

1. Purpose & Scope

- 1.1 The purpose of this Policy is to ensure that a fair, equitable, and transparent framework applies in relation to the allocation of monies from the Councillors' Discretionary Funds for community purposes that benefit the community of the Charters Towers Region.
- 1.2 Pursuant to section 202(1) of the *Local Government Regulation 2012*, a Councillor may use any councillor discretionary funds in the following ways:
- for capital works for the local government that are for a community purpose.
 - to a community organisation for a community purpose.
 - for another community purpose.

Section 202(2) of the *Local Government Regulation 2012* states a Councillor may make an allocation under subsection (1)(a) only if –

- before the allocation is made, it is approved by -
 - if the Councillor is the Mayor - the Deputy Mayor and the Chief Executive Officer; or
 - otherwise - the Mayor and the Chief Executive Officer; and
- the amount stated in the availability notice under section 201B(4)(d)(i) is not exceeded if the allocation is made.

Section 202(3) of the *Local Government Regulation 2012* states a Councillor may make an allocation under subsection (1)(b) only if –

- the funds are allocated
 - to a community organisation that has applied for the funds in the way stated in the availability notice under section 201B(4); and
 - in a way that is consistent with the local government's community grants policy; and
- the amount stated in the availability notice under section 201B(4)(d)(ii) is not exceeded if the allocation is made. Section 202(4) of the *Local Government Regulation 2012* states a Councillor may make an allocation under subsection (1)(c) only if the amount stated in the availability notice under section 201B(4)(d)(ii) is not exceeded if the allocation is made.

2. Commencement of Policy

- 2.1 This Policy will commence from 1 July 2024.

3. Application Of Policy

- 3.1 This Policy applies to Councillors and employees of the Charters Towers Regional Council and directs the application of Councillors' Discretionary Funds as determined by Councillors for community purposes within the Charters Towers Region.

4. Definitions

Term	Definition
Community Organisation	(a) <i>an entity that carries on activities for a public purpose; or</i> (b) <i>another entity whose primary object is not directed at making a profit.</i>
Discretionary Funds	Are funds in the local government's operating fund that are budgeted for use by a Councillor at the Councillor's discretion for a community purpose.

5. Policy Provisions

This Policy is to provide a framework for the allocation of funds from any Councillor Discretionary Fund pursuant to the *Local Government Act 2009* and the *Local Government Regulation 2012*.

- 5.1 Each year the Council may determine what funds shall be set aside in each new budget for the purpose of meeting requests for financial assistance from community organisations as decided upon by the Mayor and Councillors.
- 5.2 Section 201B (3) of the *Local Government Regulation 2012* states the amount of discretionary funds a local government budgets for allocation by each councillor in a financial year must be the same for all councillors.
- 5.3 Separate expenditure accounts shall be established for the Mayor and each Councillor within the budget for this purpose and funds will be allocated to each expenditure account in accordance with the Council's Annual Budget.
- 5.4 Councillors can combine a joint contribution for allocating funds to the one organisation (e.g., \$1,000.00 is requested from one organisation and four Councillors wish to contribute to this request. The amount is divided by four and \$250.00 is used from each Councillors discretionary funds).
- 5.5 Councillors can only support a maximum of \$250 per Councillor, per request, or a maximum of \$700 in total from all Councillors per request.
- 5.6 Section 202 of the *Local Government Regulation 2012* prescribes the requirements that Councils must follow in administering Councillors discretionary funds.
- 5.7 In accordance with clause 3 of this policy, the Mayor and each Councillor is authorised to recommend funding allocation not exceeding the annual allocation adopted by Council in its annual budget, subject to the eligibility criteria in paragraph 5.9.
- 5.8 Section 202B(5) of the *Local Government Regulation 2012* states that a councillor must not allocate discretionary funds starting from 1 January in the year a quadrennial election is to be held. However, discretionary funds allocated before 1 January may be distributed during the caretaker period.
- 5.9 Following the quadrennial local government election the remaining councillor discretionary funds will be made pro-rata and equally re-allocated to the newly elected mayor and councillors until the new financial year when the full discretionary fund allocation will be reinstated.
- 5.10 The following eligibility criteria will apply to all requests:
 - a) Funding must be allocated in accordance with the *Local Government Act 2009, Local Government Regulation 2012*.
 - b) Not-for-profit organisations must be community based and provide services and activities of benefit to the Charters Towers Region.
 - c) Not-for-profit organisations operating gaming machines will not be eligible for financial assistance.
 - d) Political parties are ineligible for funding.
 - e) Government agencies will not be eligible for financial assistance with the exception of local Schools in the Charters Towers Region and Parents and Citizens Associations.
 - f) Applicants shall have no outstanding debt or funding acquittals with Council (including rates).
 - g) Council's funding involvement and support must be appropriately acknowledged with opportunities provided for Council publicity and participation at key activities.
- 5.11 Having satisfied themselves that a request complies with paragraph 5.9 above, the Mayor and Councillors

shall be authorised to recommend allocations from their individual Discretionary Fund as set out below:

- a) The Discretionary Fund requests shall be by way of a “Councillors Discretionary Fund Authority Form” (F0237), completed by the Councillor and referred to the Chief Executive Officer who will be responsible for:
- (i) assessing the application against this policy and Council's STRAT 0002 *Community Grants Policy*; and
 - (ii) where appropriate, authorising the processing of the Councillor’s recommended allocation.

5.12 In accordance with section 202A of the *Local Government Regulation 2012*, the Chief Executive Officer will maintain a record of all allocations approved under the Mayor and Councillors' Discretionary Fund and will publish on Council's website within 7 business days the amount and purpose of any allocation and where an amount has been allocated to a community organisation, the name of that community organisation.

5.13 In accordance with section 189 of the *Local Government Regulation 2012*, the Chief Executive Officer will keep a record of Grants to Community organisations under the Councillor Discretionary Fund and ensure that the details of expenditure are included in Council's Annual Report. This record will also be displayed on Council’s website.

6. Variations

6.1 *Charters Towers Regional Council reserves the right to vary, replace or terminate this policy from time to time.*

Associated Documents

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *F0237 Councillors Discretionary Fund Authority Form*

Document Review			
Date Adopted by Council	26 June 2024	Council Resolution	4254
Date Adopted by ELT	N/A	Next Review Date	June 2026
ECM No.	1073687	Document Contact	Executive Services Manager