

GIFTS AND GRATUITIES

Accepting gifts, prizes or other inducements from potential suppliers [other than items of negligible value such as pens, calendars, and diaries] is considered unethical behaviour for public sector employees.

Staff are not to demand or accept benefits (such as gifts or entertainment) from a person or company doing or seeking to do business with the Authority or College which could be seen as creating an obligation to them.

The Public Sector Code of Ethics states :

"Public sector employees shall not receive any fee favour, reward, gratuity or remuneration in connection with their official duties which may be perceived as a conflict of interest with, or which may compromise, the performance of their public duties."

Section 82 of the Criminal Code states that any public officer who obtains, or who seeks or agrees to receive, a bribe ... is guilty of a crime and is liable to imprisonment for seven years.

Items which fall within the area of unacceptable [include, but are not limited to]:

- paid travel to conferences or conventions
- contest prizes
- free hospitality at sporting or cultural events
- "specially" discounted products
- items of commercial, historical or religious value
- property, transfers or loans of money or property

In cases where gifts have been received by public sector employees by virtue of their employment, they are to be declared to their employing authority and become the property of the employing organisation. In most cases, the simple appearance of a conflict of interest - substantiated or not - is sufficient to compromise the purchasing process.

Official gifts given and received are deemed 'public property' as defined by Section 3 of the Financial Administration and Audit Act 1985. These gifts remain the property of the Authority and a record should be kept at each college of all such gifts.

Occasions may arise where a staff member may be invited to a function or luncheon in their role as representative of the Authority or College. Such invitations may be accepted on the understanding that it does not imply an intention to purchase or contract.

Government policy does not permit employees to utilise **frequent flyer** points accumulated through Government travel for personal use [including the travel of staff members' families]. However, it is economically responsible to use frequent flyer points accumulated through Government travel to offset the cost of subsequent Government travel.

The Authority recognises that it is sometimes appropriate for college staff to accept small gifts as tokens of appreciation from students or their parents. The receipt of token gifts is acceptable where that gift is an unsolicited memento which does not exceed \$30 in value. However, acceptance of these gifts should immediately be disclosed to the college manager to ensure that at a later date it can be demonstrated that there was nothing unethical or dishonest intended.

Should there be any doubts on the giving or receiving of gifts, the matter should be discussed with the Authority Director.