

# SMOKY LAKE COUNTY



<b>Title:</b> Council Gifts and Benefits		<b>Policy No.:</b> 42-01
<b>Section:</b> 01	<b>Code:</b> P-I	<b>Page No.:</b> 1 of 5 <i>E</i>

<b>Legislation Reference:</b>	Alberta Provincial Statutes
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<b>Purpose:</b>	This Policy provides guidance for the Members of Council on the appropriate gifts and benefits that may be accepted while discharging their duties of office.
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<b>Policy Statement and Guidelines:</b>	
<b>1. STATEMENT:</b>	
1.1	In pursuing democratic accountability and transparency, it is necessary that no individual or organization influence, or perceive to influence, Council activities by providing gifts or benefits to Councillors.
1.2	Members of Council are expected to represent the public and the interests of the municipality and to do so with both impartiality and objectivity or regardless of monetary value, the gift or benefit could be seen or implied to be instrument of influence, favouritism or bias.
1.3	It is common for Members of Council to receive gifts and benefits in performing their duties of office. Personal integrity and sound business practices require maintaining relationships with vendors, contractors and residents doing business with the County.
<b>2. OBJECTIVES:</b>	
2.1	Members of Council are entrusted to make decisions based on an impartial and objective assessment of each situation, free from the real or perceived influence of gifts and benefits.
2.2	From time to time, gifts and benefits are offered and accepted by elected officials in the course of their duties and attendance at public functions. The acceptance of gifts and benefits of a nominal value is considered part of the Member's role and responsibilities and are to be received by the Member only in good faith, as an incident of protocol or social obligation.
2.3	This policy provides Council with a clear and consistent process to handle for the acceptance, tracking and disclosure of gifts and benefits accepted, so that no Councillor can be accused of showing favoritism or bias.

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Policy Statement and Guidelines:	
<p><b>3. DEFINITIONS:</b></p> <p>For Interpretation purpose:</p> <p>3.1 <b>Benefit:</b> means anything (other than a gift) of monetary equivalent, fee, object of value, service given that confers an advantage, including but not limited to discounted or free services food or beverages for immediate consumption, activities, event tickets or entertainment.</p> <p>3.2 <b>Gift:</b> means any real or personal property given , including but not limited to art work, clothing, money, gift certificates or gift cards, unless payment in any form, including the exchange of goods or services, of equal or greater value is received by the individual or entity giving the gift.</p> <p><b>4. GUIDELINES:</b></p> <p>4.1 Members of Council must make decisions based on an impartial and objective assessment of each situation, free from the gratitude of influence of gifts and benefits.</p> <p>4.2 Members of Council must avoid both the reality and appearance of impropriety with organizations and people with whom they deal.</p> <p>4.3 Members of Council must avoid situations giving rise to the appearance that a person or body, through the provision of gifts and benefits of any kind is attempting to secure favourable treatment for yourself or from the Council.</p> <p>4.4 Members must take all reasonable efforts to ensure that your immediate family members do not receive gifts and benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members ordinarily include parents, spouses, children and siblings.</p> <p>4.5 No Member of Council shall accept a gift and benefit that is connected directly or indirectly with the performance of his or her duties of office unless permitted by this Policy, or any other applicable legislative law.</p>	

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Policy Statement and Guidelines:	
4.6	<p>The following gifts and benefits that normally accompany any duties of office and Members of Council are not <b><u>precluded from accepting:</u></b></p> <p>4.6.1 Personal gifts, benefits, rewards, commissions or advantages from any person or organization which are wholly unconnected with the performance of official duties.</p> <p>4.6.2 Services provided without compensation by persons volunteering their time.</p> <p>4.6.3 Invitations from charity or not for profit organization to attend their events.</p> <p>4.6.4 Food and beverages at banquets, receptions, ceremonies or similar events.</p> <p>4.6.5 A memento received by a member at a function honouring the member.</p> <p>4.6.6 A memento received as an incident of protocol or social obligation, as a result of being a speaker, participant or representative of the County at an event.</p> <p>4.6.7 Gifts or benefits received as a result of social protocol, customs or social obligations that normally accompany the performance of official duties.</p> <p>4.6.8 Admission to an event such as a convention, conference, symposium, forum or similar event, offered by the organizer of the event and unsolicited by the Councillor, if the Councillor is attending or participating in their official capacity.</p> <p>4.6.9 Food, lodging, transportation and entertainment provided by other levels of government or by other local governments, boards or commissions.</p> <p>4.6.10 Invitations to and attendance at local social, cultural or sporting events.</p> <ul style="list-style-type: none"> <li>■ The above contents in 4.6 of gifts and benefits are considered as a token (nominal) in value.</li> <li>■ The monetary value should not exceed <b>\$200.00</b> up to an annual accrued value of <b>\$400.00</b>. If the value should exceed in \$200.00 – it must be disclosed.</li> </ul>

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Policy Statement and Guidelines:	
■	The monetary value should not exceed <b>\$200.00</b> up to an annual accrued value of <b>\$400.00</b> . If the value should exceed in \$200.00 – it must be disclosed.
4.7	<b><u>Cash Compensation:</u></b>
4.7.1	Members of Council must never accept a gift of money, including pre-paid credit cards. This does not include compensation authorized by legislation, County Bylaws, Policies, or a resolution of Council.
4.7.2	A member may receive compensation for serving on external bodies, such as AAMDC or FCM. If such compensation is in addition to regular Council compensation, should be fully disclosed.
4.7.3	A member of Council may receive honoraria for services rendered, such as speaking at a conference, where such services are directly linked to the member's office. Such honoraria shall be disclosed under this policy.
4.8	Nothing in this policy prevents disclosure of gifts and benefits valued under \$200.00.
<b>5.</b>	<b>PROCEDURES:</b>
5.1	To promote transparency and accountability to the public, Members of Council will continue to set a high standard of conduct and be prepared to openly disclose all gifts and benefits that have been received in carrying out their official duties.
5.2	Members of Council are encouraged to keep a list of all gifts and benefits received from individuals, firms or associations, with estimated values for review, appreciating that such lists are a matter of public record.
5.3	Members of Council are required to disclose all gifts and benefits which individually exceeds \$200.00 or if the total value received during the calendar year exceeds \$400.00, the member of Council shall within 30 days of receipt of the gift or benefit, or reaching the annual limit, complete a Disclosure Statement, as per <b>Schedule "A": Disclosure Statement of Gifts and Benefits.</b>
5.4	The Disclosure Statement will become a Municipal Record and retained in each elected official portfolio in the County Office vault.

	Date	Resolution Number
Approved	<b>March 28, 2014</b>	<b># 381-14 - Page # 11184</b>
Amended		
Amended		
Amended		

SCHEDULE "A"

<b>DISCLOSURE STATEMENT</b> of <b>Gifts and Benefits</b>	
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Smoky Lake County Policy in regards to Council Conduct in the acceptance of gifts and benefits requires members of Council to disclose the receipt of certain gifts and benefits, if the dollar value of a single gift and benefit exceed \$200.00 or \$400.00 in a calendar year.

Disclosure Statements are a matter of Public Record.

This Disclosure Statement shall be used to report such gifts and benefits.

Nature of Gift or Benefit Received:

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Source of Gift or Benefit:

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Circumstances Under Which Gift or Benefit Received:

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Estimated Value of Gift or Benefit: \$ \_\_\_\_\_

Date Gift or Benefit Received: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Elected Official*

Dated Statement received at the Smoky Lake County Office: \_\_\_\_\_.

