



Disclosure of Gifts, Notifiable Gifts and Travel Contributions Form

Disclosures must be made within 10 days of receipt or promise of receipt

Person making disclosure:	<Name>		
Type of Disclosure: (Disclosure can fall into two types e.g. Gift and Notifiable Gift – see reverse for definitions)	Gift <input type="checkbox"/> s.5.82	Notifiable Gift <input type="checkbox"/> Reg. 34B	Travel Contribution <input type="checkbox"/> s.5.83
Person who provided the gift/travel contribution:	<Name of person that provided the gift/travel contribution>		
Description of gift/travel contribution:	<Description of gift/travel contribution>		
Address of person who provided the gift/travel contribution:	<Address of person that gave gift/travel contribution>		
Date received:	<Select date gift/travel contribution received>		
Estimated value at time gift/travel contribution received:	<Estimated value of gift/travel contribution (including GST)>		
Nature of relationship with the person who made the gift/travel contribution:	<Nature of relationship with person that provided gift/travel contribution?>		
Description of travel: (Where applicable)	<Description of travel>		
Date of travel: (Where applicable)	<Date of travel?>		

I declare that all information and details provided in this form are true and correct to the best of my knowledge and belief and that no known relevant information has been omitted.

Signed: _____ Date: ____/____/____

Once signed please send to the Executive Secretary (hand deliver or email es@exmouth.wa.gov.au)

Disclosure of Gifts, Notifiable Gifts and Travel Contributions

Under the *Local Government Act 1995* there is a requirement to declare gifts and travel contributions to the CEO within ten (10) days of receipt, or promise of receipt (whichever comes first). The Code of Conduct also contains a requirement to declare a notifiable gift.

Gifts (LGA s.5.82)

This requirement relates to Councillors and Designated employees (s.5.74) and involves gifts that are valued at \$200 or more and includes:

“any disposition of property, or conferral of any other financial benefit, made by one person in favour of another otherwise than by will, without consideration in money or money’s worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel”.

The only time Councillors and designated employees don’t need to declare a gift is when:

- a) the amount of the gift did not exceed the prescribed amount (\$200) unless —
 - (i) the gift was one of 2 or more gifts made by one person at any time during the return period; and
 - (ii) the sum of those 2 or more gifts exceeded the prescribed amount; or
- b) the donor was a relative of the person.

Notifiable Gifts (LGA Admin Reg. 34B and Rules of Conduct Reg. 12)

This requirement relates to Councillors (Refer Reg.12 Rules of Conduct) and all employees (Refer Shire’s Code of Conduct) and involves gifts from anyone undertaking or seeking to undertake an activity involving local government discretion; or it is reasonable to believe is intending to undertake an activity involving local government discretion and includes:

- a) A gift worth between \$50 and \$300; or
- b) A gift that is one or two or more gifts given to the council member or employee by the same person within a period of six (6) months that are in total worth between \$50 and \$300.
- c) Gifts worth more than \$300 are “prohibited gifts” and cannot be accepted.

Councillors and employees do not have to declare a notifiable gift if it is:

- a) Received from a relative as defined by 5.74(1) of the *Local Government Act 1995*,
- b) A gift that must be disclosed under regulation 30B of the *Local Government (Elections) Regulations 1997**; or
- c) A gift from a statutory authority, government instrumentality or non-profit association for professional training.

**Different gift disclosure requirements apply to elections*

Travel Contribution (LGA s.5.83)

This requirement relates to Councillors and Designated employees and involves any contribution towards travel and includes accommodation incidental to a journey.

You do not need to declare a travel contribution when:

- a) the contribution was made from Commonwealth, State or local government funds; or
 - b) the contribution was made by a relative of the person; or
 - c) the contribution was made in the ordinary course of an occupation of the person which is not related to his or her duties as a council member or employee; or
 - d) the amount of the contribution did not exceed the prescribed amount (\$200) unless —
 - (i) the contribution was one of 2 or more contributions made by one person at any time during the return period; and
 - (ii) the sum of those 2 or more contributions exceeded the prescribed amount.
 - e) the contribution was made by a political party of which the person was a member and the travel was undertaken for the purpose of political activity of the party, or to enable the person to represent the party
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