using is up to date. This document is available in alternative formats (e.g. larger font) if requested.

Declaration of Official Gifts

by Councillors of Campaspe Shire Council

Declarations made using this form will be held on the Gifts, Benefits and Hospitality Register maintained by the Chief Executive Officer as required by the Local Government Act 2020.

This form must be completed with 14 days of receiving the Gift, Benefit or Hospitality or, if was received overseas, within 14 days of returning to Australia.

Name:

Name of person whom gave the gift:

Was the Gift given on behalf of another Person or Body: ☐ Yes

☐ No

If YES Name of that Person or Body:

Date Gift Received:

Gift Description:

.....

.....

Face or Estimated Retail Value:

To my knowledge the donor is not currently subject to any tender, permit application processes or matters under consideration, for which this gift may be perceived as exercising a beneficial interest over any Councillor, including myself.

Recipient Signature: Date:

CEO Signature: Date:

Office Use Only - Gift Disposed of as Follows:		
<input type="checkbox"/> Returned to the donor		<input type="checkbox"/> Archival action by the Victorian Museum or State Library
<input type="checkbox"/> Transfer to other public agencies or authorities		<input type="checkbox"/> Offered to the recipient
<input type="checkbox"/> Transfer as a gift to a recognised charitable aid or non-profit organisation		<input type="checkbox"/> Destruction
		<input type="checkbox"/> Resolution of Council
Summary of CEO Decision		
CEO Signature		
	Ms Pauline Gordon	Date