

ADVERTISING EXPENDITURE POLICY

Relevant Legislation:	Local Government Regulation 2012
Reviewed:	June 2023
To be reviewed:	June 2024
Responsible Officer:	Director Corporate & Community Services

ADVERTISING POLICY

1. Purpose

The purpose of this policy is to provide direction regarding: the type of advertising and publicity Council considers appropriate for the use of its funds; any restrictions, conditions or limitations; and the procedure to be followed when approving such expenditure.

2. Scope

Council may legitimately use public funds for advertising and publicity to explain its policies and to inform the public of the services available to them and of their rights and responsibilities. This policy recognises that advertising and publicity should not be conducted in a manner that results in funds being used to finance publicity for political purposes.

This policy details acceptable types of advertising and provides procedural guidance to ensure the various advertising mediums are only used for the provision of information or education in the public interest.

Council advertising in this context refers to any process for which payment is made from public funds for the purpose of publicising any policy, product, service or activity provided by Council.

This document will detail specific restrictions and limitations especially with regard to those advertisements placed in a defined period leading up to a Council election. Editorials, external media releases and other advertising that occur (but do not require expenditure of Council funds) are not covered by this document.

3. Background

The *Local Government Regulation 2012* sections 197 details the requirements for advertising spending which includes the requirement for an advertising spending policy. This includes limits to advertising spending in the 3-month period leading up to a Council election.

Section 164 of the same regulation sets out the requirements for keeping records on advertising spending.

4. Requirements

Advertising

Council must comply with the following requirements for a policy about advertising expenditure in accordance with Section 197 of the LGR as follows:

A policy about advertising expenditure must state the following matters –

1. the types of advertising the local government considers provide information or education to the public; and
2. the types of information or education the local government considers are in the public interest to provide; and

3. in a way that is consistent with the local government's advertising spending policy.

Communication of these objectives may be achieved in a variety of ways other than merely placing an advertisement in a newspaper. Often mediums like television, magazines, radio, website or through working arrangements or joint undertakings with other organisations may be a more appropriate method of communicating the necessary information.

Flyers, brochures, signs and other materials are also used to promote Council objectives and where not specifically referred to in this document, approval of content must be sought from the Chief Executive Officer (CEO).

5. Acceptable Advertising

Council will make budgetary provisions for advertising expenditure for the purposes of communicating information to the public. The following types of advertising are politically non-contentious and essential to convey and collect information:

Job Vacancies

The CEO is responsible for all job vacancy advertisements. These are published in a variety of papers including (but not limited to) the Torres News, the Cairns Post, recruitment websites (i.e. Seek.com) and professional and/or trade journals. A copy of all advertisements must be provided for the approval of the CEO before it is forwarded to the respective advertising source.

Quotations, Tenders and Contracts

In most cases, advertisements for tender are managed by the Director Engineering & Infrastructure Services. Tenders are advertised in the Torres News and Cairns Post newspapers. Tender documents may be made available for download via Council's website and must be submitted via the tender box.

Council Directors who have prepared their own documentation, must submit to the CEO for approval on all documents by one week prior to the Saturday (Cairns Post) or by the deadline set by the (Torres News) in which the advertisement is to be published. Documentation must be complete and ready to be issued publicly.

Council Directors who choose to advertise their own projects, contracts or arrangements may do so but must follow the advertising procedure. These Directors must also ensure that the CEO/ Director Corporate & Community Services is given the documents to enable them to be issued and that the Tender Box is in place and a representative of the Corporate Services and Engineering Services Department is scheduled to attend the Tender Box Opening.

Public Notices

Public Notices typically have a low creative content and seek to impart specific information in a direct and unembellished manner. This type of advertising includes, but is not limited to the following:

1. Impounded Stock
2. Council Meeting Dates
3. Public Holiday Declarations
4. Road Closures
5. Water Restrictions

Respective Directors are responsible for arranging advertising of this type.

Legislative Requirement

Occasionally, Council advertisements are required as a result of obligations under various Acts and Regulations. This type of advertising must be approved by the CEO and published in accordance with the advertising procedures.

Display Advertisements

This type of advertising typically involves high creative content and the services of a graphic designer may be necessary to ensure quality and consistency of material. Examples of such advertising include:

1. Operating times for Council facilities
2. Advertising events and festivals
3. Public consultation
4. Community workshops

Advertising procedures must also be followed when placing advertisements of this nature including referral of the advertisement to the CEO for review prior to its publication.

6. Presentation

Advertisements should be presented in a manner that is:

1. Accurate; Factual; Truthful. Information must be factual and presented clearly and accurately. Advertisements that include commentary and/or analysis of that information to amplify its meaning should be indicated as such.
2. Fair; Honest; Impartial. The material must be presented in unbiased and objective language and in a manner free from partisan promotion of government policy and political argument.
3. Lawful; Proper. The material must comply with the law.

7. Exclusions

Public funds will not be used for Council advertising where:

1. Political parties are mentioned by name.
2. A reasonable person could misinterpret the message as being on behalf of a political party or other grouping.
3. A political party or other grouping is being disparaged or held up to ridicule.
4. Members of a Council are named, depicted or otherwise promoted in a manner that a reasonable person would regard as excessive or gratuitous.
5. The method or medium of advertising is manifestly excessive or extravagant in relation to the objective being pursued.
6. There is no clear line of accountability, appropriate audit processes or suitable purchasing process for the advertising sought.

7. Events and/or activities that satisfy “Acceptable Advertising” as detailed in this policy may only be advertised during the three (3) month period prior to a Council election if the event was arranged prior to that three (3) month period, or the CEO approves the expenditure.

8. Expenditure

All Council Orders for expenditure for advertising must be authorised by the CEO, Directors or Finance Manager prior to incurring such expenditure. Such authorisation must be documented, either electronically or in hard copy, and there must be a record of this maintained. The CEO, Directors or Finance Manager able to authorise expenditure for advertising must be sure there is a clear benefit to the residents and ratepayers, and the costs are reasonable before incurring or approving such expenditure.

9. Branding

All advertisements shall carry Council’s approved logo and Vision Statement unless the CEO grants an exemption.