

## Purpose

The purpose of this policy is to:

- comply with legislative requirements;
- provide guidance as to the types of advertising that Council considers appropriate to provide information or education to the community; and
- set out the requirements for the placement of paid advertisements in various media to promote, inform and educate the public about Council's services, facilities, activities and programs.

## Scope

This policy is applicable to all *Councillors* and *employees*.

This policy applies primarily to advertising paid for by Council and does not preclude Councillors appearing in unpaid advertisements or other advertisements where the cost is not borne by Council so long as Council's reputation would not be affected by such appearance.

This policy does not apply to:

- advertising for recruitment purposes;
- advertising for the acquisition or disposal of property, plant and equipment used or to be used by the Council in its business;
- the advertising of statutory public notices;
- advertisements for tenders or expressions of interest under Council's Procurement Policy;
- reports published in the media where no payment is made for the report; or
- free of charge publicity for the promotion of ideas, goods and services provided by Council.

## Policy Statement

1. Council may incur expenditure for advertising only where:
  - 1.1. The advertising is for the purpose of providing information or education to the public;
  - 1.2. the information or education is provided in the *public interest*; and
  - 1.3. the advertising falls into one of the categories set out in Clause 2.
2. Council considers advertising for the following purposes appropriate:
  - 2.1. to advise the public about new or existing services, programs, facilities or activities;
  - 2.2. to advise the public about changes to existing services, programs, facilities or activities;
  - 2.3. to increase the use of a service or facility provided by the Council on a commercial basis with a view to profit;
  - 2.4. to increase the use of a service, program or facility provided by Council free of charge for a community benefit;
  - 2.5. to change the behaviour of people in the Council's area for the benefit of all or some of the community or to achieve the objectives of Council;

- 2.6. to promote a Council sponsored or organised event;
  - 2.7. to achieve Council's plans, goals and objectives;
  - 2.8. to advise the public of Council Meetings, outcomes, legislation and proposed policies;
  - 2.9. to advise the public of decisions made by Council at its meetings;
  - 2.10. to seek public feedback or comment Council's business or proposed policies or activities of Council;
  - 2.11. to advertise matters required by legislation to be advertised; or
  - 2.12. where the advertisement facilitates the administration of the Council.
3. Council employees shall ensure that advertising is accessible, timely, targeted and easily understood.
4. Council shall not place advertisements which seek to influence support for particular candidates or groups at any time.
5. Promotion of the particular achievements or plans of individual Councillors or groups of Councillors is prohibited.

### Caretaker Period

6. During the election advertising period Council shall restrict its advertising to that required to maintain the necessary, customary and routine operations of Council and day to day Council business such as:
- 6.1. advertising future plans which have been formally adopted by the Council; and
  - 6.2. advertising the activities of the Council in the same manner and form as is customary for the Council to advertise its activities.
7. During the election advertising period, Council shall not:
- 7.1. place advertisements which seek to influence support for particular candidates, groups of candidates or potential candidates in the election; or
  - 7.2. bear the cost of advertisements featuring one or more Councillors or containing quotations attributed to individual Councillors.
8. Individual Councillors shall not be featured in any paid advertising during the caretaker period or the election advertising period.
9. Care shall be taken during the election advertising period to ensure that advertising cannot be construed to be of a political nature.
10. Council's Caretaker Policy shall be used in conjunction with this policy.

### Approval

11. All expenditure on advertising must be approved in accordance with Council's Procurement Policy and related procedures and to be managed by the Communications & Marketing Branch.
12. Communications & Marketing will ensure that;
- 12.1. the expenditure is in accordance with this policy;

- 12.2. the cost of the advertisement is appropriate for the number of people it is intended to inform and provides a commensurate benefit to Council and the public; and
- 12.3. the cost is available in the relevant budget and meets the usual requirements for expenditure approval.

## Applicable Legislation

This policy refers to Local Government Act 2009 and Local Government Regulation 2012.

## Definitions

**CEO** refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the *Local Government Act 2009*.

**Council** refers to the Whitsunday Regional Council

**Employee** refers to any employee, contractor, volunteer etc. of the Council

**Advertising** refers to the definition in section 197(3) of the *Local Government Regulation 2012*, namely “promoting an idea, goods or services to the public for which a fee is paid.”

**CEO** refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the *Local Government Act 2009*

**Caretaker Period** refers to the definition in s90A of the Local Government Act 2009 as the period during an election for the Council that starts on the day when the public notice of the holding of the election is given under s25(1) of the Local Government Electoral Act 2011 and ends at the conclusion of the election, namely the day on which the last declaration of a poll conducted in the election is displayed in the office of the Returning Officer

**Council** refers to the Whitsunday Regional Council

**Councillors** refers to all Councillors including the Mayor of the Whitsunday Region

**Election advertising period** refers to the three months immediately before a quadrennial election

**Employee** refers to any employee, contractor, volunteer etc. of the Council

**Public interest** refers to the creation and maintenance of public confidence and trust in the credibility, integrity and stability of Council’s operations

## Related Documents

Caretaker Policy Procurement Policy

# Advertising Policy

Office of the Mayor & CEO - Communications

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## Human Rights Compatibility Statement

This Policy has been assessed as compatible with the Human Rights protected under the *Human Rights Act 2019*.

COUNCIL POLICY			
Date Adopted by Council	25 August 2021	Council Resolution	2021/08/25.05
Effective Date	25 August 2021	Next Review Date	25 August 2022
Responsible Officer(s)	Greg Martin	Revokes	Advertising Spending Policy Adopted 28 February 2018
Public Consultation: Yes / No			

# Advertising Policy

Office of the Mayor & CEO - Communications

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