



Disclosure of Electoral Gifts

Frequently Asked Questions

Part 5A of the *Local Government (Elections) Regulations 1997* prescribes and sets out the requirements for disclosing electoral gifts.

The rules apply to both candidates and donors.

It is the candidates and donors responsibility to make the disclosure to the Chief Executive Officer in the prescribed form (Form LG09A). Gifts with a value of \$200 or more that are given or promised to candidates during the specified disclosure period must be disclosed in accordance with the regulations.

In addition, candidates must not accept any gifts from unidentified donors. These gifts must be disclosed and provided to the Chief Executive Officer for disposal.

Electoral Gifts

A "gift" includes a gift of money, a gift which is nonmonetary but of value, 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 \$200). A "gift" could also include a financial or other contribution to travel, the provision of a service for no consideration or for inadequate consideration, and a firm promise or agreement to give a gift at some future time.

A "gift" does not include a gift by will; a gift by a relative; a gift that does not relate to the candidate's candidature; or the provision of volunteer labour.

Disclosure Period

Within three days of nomination, any candidate in a local government election will need to disclose any gifts received within the disclosure period. The disclosure period commences six months prior to election day, on 21 April 2017 and finishes three days after Election Day (for unsuccessful candidates) and on the start day for financial interest returns for successful candidates.

Information to be disclosed

Information to be supplied includes the name of the candidate, the name and address of the donor, the date the gift was promised or received, the value of the gift and a description of the gift.

How a Disclosure is made

The disclosure is to be made in accordance with regulation 30D *Local Government (Elections) Regulations 1997* of the by completing Form LG09A and giving it to the City of Bayswater Chief Executive Officer within three days of receiving the gift, once the candidate nomination has been made to the Returning Officer.

Penalties

Failure to disclose electoral gifts as required under the regulations attracts a penalty of \$5,000.

Failure to disclose electoral gifts in the manner set out in regulation 30D of the *Local Government (Elections) Regulations 1997* also attracts a penalty of \$5,000.

[LG09A - Disclosure of Gifts](#) (PDF, 23kB)