



Gift Notification Form

Regulation 46

Please complete the form **in full** and submit to daps@dph.wa.gov.au.

| | | |
|--|---|---|
| DAP Member Name | | |
| Position | Regular Member <input type="checkbox"/> | Sessional Member <input type="checkbox"/> |
| Name of Person who gave the Gift | | |
| Date Gift Accepted | | |
| Gift Description | | |
| Estimated Gift Value | | |
| Nature of Relationship between the DAP Member and Person who gave the Gift | | |

| | | |
|---|------------------------------|-----------------------------|
| Is the gift more than \$50 and less than \$300? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Has any other gift(s) been received within the last 6 months? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| If yes, please provide the following details for each and every gift received in the last 6 months: | | |
| | | |
| DAP Member Signature | | |
| Date | | |
| Outcome/Action Taken | | |

Nature of Gift

General principals relating to gifts are identified in Part 4 of the *Development Assessment Panel Code of Conduct 2024*.

4.1 General principles relating to gifts

- 4.1.1 A DAP member is not to seek any gift for themselves or any other person in connection with the exercise of the member's functions under Part 11A of the Act.
- 4.1.2 A DAP member is not to accept any gift from a person in connection with the exercise of the member's functions under Part 11A of the Act, otherwise than in the circumstances set out in regulation 46 of the DAP regulations.

4.2 Notifiable gifts and prohibited gifts

- 4.2.1 As provided in regulation 46 (1) of the DAP regulations:
- a. a **notifiable gift** is:
- (i) a gift worth more than \$50 and \$300; or
 - (ii) a gift that is one, two or more gifts given to a DAP member by the same person within a period of six months that are, in total, worth more than \$50 and less than \$300.
- b. a **prohibited gift** is:
- (i) a gift worth \$300 or more; or
 - (ii) a gift that is one of two, or more gifts given to a DAP member by the same person within a period of six months that are, in total, worth \$300 or more.
- 4.2.2 As provided in regulation 46 (2) of the DAP Regulations, a DAP member must not accept a prohibited gift from a person who is undertaking, seeking to undertake, or is reasonable to believe is intending to undertake development that will require the determination of a development assessment by a DAP.
- 4.2.3 As provided in regulation 46 (3) of the DAP regulations, a DAP member who accepts a notifiable gift from a person who is undertaking, seeking to undertake, or is reasonable to believe is intending to undertake development that will require the determination of a development assessment by a DAP, is required to notify the DAP Executive Director of the acceptance of the gift. Notification is to accord with regulation 46 (4) of the DAP Regulations.
- 4.2.4 As provided in regulation 46(3A) of the DAP regulations, a local government, DAP member who accepts a notifiable gift from a person who is undertaking, seeking to undertake, or is reasonable to believe is intending to undertake a development, in that member's district, that will require the determination of a development assessment by a DAP, is required to notify the DAP Executive Director, of the acceptance of the gift. Notification is to accord with regulation 46 (4) of the DAP Regulations.

4.2.5 As provided in regulation 46 (5) of the DAP Regulations, the DAP Executive Director is to maintain a register of notified gifts.

Note: Regulation 46 of the DAP Regulations imposes requirements, as summarised above, in respect to notifiable and prohibited gifts. These requirements are based on the provisions regarding gifts that local government councillors are subject to under the Local Government Act 1995 and associated regulations.