

Shire of Victoria Plains
Local Government Act 1995 s.4.59
Local Government (Elections) Regulations 1997 r.30D, Form 9A



DISCLOSURE OF ELECTORAL GIFTS

DECLARATION FOR Applicable to – <ul style="list-style-type: none"> • Candidate • Donor 	Token Gift – Regulations require all to be declared if cumulative value reaches regulated limit from same source			Use Disclosure of Gifts and Contributions Form
	Notifiable gift – Refer regulated limits			
	Contribution to travel – Refer regulated limits			
	Electoral gift – Refer Elections Regulations r.30D, Form 9A			
Tick one box	Candidate		Donor	
Details of person making disclosure	Surname			
	Other names			
Details of candidate	Surname			
	Other names			
Details of person making gift	Name			
	Address			
Details of person on whose behalf the gift is made (if other than the person making the gift)	Name			
	Address			
Details of gift – value of which is \$200 or more, or which is one of 2 or more gifts with a total value of \$200 or more				
Date gift promised, received or made				
Value of gift				
Description of gift				
Candidates only				
If you are unable to provide the information required by this form, set out the reasons for not providing it in the space				
Person making disclosure to complete and sign the declaration below				
I,	declare that all information and details provided are true and correct, and no known, relevant information is omitted			
Signature – person making disclosure				
Date disclosure made				
	Date	Initials		
Received by CEO within 3 days of receipt or promise (Reg r.30D)				
Details entered into Electoral Gifts Register (Elections Reg. r.30G)				

Guidelines

1. *Gifts less than the mandatory amount do not have to be declared until the cumulative total of gifts from the one provider is exceeded. To facilitate recording of prior gifts once this mandatory total is reached, the recipient may wish to consider voluntary notification of all gifts as they are received.*
2. *Disclosures must be made within 3 days of receipt, promise of gift, not just use of gift.*
3. *Both candidate and donor are required to make separate disclosures in relation to the same gift.*
4. *This notice must be given to the Chief Executive Officer.*
5. *It is the responsibility of the individual candidate and donor as required by the Regulations, to disclose a gift. If in doubt, seek appropriate advice.*

Local Government Act 1995

4.59 – Regulations may provide for –

- provision of information about gifts to candidates
- control of electioneering activities
- provision of expenditure incurred by an election candidate

Local Government (Elections) Regulations 1996

Part 5A – Disclosure of gifts

30A – terms used, and includes –

- definition of relevant gift being any transfer of property or financial benefit, or if an inadequate sum is paid for property or service (ie “discounted”)
- amount of benefit is \$200 or more, or cumulative value is \$200 or more
- exclusions – from a will, from a relative (defined by Act), unrelated to election, volunteers

30BA – Candidates not to receive gifts from unidentified donors

30B – Candidates must disclose gifts, within required time, and required information

- Penalty: \$5,000

30CA – Donors to disclose gifts, within required time, and required information

- Penalty: \$5,000

30C – Disclosure period

- from 6 months before election until 3 days after, or start day of financial interests return

30D – Manner of disclosure

- Form 9A
- must be within 3 days of making, receipt or promise of gift, after nomination
- must be within 3 days of nomination if making, receipt or promise of gift before nomination

30F – Information required (Form 9A)

30G – CEO to establish and maintain an electoral gift register, to be kept for 2 years

30H – Public permitted to inspect register

30I – Offence to publish information in certain cases

- Penalty: \$5,000