

GIFTS

POLICY

This policy has been implemented to ensure EPD complies with legislative and Whole-of-Government requirements in relation to the spending of public money on gifts.

Generally, gifts should not be paid for out of Directorate resources, however, on occasion and in certain circumstances it may be acceptable to provide a small token gift for example in recognition of a significant achievement.

All purchases of gifts must have prior written approval from the Director-General or Deputy Director-General.

RATIONALE FOR POLICY

The decision to spend public money on a gift must be justifiable, representing efficient, effective and appropriate use of money under the *Financial Management Act 1996*.

RESPONSIBILITIES AND ACCOUNTABILITIES

The primary responsibilities and accountabilities in relation to the purchase of gifts rests with the following:

Position	Responsibility
Director-General /Deputy Director-General	Approving the purchase of gifts and ensuring that any purchases are an appropriate use of public money.
Executive	Ensuring all purchases of gifts have prior written approval from the Director-General or Deputy Director-General.

PROCEDURES

Gifts for ACT Public Service staff

The use of official funds for the purchase of gifts for an ACTPS officer is generally not permitted. The Director-General or Deputy Director-General may however, at his/her discretion approve in writing the purchase of minor gifts for or on behalf of staff in, but not limited to, the following circumstances:

- Incentive, reward or recognition of significant achievement.
- Recognition of significant length of service on retirement/resignation.
- Extenuating circumstances where it is deemed appropriate.

Gifts for non ACT Public Service staff

A gift may on occasion be given where a person (other than an ACTPS officer) has performed a service for which they have not received remuneration and a gesture of appreciation is appropriate.

Offering gifts or benefits is unacceptable if providing the gift or benefit would lead to actual or apparent conflict of interest, for example if:

- the person or organisation is in a current or potential contract relationship with EPD.
- there is a discretionary relationship between the Directorate and the person or organisation receiving assistance or services from EPD.

- the person or organisation's primary purpose is to lobby Ministers, Members of the Legislative Assembly, the ACT Government or EPD.
- EPD is in a regulatory relationship with the person or organisation.

These scenarios should be considered on a case by case basis in consultation with the Director-General or Deputy Director-General.

Gifts received by EPD staff

In accordance with the Directorate's gifts policy and guidelines, any gift accepted by an officer of a value greater than the amount identified in the guidelines must be recorded in the Directorate's Gift Register. For further information in relation to receiving of gifts, refer to the Directorate's gifts policies available on the intranet.

NON-COMPLIANCE

Failure to comply with this Director-General Financial Instruction may result in fraud against the Directorate.

Staff are therefore accountable to the Director-General for the fulfilment of their responsibilities under these procedures. Non-compliance will be taken as a serious matter and may result in disciplinary action or be reflected in performance reviews.

REFERENCES

Source	Description
FMA	s31
FMA Regs/FMOs	n/a
Other legislation/regs	n/a
Related DGFIs	Delegation of Authority Spending Authority Procurement of Goods and Services
Related Guidelines	EPD Gifts Policy