

City of Rockingham – Governance and Councillor Support

Disclosure of Gifts – CEO and Council Members only



Disclosure must be made within 10 days after receipt of gift

Gifts will be recorded on the Gifts Register which is publicly available and on the City's website.

Name	
Position	

Description of Gift (gift / hospitality / travel contribution)	Estimated value of gift at time of purchase	Location (if applicable)

Name of person / body offering gift / hospitality / travel contribution	
Address of person / body offering gift / hospitality / travel contribution	

Nature of relationship with person offering gift / hospitality / travel contribution	
Date gift was accepted:	
Date of event:	
Gift beneficiary:	

I _____, declare the above to be accurate and disclose in accordance with the requirements of the *Local Government Act 1995*.

** I understand that should the donor have an item for consideration by Council an interest disclosure must be made.

Signature: _____ Date: _____

Once form is completed and signed:

1. Send form to CEO if completed by a Council Member or
2. Send form to Mayor if completed by CEO

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Legislative Requirements relating to Gifts and Travel

Gifts (s.5.57 Local Government Act 1995 (LGA))

This requirement relates to **Council Members and CEO:**

Gift means –

- (a) a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or
- (b) a travel contribution;

Travel includes accommodation incidental to a journey.

Travel contribution means a financial or other contributions made by 1 person to travel undertaken by another person.

Amounts relating to gifts prescribed (Act s.5.62(1A), 5.68(1C), 5.71B(2) and (4), 5.87A(3) and 5.87B(3)) r.20A of the Local Government (Administration) Regulations 1996

- (1) The amount prescribed for the purposes of sections 5.62(1A)(a)(i) and (ii), 5.87A(3)(a) and 5.87B(3)(a) is \$300.
- (2) The amount prescribed for the purposes of sections 5.68(1C)(a) and (b) and 5.71B(2)(a) and (4) is \$1,000.

Council members to disclose gifts s.5.87A of LGA

- (1) A council member must disclose, in accordance with subsection (2) and section 5.87C, a gift received by the council member.
Penalty for this subsection: a fine of \$10,000 or a daily penalty of a fine of \$500 for each day or part of a day during which the offence continues.
- (2) The disclosure must be made in writing to the CEO.
- (3) A person does not commit an offence against subsection (1) if –
 - (a) the amount of the gift does not exceed the amount prescribed for the purposes of this paragraph; or
 - (b) the gift is not received by the person in their capacity as a council member.
- (4) For the purposes of subsection (3)(a), if the gift is 1 or 2 or more gifts made by 1 person to the council member at any time during a year, the amount of the gift is the sum of the amounts of those 2 or more gifts.
- (5) For the purposes of subsection (3)(b), the gift is not received by the person in their capacity as a council member if it is a gift that the person would have received even if the person were not a council member.

CEOs to disclose gifts s.5.87B of LGA

- (1) A CEO must disclose, in accordance with subsection (2) and section 5.87C, a gift received by the CEO.
- (2) The disclosure must be made in writing to the mayor or president.
- (3) A person does not commit an offence against subsection (1) if –
 - (a) the amount of the gift does not exceed the amount prescribed for the purposes of this paragraph; or
 - (b) the gift is not received by the person in their capacity as the CEO.
- (4) For the purposes of subsection (3)(a), if the gift is 1 of 2 or more gifts made by 1 person to the CEO at any time during the year, the amount of the gift is the sum of the amounts of those 2 or more gifts.
- (5) For the purposes of subsection (3)(b), the gift is not received by the person in their capacity as the CEO if it is a gift that the person would have received even if the person were not the CEO.

Governance and Councillor Support Use Only:		HPECM No.	
CEO	Date Form Received:	/ /	Signature:
Mayor	Date Form Received:	/ /	Signature:
Governance and Councillor Support	Date Form Received:	/ /	Signature:
	Date Register(s) Updated	/ /	Signature: