

Election 2023 Factsheet: Disclosure of Electoral Gift



The City of Rockingham encourages candidates and donors to inform themselves of the requirements and obligations of election gifts.

Refer to the [Local Government \(Elections\) Regulations 1997 Part 5A – Disclosure of Gifts](#).

What is an Election Gift

A "gift" means a disposition of property, or the conferral of any financial benefit, made by one person in favour of another and is valued at \$300, or the value of multiple gifts from one donor totalling \$300 or over.

An Election Gift can include:	
<ul style="list-style-type: none"> a gift of money 	<ul style="list-style-type: none"> a gift which is non-monetary but of value
<ul style="list-style-type: none"> the provision of a service for no consideration or for inadequate consideration 	<ul style="list-style-type: none"> a financial or other contribution to travel
<ul style="list-style-type: none"> a firm promise or agreement to give a gift at some future time 	<ul style="list-style-type: none"> a gift in kind or where there is inadequate financial consideration such as the receipt of a discount (where the difference or the discount is worth more than \$300)
An Election Gift does not include:	
<ul style="list-style-type: none"> a gift by will 	<ul style="list-style-type: none"> a gift from a relative
<ul style="list-style-type: none"> the provision of volunteer labour 	<ul style="list-style-type: none"> a gift that does not relate to the candidate's candidature

Who is required to disclose?

Both candidates and donors are required to disclose information about any electoral related gift with a value of \$300.00 or more that is given or promised within the disclosure period.

What is the disclosure period?

The disclosure period commenced 21 April 2023.

Disclosure of an electoral gift is to be made to the City of Rockingham Chief Executive Officer (CEO):

- within 3 days of nomination, for gifts made, received (or promised) between 21 April 2023 and nomination as a candidate; and
- within 3 days of the making, receipt (or promise) of the gift, between nomination and the election.

How to make a disclosure?

A disclosure is made by completing Form 9A and lodging this form with the CEO via email elections@rockingham.wa.gov.au or hand delivered to the City's Administration Centre.

Electoral Gift Register

The City of Rockingham Electoral Gift Register will be maintained via the City's Website.

The Register includes the description of the gift, the date the gift was made received or promised, the value and the name and address of the donor.

The Register will be maintained for the four years following the relevant election and include both successful and unsuccessful candidate disclosures.

Important information for candidates
<p>A candidate MUST NOT receive a gift unless the name and address of the donor is known.</p> <p><i>Local Government (Elections) Regulations R30BA Candidates not to receive gifts from unidentified donors</i></p>
<p>A candidate MUST disclose to the CEO a promised gift or received gift, and MUST make the disclosure within the disclosure period.</p> <p><i>Local Government (Elections) Regulations R30B Candidates to disclose gifts s4.59</i></p>
<p>A candidate MUST ensure the information disclosed is not false or misleading.</p> <p><i>Local Government (Elections) Regulations R30B Candidates to disclose gifts s4.59</i></p>

Important information for donors
<p>A donor MUST disclose to the CEO a gift to a candidate promised or made during the disclosure period.</p> <p><i>Local Government (Elections) Regulations R30CA Donors to disclose gifts s4.59</i></p>
<p>A donor MUST disclose the gift(s) to the CEO on the LG9A and within the appropriate time frame.</p> <p><i>Local Government (Elections) Regulations R30CA Donors to disclose gifts s4.59</i></p>
<p>A donor MUST ensure the information disclosed is not false or misleading.</p> <p><i>Local Government (Elections) Regulations R30CA Donors to disclose gifts s4.59</i></p>

PENALTIES APPLY

Further information

Department of Local Government, Sport and Cultural Industries
<https://www.dlgsc.wa.gov.au/local-government/local-governments/council-elections>
 Telephone: 6552 7300

Western Australian Electoral Commission
<https://www.elections.wa.gov.au/elections/local>
 Telephone: 13 63 06

City of Rockingham
<https://rockingham.wa.gov.au/your-city/council/voting-and-elections>