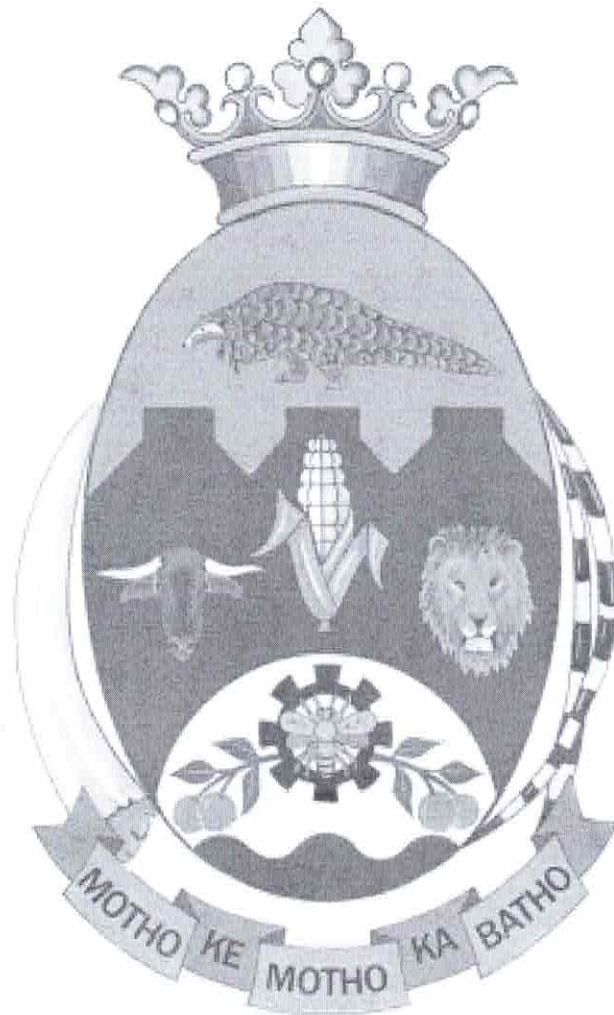


Lepelle-Nkumpi Local Municipality



GIFT POLICY 2025/26

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1. Introduction

This policy seeks to ensure guidance and proper control and accounting treatment of gifts by and to Lepelle-Nkumpi Local Municipality officials and councilors. The purpose of this document is to provide a procedure framework within which gifts are managed and accounted for in Lepelle – Nkumpi Local Municipality to ensure they occur in a well-controlled environment for the ultimate benefit of the Municipality.

2. Definitions

2.1 “Officials” means a person in the service of Lepelle-Nkumpi Local Municipality, whether in a permanent, contract, temporary or part time capacity.

2.2 “Gift” means the receipt of physical presents, awards, rewards, hospitality, donations, money, sponsorships, and commissions or any other benefit or gratification that is received by an official in his or her official capacity.

2.3 “Giver” means a person presenting a gift.

2.4 “Donations” means an official resources that flow from the national or international donor community to the Municipality in the form of grants; technical co-operation and financial co-operation, where the Municipality is held at least partially responsible or accountable for the management of such resources.

3. Objectives

The objectives of this Policy are as follows:

- a) To ensure compliance to legislation in terms of disclosure of gifts of officials, councillors and all stakeholders.
- b) To provide procedure which outlines the process for disclosure of gifts,
- c) To outline measures to be taken if compliance to the procedure is not adhered to.

4. Legislative framework

- 4.1. Schedule 2 of the Local Government Municipal Systems Act 32/2000 – code of conduct
- 4.2. Regulation 47 of the Municipal Supply Chain Management
- 4.3. Prevention and Combating of Corrupt Activities Act, 2004

5. Principle

5.1 It is often standard business practice within the private sector to offer gifts and hospitality to current and potentially future clients. The acceptance of such gifts and hospitality may be accepted under certain conditions.

5.2 Any acceptance of an offer of a bribe or a commission must however be viewed as illegal and may result in criminal action.

5.3 Municipal officials must take great care not to be placed in a situation where their actions might be construed to be improper, may indicate bias towards an organisation or person, or indicate favouritism towards any organisation or person.

5.4 The acceptance of gifts or hospitality by officials should be the exception and not the rule. If doubt exists about the propriety of the gift or hospitality then it must be refused.

5.5 The basis for remuneration of officials and councillors is their pay and any allowances to which they might be entitled. This must not be supplemented by the acceptance of gifts or hospitality for the work that they perform.

5.6 If, due to the relationship of an official to a contractor, supplier, consultant, or a person to whom services are rendered by the Municipality, a relative or friend is offered a gift or hospitality, this must be refused.

5.7 Under no circumstances should an official/councillor of a Municipality attempt to solicit a gift from a contractor, supplier, consultant or a person to whom services are rendered by the Municipality.

6. Procedure for disclosure of gifts

Municipal officials/councillors should as a general rule not accept gifts, nor should relatives or friends of the official accept gifts, where the gift has been given because of the giver's official relationship with the official or with the Municipality itself.

The following special circumstances should apply:

6.1 Seasonal gifts such as diaries or calendars and inexpensive promotional items may be retained. Gifts of over R350-00 should be refused. Gifts with a retail value of less than R350-00 may only be accepted and retained where they can be considered occasional gifts and the acceptance and retention thereof would not give rise to public concern. If an

official/ a councillor of the municipality is unsure of the appropriateness of accepting a gift, he/she must consult the office of the Risk management

6.2 Where refusal may offend the Giver should as a matter of course be refused. However, circumstances may arise where the refusal of a gift may give offence or might prejudice the business interest of the Municipality. An example may be a gift from a foreign government, or a token of appreciation for a public appearance. In such circumstances, pending the approval of the direct supervisor, the gifts may be accepted and if possible put on display in the workplace.

6.3 Personal gifts from Colleagues, or from colleagues of other government departments may be accepted as tokens of friendship or appreciation. These may be accepted when they are gifts of a purely personal nature and where the receipt thereof does not breach the spirit or principles set out in this policy.

6.4 Awards or Prizes to officials may be considered for an award or a prize, on merit, as a result of endeavours in their field. The individual may accept such an award or prize on condition that it is recorded.

6.5 Other Incentives, other favours or considerations may be offered by a company or an organisation which cannot be clearly defined as either a gift or an offer of hospitality. Any offer of using special discount or reduced cost to acquire goods or services by a contractor, supplier or consultant must be declined.

6.6 If the Municipality is invited and an individual is formally nominated to attend, the invitation may be accepted.

6.7 Hospitality that includes overnight accommodation paid for by the organisation making the offer, should as a general rule not be accepted.

6.8 Invitations to a breakfast, lunch or dinner with an organisation should only be considered if the purpose is to discuss business and it can be justified that the acceptance thereof is in the interest of the Municipality.

6.9 Acceptance of a purely social invitation, such as a sporting event, may be accepted, except if attendance thereof would interfere with the service delivery of the Municipality, or could be misconstrued or would prejudice the interests of the Municipality.

6.10 Repeated invitations from one source should be considered inappropriate and be politely declined.

6.11 Any donations that are made toward individual employees are regarded as gifts and are therefore dealt with in terms of the above paragraphs.

Non-compliance to this policy will be deemed as breach of code of conduct.

However, for all the above, if officials accept such gifts, it must be immediately recorded in the Gifts Register of the Municipality.

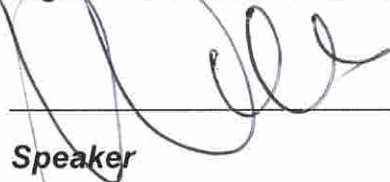
7. Communication of the policy

The Municipal Manager, through the Risk Management Unit will ensure that the policy and is communicated to all Officials and Councillors through Risk Assessments, emails to all staff and Anti-Fraud and Corruption awareness campaigns.

8. Approval and review of the policy

- a) This policy shall be reviewed annually for purposes factoring new developments and legislation relating to the declaration of gifts
- b) The policy shall be approved by Council on an annual basis.

Signed on behalf of the Council



Speaker

10/06/2025

Date

Council Resolution Number ...

7,2,05,2024/2025



DISCLOSURE OF GIFTS FORM

I, the undersigned (Full Names) _____

Pay Number _____ Identity Number _____

Residential address _____

Tel: _____ Email _____

Official/Councillors _____

Position held _____

hereby certify that the following information is complete and correct to the best of my knowledge:

GIFT DETAILS

Description of the Gift : _____

Was Gift Offered/Accepted: _____

To/From whom was the Gift offered/accepted: _____

Relationship between the Gift giver and receiver : _____

Activity that led to the Gift : _____

Employment details of Gift giver/acceptor: _____

Estimated Amount Involved : _____

Date which Gift was offered/received : _____

Any other information: _____

Signature of Declarer : _____

CONTENTS NOTED

MUNICIPAL MANAGER: _____

DATE: _____