



# Advertising Spending - Council Policy (Statutory)

## 1. PURPOSE

This policy is to ensure that Council advertising is only used to advance the purpose of Council or to benefit the community, in compliance with the Queensland Local Government Regulation 2012, Section 197. In particular, Council advertising must not be used to promote achievements or plans of a particular Councillor or groups of Councillors, or to influence electors during an election period.

## 2. SCOPE & AUTHORITY

The policy applies to all Council staff responsible for the procurement and placement of any paid advertisement or notice in any media which promotes an idea, goods or services provided for public. It is also applicable to Councillors when promoting achievements or plans of Councillors or groups of Councillors. This may be particularly relevant in the lead up to an election and regardless of whether the Council advertising expends Council funds.

This policy is a requirement of the Queensland Local Government Regulation 2012, Section 197 which governs advertising spending and states:

### **197 Advertising spending**

- (1) *A local government must prepare and adopt a policy about the local government's spending on advertising (an advertising spending policy).*
- (2) *A local government may spend money on advertising only—*
  - (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 the local government's advertising spending policy.*
- (3) *Advertising is promoting, for the payment of a fee, an idea, goods or services to the public.*

## 3. POLICY STATEMENT

Council will only provide information by way of advertising which is beneficial to the public and in the public interest, consistent with this policy and in promotion of the goods or services provided to the local government area.

Council will only promote advertising for the benefit of the community and will not promote anything for any of its Councillors' personal or material gain.

Advertising expenditure must be reasonable, cost effective, within a budget allocation, for official purposes only and be able to withstand reasonable public scrutiny.

Acceptable use of Council advertising includes:

- a) To better inform the public of any new or continuing services, programs, facilities and venues provided by Council.
- b) To advise the public of any change in the plans provided by Council.
- c) To increase the use of such venue or service provided by Council on a commercial basis with a view to profit.
- d) To change the behaviour of people in Council's areas for the benefit of all or some of the community or to achieve the objectives of Council.
- e) To advertise matters required by legislation to be advertised.
- f) To achieve the Council's plans, goals and activities.



# Advertising Spending - Council Policy (Statutory)

## 4. RESPONSIBILITIES

### 4.1 All Council employees

- Must comply with this policy when procuring or placing any paid advertisement or notice in any media which promotes an idea, goods or services provided for public.

### 4.2 Managers and Directors

- Must implement controls within their area of responsibility to ensure compliance with this policy.

### 4.3 Director, Finance & Corporate Services

- Shall be the custodian of this policy

### 4.4 Chief Executive Officer

- Shall ensure, through the Director, Finance & Corporate Services that the Council is complying with Queensland Local Government Regulation 2012, Section 197.

### 4.5 Councillors

- Must comply with this policy when seeking Council advertising.

## 5. RISK

This Policy is a statutory requirement and seeks to reduce the risk that Council advertising is used to promote the achievements or plans of a particular Councillor or groups of Councillors, or to influence electors during an election period.

## 6. IMPACTS

**Corporate Plan:** Goal – 5. Governance; Program Areas – 5.4 High levels of accountability and compliance

**Human Rights Compatibility Statement:** This Policy has been assessed as compatible with the Human Rights protected under the Human Rights Act 2019; and

**Engagement:** This policy has been developed with guidance from Qld State Government resources, and in consultation with the Senior Leadership Group.

## 7. RELATED LAWS

This policy refers to the Local Government Regulation 2012 (Qld), Section 197, also with linkages to:

- Local Government Act, 2009 (Qld)
- Local Government Electoral Act, 2011 (Qld)

## 8. RELATED COUNCIL DOCUMENTS

- Procurement – Council Policy (Statutory)
- Councillor Expenses Reimbursement – Council Policy (Statutory)
- Permanent Electronic Message Board Policy
- Media Policy



# Advertising Spending - Council Policy (Statutory)

## 9. REVISION HISTORY

**Revokes:** Advertising Spending Policy (Document No.74575 Version 2.0)

**Previous Versions:** Nil

**Suggested to review by:** 20/11/2027

## 10. DEFINITIONS

**Advertising** under s. 197 of the Local Government Regulation, 2012. “Advertising is promoting, for the payment of a fee, an idea, goods or services to the public.”

**Caretaker Period** under s. 90A of the Local Government Act, 2009 viz. (1) The caretaker period for a local government is the period during an election for the local government that – a) starts on the day when public notice of the holding of the election is given under the Local Government Electoral Act, section 25(1) and b) ends at the conclusion of the election. (2) There is no caretaker period during a by-election or fresh election.

**CEO** means the Chief Executive Officer of the Balonne Shire Council appointed in accordance with the Local Government Act 2009.

**Council** means Balonne Shire Council, its elected Councillors, its management and its employees.

**Council Employees** means all permanent, casual and temporary employees, contractors, volunteers, apprentices, trainees and work experience students.