

**Extract from Local Government Act 1999 - Subdivision 2A—Gifts and benefits**

**119A—Register of gifts and benefits**

- (1) An employee of a council must not seek out or receive a gift or benefit that is, or could reasonably be taken to be, intended or likely to create a sense of obligation to a person on the part of the employee or influence the employee in the performance or discharge of the employee's functions or duties.
- (2) If an employee of a council receives a gift or benefit of an amount greater than the amount determined by the Minister (from time to time), by notice in the Gazette<sup>1</sup>, the employee must provide details of the gift or benefit to the chief executive officer of the council in accordance with any requirements of the chief executive officer.
- (3) The Minister must consult with the LGA before publishing a notice under subsection (2).
- (4) The chief executive officer of a council must maintain a register of gifts and benefits received by employees of the council and must ensure that the details of each gift and benefit provided under this section are included in the register.
- (5) A register maintained under this section—
  - (a) need not include information available in another register published by, or available for inspection at, the council or otherwise available under the Act; and
  - (b) may include information by reference to another register or document, provided the register or document is published by, or available for inspection at, the council and the register maintained under this clause identifies that other register or document.
- (6) For the purposes of this section, a gift or benefit received by a designated person or entity in relation to an employee of a council will be treated as a gift or benefit (as the case requires) received by the employee.
- (7) For the purposes of this section—
  - (a) 2 or more separate gifts or benefits received by an employee or a designated person or entity in relation to the employee from the same person during a financial year are to be treated as 1 gift or benefit (as the case requires) received by the employee; and
  - (b) 2 or more separate transactions to which an employee or a designated person or entity in relation to the employee is a party with the same person during a financial year under which the employee or the designated person has had the use of property of the other person (whether or not being the same property) during a financial year are to be treated as 1 transaction under which the employee has had the use of property of the other person during the financial year.
- (8) Unless the contrary intention appears, terms and expressions used in this section and in Schedule 3 have the same respective meanings in this section as they have in that Schedule, provided that a reference in Schedule 3 to a member will be taken, for the purposes of this clause, to be a reference to an employee

<sup>1</sup> That being \$50 (as published in the Government Gazette dated 13 February 2018).



# REGISTER OF COUNCIL EMPLOYEE GIFTS AND BENEFITS

## Updated 7 June 2023

Period 1 July 2020 – 30 June 2025

Name	Date given / received	Name of donor	Description of gift / benefit	Estimated Value	Reason for offer	Accepted / declined and reason
Deborah Hughes	Annual	Country Arts SA	Complimentary tickets to all CASA shows and events including cinema	Up to \$1k	As a partner employee of Country Arts SA this is a standard employee benefit	Accepted, part of networking and staying in touch with the arts community locally and state wide.
Robyn Nottle	9.03.2021	CRC Industries	Weber Q2000	\$400	Promotion when parts / tools purchased (quotes received and company was selected in accordance with procurement guidelines)	Gift returned to sender on the grounds that the gift was not appropriate to accept from a contractual party
Deborah Hughes	19.03.2021	Adelaide Fringe/Crowne Plaza	3 nights' accommodation at Crowne Plaza Adelaide	\$600	Crowne Plaza sponsorship of Adelaide Fringe offer for participants in Honey Pot program	Accepted, viewed shows suitable for Unearth programming, w potential expense to council
Rachel Coles	May 2021	Authorised Persons Association Professional Development Seminar	Wine	\$75	Winning table at Quiz Night. Table name 'Law and Order'	Accepted
Teresa Coles / Visitor Centre staff	May 2021	Jane Owens	Flowers & chocolates	\$60	Gift to the team for finding a precious necklace pendant in the gardens	Accepted
Justin Commons - CEO	12.5.2021 & 13.5.2021	Practice Institute Australia	Complimentary attendance at training titled 'Restorative Practices' delivered by Practice Institute Australia.	\$685	Council is currently exploring community resilience through various avenues	It was noted the facilitator of this training was already doing significant work in Whyalla with the Department of Child Protection and other state agencies. There is opportunity to leverage from the work of the State agencies in Whyalla and when offered the complimentary training it was considered appropriate to gain a better understanding of the concept.

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Kathy Jarrett	12.5.2021 & 13.5.2021	Practice Institute Australia	Complimentary attendance at training titled 'Restorative Practices' delivered by Practice Institute Australia.	\$685	Council is currently exploring community resilience through various avenues	It was noted the facilitator of this training was already doing significant work in Whyalla with the Department of Child Protection and other state agencies. There is opportunity to leverage from the work of the State agencies in Whyalla and when offered the complimentary training it was considered appropriate to gain a better understanding of the concept.
Justin Commons, CEO	17.8.2021	Whyalla Show Society	30 x tickets to the 2021 Whyalla Show @ \$12 per ticket	\$360	Council is a sponsor of the Whyalla Show	Accepted – tickets gifted to community organisations for distribution
Sue King, Manager Finance & Culture	29.10.2021	LGA	6 x native plants	\$50	LGA have prizes from vendors for conference attendees	Accepted
Jo McGrath, Project & Contract Support Officer	16.12.2021	Justine Burgess - Vivid Property Services	G H Mumm Cordon Rouge 2 flute gift pack	\$79.95	Christmas	Accepted
People & Culture	22.12.2021	Harrison McMillan	Edible Bouquet	\$99	Christmas	Accepted
City Growth, Customer Service & Finance Departments	7.12.2021	Whyalla Conveyancers	Gift Basket	\$85	Christmas	Accepted
Teresa Coles / Visitor Centre Staff	December 2021	Craig Swingler – Alexander Hotel	Wine	\$50	Christmas thank you to the team	Accepted
Teresa Coles / Visitor Centre Staff	December 2021	Michael Cresshull – Tourism Focus Group	Wine & chocolates	\$50	Christmas thank you to the team	Accepted
Kristen Clark	July 2022	SANFL	Chocolate Gift Box	\$50	Thank you SANFL event	Accepted
Ryan Sutherland Communications & Engagement Officer	18.8.2202	Country Arts SA	10 x tickets to the performance 'Sunshine Super Girl'	\$500	Council is a sponsor of Country Arts SA	Accepted – tickets gifted to Aboriginal Family Support Services for distribution

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Ryan Sutherland Communications & Engagement Officer	18.8.2022	Country Arts SA	10 x tickets to the performance 'Sunshine Super Girl'	\$500	Council is a sponsor of Country Arts SA	Accepted – tickets gifted to Nunyara Aboriginal Health Services for distribution
Gail Rostig Youth Development Officer	18.8.2022	Whyalla Show Society	20 x tickets to the 2022 Whyalla Show	\$400	Council is a sponsor of the Whyalla Show	Accepted – tickets gifted to Plaza Youth Centre for distribution
Grant Jennings	26/08/2022	SA Local Government Finance Managers Group	Small Charlesworth Nuts gift box	\$50	I spoke at their conference	Accepted – saw no conflict of interest, this group doesn't sell anything or provide services to Council
Matt Rotherham	September 2022	GrillEX	Macadamia nuts (225gm) estimated value \$8, company branded sunscreen (100ml) estimated value \$5, 2 x company branded pens \$10	\$25	Currently seeking quotes from the company and others for Open Spaces equipment (BBQ's)	Accepted
Justin Commons; Kathy Jarrett; Sue King; Jade Ballantine; Jodie Perone; Irene Adair; Brad Benson	21/10/2022	Purchased by Whyalla City Council	7 x tickets @ \$150 each to the Whyalla Business and Tourism – Awards Dinner, to be held on Friday 28 October 2022	\$1,050	Show support for the local business community, networking opportunity	Accepted. CEO Justin Commons is a guest speaker.
Grant Jennings	25/11/2022	SA Local Government Finance Managers Group	Small Charlesworth Nuts gift box	\$50	I spoke at their conference	Accepted – Saw no conflict of interest, this group doesn't sell anything or provide services to Council
City Growth, Customer Service & Finance Departments	14.12.2022	Whyalla Conveyancers	Gift Basket	\$100	Christmas	Accepted

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Youth Advisory Committee	January 2023	LGA & SA Election Commission	Vouchers	\$750	Won equal first prize in a competition promoting youth voting during the 2022 local government elections	Accepted and will be used by youth (YAC) to expand resources for events and games group
Visitor Centre staff	16.2.2023	Weber Bros Entertainment	4 x complimentary gold circus adult tickets	\$60 per ticket, \$240 total	As a thank you for distributing their circus pamphlets	Accepted and gifted to Nunyara Aboriginal Health Services
Events Team	16.2.2023	Weber Bros Entertainment	30 x complimentary gold circus adult tickets	\$60 per ticket, \$1800 total	As a thank you for supporting the circus in Whyalla	Accepted and gifted: 10 x Nunyara Aboriginal Health Services 20 x Wynbring Jida Child Care Services
Jade Ballantine	24.5.2023	Whyalla Business & Tourism	1 x bottle Hendricks gin	\$70	Presented as a thank you for speaking at the tourism information function	Accepted