

YARRABAH ABORIGINAL SHIRE COUNCIL



Document Control and Version History

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1	20/04/2015	No 12	<i>J. Menzies</i>	01-05-16	

ORIGIN AND AUTHORITY

Local Government Act 2009
Section 197, Local Government Regulation 2012

PURPOSE AND SCOPE

This is a policy to provide for the control of advertising expenditure by Council.
The policy applies to any paid advertisement or notice in any media to promote goods or services (including facilities) provided by the Council.

The policy does not apply to advertising for the acquisition or disposal of property, plant and equipment used or to be used by Council in its business or to advertising for the recruitment of Council staff.

The policy does not apply to advertising for calling for tenders or expressions of interest.
The policy does not apply to reports published in the media where no payment is made for the report.

BACKGROUND

Under Section 197 of the Local Government Regulation 2012, Council may only spend money on advertising:-

- a) If –
 - (i) The advertising is to provide information or education to the public; and
 - (ii) The information or education is provided in the public interest; and
- b) In a way that is consistent with this policy.

POLICY PRINCIPLES

Advertising should be used to inform or educate the public and advance the public interest.

It should not be used to promote the achievements or plans of particular councillors or groups of councillors. In particular, advertising should not be used to influence the voters in an election nor to secure material personal gain for a councillor or Council staff member.

POLICY STATEMENT

Limitations on Council Advertising

Council may only spend money on advertising which:-

- a) Advises the public of a new or continuing service, program or facility provided by Council;
- b) Advises the public about changes to an existing service, program or facility provided by Council;
- c) Is intended to increase the use of a service, program or facility provided by Council on a commercial (for-profit) basis;
- d) Is intended to change the behaviour of people in Yarrabah Shire for the benefit of all or some of the community or to achieve the objectives of the Council;
- e) Advises the public of the time, place and content of scheduled meetings of the Council;
- f) Advises the public of the decisions made by Council at its meetings;
- g) Advises the public of due dates for payment of rates and charges or the renewal of licences and permits;
- h) Informs the public about proposed community events, Council works, services and projects and other matters of public interest;
- i) Requests comment on proposed policies or activities of Council;
- j) Advertises matters which legislation requires be advertised;
- k) Promotes the region to potential tourists and investors.

Advertising during Election Periods

An election period is the period:-

- a) Of three months preceding an election of Council other than through a by-election; or
- b) After the date of a by-election is advertised until the day of the by-election.

During an election period, Council may not:-

- a) Place advertisements relating to future plans unless, and only to the extent that, those plans have been formally adopted by the Council;
- b) Advertise the activities of the Council otherwise than in the manner and form it is customary for the Council to advertise its activities;
- c) Place advertisements which seek to influence support for particular candidates, groups of candidates or potential candidates in the election;
- d) Bear the cost of advertisements featuring one or more councillors or containing quotations attributed to individual councillors. (This does not preclude councillors appearing in unpaid publicity or other publicity where the cost is not borne by the Council.)

Approval Requirements for Spending on Advertising

The following requirements will apply to the approval of Council advertising:-

- a) All expenditure on advertising must be approved by the Chief Executive Officer or his or her delegate.
- b) The Chief Executive Officer or delegated approving officer must ensure that:
 - (i) Proposed expenditure is in accordance with this policy;
 - (ii) The cost of the proposed advertisement is appropriate for the number of people it is intended to inform and is justified by the expected benefit to Council or the public;
- c) Spending has been budgeted for and the required expenditure approvals process has been followed.

REVIEW

This policy will be reviewed once every four years or as determined by Council. Scheduled reviews will be timed to occur early in the term of each newly elected council.

Council's Corporate Governance Officer will be responsible for completing reviews.