



OFFICE OF THE OFFICIAL SECRETARY TO THE  
GOVERNOR-GENERAL

# GIFTS AND BENEFITS POLICY

October 2024

Review October 2026



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# INTRODUCTION

## Policy Details

### Policy owner

This policy is owned and updated by the Executive branch of the Office of the Official Secretary to the Governor-General (the Office).

### Release and review history

Version	Approved by	Description	Date
1.0	Deputy Official Secretary	Original	July 2015
2.0	Official Secretary – Paul Singer	Minor Updates	July 2020
3.0	Official Secretary – Gerard Martin	Updates including to reflect change to online reporting system	July 2024
3.1	Deputy Official Secretary – Jeff Barnes	Minor update to clarify reporting for spouse of Governor-General	October 2024

## Purpose

The purpose of this policy is to promote integrity, accountability and transparency within the government sector and uphold the expectations of the Australian public. It ensures that we are being open with Australians about exactly what gifts we are accepting

This policy is intended to establish internal control processes to ensure that gifts and received are properly recorded and also sets out the appropriate handling and management of such gifts.

## Scope

This policy applies to the Governor-General and/or Spouse, the Official Secretary and Office staff with respect to gifts and benefits received in the course of their official duties from all sources, both private and government, whether received overseas or within Australia.

## Legislation and standards/principles

The Australian Public Service Commission's Guidance on Gifts and Benefits came into effect from 18 October 2019, requiring the public reporting of gifts and benefits received by government officials.

The APSC's Guidance for Agency Heads – Gifts and Benefits is available at [www.apsc.gov.au](http://www.apsc.gov.au).

## Monitoring and review

This policy will be reviewed every two years or as required to reflect changes in the broader Australian Government legislative and regulatory environment, best practices standards, and to ensure currency and relevancy to the business of the Office.

# GENERAL PRINCIPLES

## Definition of gifts

For the purpose of this policy, gifts and benefits are considered to include (but are not limited to) physical items, sponsorships, travel, airline lounge memberships, lottery-type prizes, accommodation and hire car discounts, tickets to events as well as substantial hospitality (invitations) and entertainment.

Discounts provided by suppliers used by the Office, such as those gained through a points accrual system, are to be used only for Office purposes (i.e. the Qantas Frequent Flyer system).

Items of a token or promotional nature (such as promotional pens, caps, T-shirts, regular books, calendars, flowers, foodstuffs, home-made items, etc.) that are likely to have a commercial value of less than AUD\$100 are not covered by these guidelines and need not be reported.

Gifts which are not received during official duties, and arise out of a personal relationship or friendship are not subject to the provisions above.

For the purpose of this policy, a single gift presented jointly to the Governor-General and spouse should be declared as received by the Governor-General. If separate gifts are given to the Governor-General and spouse (for example, each is presented with a ticket to an event) each gift should be declared separately for each recipient.

If there is any doubt about the nature or value of a gift or benefit, for the purposes of this policy, the recipient should seek clarification and advice from the Deputy Official Secretary.

## Accepting gifts

### Background

While Australian Government practice is to discourage the giving and receiving of gifts, the reality is the Governor-General and/or Spouse will receive many unsolicited gifts in the course of their duties. In the interests of reasonable courtesy and goodwill, the Governor-General sometimes reciprocates with gifts, especially to counterparts abroad.

Agency heads, staff, and their families must not accept gifts and benefits which might reasonably be seen to compromise their integrity.

In determining whether a gift or benefit should be accepted, a range of factors should be taken into account, including: the type and significance of the gift or benefit; whether it gives rise to a real or perceived conflict of interest; and whether it is part of an exchange of gifts between official representatives of governments.

Under no circumstances may cash be accepted as a gift.

Decisions concerning the retention of any gifts should be made as quickly as is reasonably possible after receipt. A fundamental principle is that any gift should not be retained where it may be used for personal gain – for example through the sale or realisation of the monetary value of the gift.

## Circumstances in which accepting gifts or benefits is permissible

It is recognised that for some countries the presentation of gifts is an established way of doing business. Moreover, if refusal to accept a gift is likely to cause offence, common sense and courtesy should prevail to avoid unnecessary embarrassment to all parties.

The Australian Government has established guidelines for members of the Executive for the acceptance or otherwise of gifts, with the basic principle being that ministers should not accept any benefit that risks giving the appearance they may be subject to improper influence (because the giver has, or seeks to have, a contractual relationship with the Government, or has any other special interest in Government decisions).

However, the Governor-General's role in decision-making is materially different from that of ministers. He or she acts, in the main, on ministerial advice. So the guidelines for ministers, insofar as they are written to avoid any suggestion of influence over decision making, are not directly relevant to the Governor-General because he or she does not make policy decisions.

## Hospitality (invitations)

Invitations received by staff in connection with their employment in the Office are considered a benefit, and the following process should be followed:

- notify your Director that an invitation has been received;
- Director to discuss with Deputy Official Secretary;
- consider any security concerns in regard to accepting the invitation;
- be aware that your attendance will be in a representational role as an employee of the Office;
- there should be no real or apparent conflict of interest from acceptance of the invitation; and
- if the benefit of the hospitality of the invitation will exceed AUD\$100, complete the Gift Reporting process within 28 days.

# GIFT REPORTING AND HANDLING

## Gift Categories

For the purposes of this policy gifts and benefits are categorised into two distinct groups:

1. Group One comprises mementos and items of a token or promotional nature (such as pens, caps, T-shirts, regular books, calendars, flowers, food, home-made items and consumables) and other items likely to have a commercial value of less than AUD\$100 [excluding GST].
2. Group Two comprises any items worth AUD\$100 [excluding GST] or more.

## Declaration

The Australian Public Service Commission (APSC) guidance requires public disclosure of all gifts or benefits accepted and valued at over \$AUD100.00 [excluding GST] – that is, Group Two gifts as defined in this policy. Reporting gifts and benefits accepted in the performance of official duties helps maintain public confidence in the integrity of APS agencies and the APS more broadly.

The Office adopts the APSC guidance and requires that Group Two gifts must be reported, however it is recommended that all gifts be declared in the interests of transparency and accountability and supporting a pro-integrity culture.

Gifts or benefits must be declared within 28 calendar days of being received.

## Group One Gifts and Benefits

Group One gifts received in the course of official duties need not be reported on the understanding that they are immediately used or disposed of according to this policy. Any Group One gifts that are to be set aside (e.g. for transfer or disposal purposes) should be tagged with a label noting when they were presented, by whom, and at what event.

The assessment of the gift as being less than AUD\$100 [excluding GST] in value should be confirmed informally by a second staff member whenever practicable. Group One book gifts which are directed to the Office's library should be added to the book list kept by the Senior Executive Assistant.

## Group Two Gifts and Benefits

Group Two gifts received in the course of official duties must be declared within 28 days of receipt, using the form available in the Official Gift Reporting function within the Lighthouse compliance system.

Completion of the form will require:

1. Description of the gift or benefit;
2. Details regarding the circumstances giving rise to receipt of the gift or benefit;
3. Valuation of the gift or benefit;
4. Proposed action (retention, display, storage, transfer, or disposal);
5. For gifts:
  - a. Photograph of the gift to be attached;
  - b. Inclusion of a gift tag number for tracking purposes

Gifts must be declared by a staff member where they are the recipient or by an Aide-de-Camp (ADC) or the Senior Executive Assistant for gifts received by the Their Excellencies.

In either case, once the declaration is completed gifts should be transferred to the Manager Household Operations (MHO) for management.

It should be noted that the Lighthouse compliance system will workflow the form once completed to the appropriate delegates for review, approval and reporting – generally that will include the recipients Director, the Executive Officer and/or the Deputy Official Secretary.

## Valuation

The reporting official should make use of public information (e.g. the general market, manufacturers' or retailers' websites) to provide a fair and reasonable estimate of the value of any gift or benefit. This method of valuation is most appropriate if the items concerned are commonly available for purchase.

However, in some instances a formal valuation may be more appropriate. This would be the case particularly where:

- it is necessary to determine whether the gift is over the allowable limit;
- for unique works of art or jewellery, or for custom made articles; or
- where the gift or benefit has a significant value.

In these cases then the gift is to be forwarded to a valuer within 28 days of receipt.

Where gifts are received overseas without formal valuation documents, the value for customs purposes would normally be determined by reference to the value of the goods (manufacturer's price) in the country of origin, the advice (verbal or written) from the Australian post in the country visited, or from the foreign government/diplomatic mission that presented the gift. For gifts received from Australian sources, the value of the gift should be assessed on the basis of the Australian wholesale price, or such valuation determined by a professional valuer.

Where there is doubt about the value of a gift with a value greater than AUD\$1000, a formal valuation may be sought from a valuer competent in the field or from the list of accredited valuers issued by the Committee on Taxation Incentives for the Arts (under the Cultural Gifts Program). Where it would be uneconomical to undertake a professional valuation, a reasonable value may be ascribed by the registering official, and this valuation endorsed by the Deputy Official Secretary.

## Retention of gifts

### Allowable limit

A gift or benefit may be retained if it does not exceed the following allowable limits:

- From government/official sources: AUD\$750.00 (at 2024 prices<sup>1</sup>)
- From private/industry sources: AUD\$300.00 (at 2024 prices<sup>1</sup>)

For the purposes of this policy the value of a gift is assessed on the basis of:

- the wholesale (tax free) value in the country of origin of the donor of the gift and converted to Australian dollars at the current exchange rate; or
- the current market value of the gift in Australia (GST exclusive).

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<sup>1</sup> This figure will be reviewed biennially and may be adjusted in line with accepted practice.



## Purchase of gifts

The recipient may retain a gift or benefit that is in excess of the upper value limits if they elect to pay the Office the valuation price less the allowable limit (plus GST on the difference).

For example, if a gift or benefit is valued at AUD\$950 and the allowable limit is AUD\$750, the cost for the gift or benefit would be the AUD\$200 difference, plus AUD\$20 GST.

Where there is uncertainty about the value of a gift or benefit, a formal valuation by an independent valuer must be obtained at the expense of the employee and submitted with the excess payment.

Gifts or benefits not retained become the property of the Office and must be surrendered to the MHO who will recommend to the Deputy Official Secretary appropriate arrangements for official use, storage or disposal.

## Gifts of historical or cultural significance

The Governor-General will not retain any gift which has historical or cultural significance to the Australian people. In the case of gifts received that have national significance and therefore should be retained for all Australians, advice should be sought from the Deputy Official Secretary about the appropriate course of action, for example transfer to a Commonwealth National Collection.

## Gifts from the Sovereign and Heir to the Throne

Because of the special relationship between the Sovereign, the Heir to the Throne and the Governor-General, gifts from the Sovereign or the Heir are regarded as personal gifts and may be retained by the Governor-General. These gifts need not be registered.

## Official gifts of a personal nature

Official gifts that are clearly customised (e.g. personally tailored clothing, sporting equipment designed specifically for the incumbent, etc.) which would be unlikely to be used by another person, should be registered but may be retained by the Governor-General at no cost.

## Gifts received in a personal capacity

Gifts which are not received during official duties, and arise out of a personal relationship or friendship are not subject to the provisions of this policy. An example would be tickets to attend a sporting event or similar where the Governor-General is not attending in an official capacity. Where the Governor General is accompanied by an ADC this would generally indicate attendance in an official capacity. In other cases or where there is any doubt the Official Secretary should be consulted.

## Official gifts of flowers

Where significant floral arrangements are received the Office will look to transfer them to organisations where they can be used, for example local charities or hospitals or alternatively, if no use can be found, they may be mulched into public facing gardens.

## Official gifts of electronic devices

Any electronic devices received as Official gifts must not be retained and should be destroyed. Recipients should contact the Deputy Official Secretary or the Director IT as soon as any electronic devices are received to determine the appropriate action. Under no circumstances should devices received from external parties be bought on site or attached to the Office network or devices.

## Gifts received overseas

Gifts received overseas in the course of official duty are to be declared to the Australian Customs Service at the point of entry into Australia if:

- they fall outside normal duty-free passenger concession limits as personal belongings; and/or
- they are subject to quarantine inspection.

## Custody

The Director Strategic Engagement, with support from the MHO, is responsible for safekeeping of official gifts received, and for arranging the review, display, storage or other actions arising, except transfer in accordance with this policy.

## Transfer or disposal of gifts received

Any gifts or benefits surrendered will be considered to be property of the Office and will be treated as portable and attractive items.

Where a gift or benefit is to be surrendered a declaration must still be completed which will include an acknowledgement relinquishing the recipient's claim to ownership, to allow appropriate disposal action to be taken.

Where it is determined that to refuse a gift or benefit would cause embarrassment or offence, the recipient may accept the gift and then liaise with the Deputy Official Secretary to dispose or transfer of the gift in one of the following methods:

- retained by the Office for display in the Houses or Chancery,
- transferred in title to Commonwealth departments, repositories of National Collections including museums, galleries, libraries, archives and special interest collections, education or community institutions;
- donated to a nominated non-profit organisation or charity at the discretion of the recipient and the Official Secretary; or
- disposed of in an appropriate manner in accordance with section 66 of the PGPA Act.

Disposal action is to be recorded in the Official Gift Reporting function within the Lighthouse compliance system

## Gifting of Surplus Food

The Office attempts to minimise waste wherever possible and this is particularly true with respect to perishable items such as food. Where for any reason surplus food or other perishable items are identified the Office will seek to donate those items to a suitable charity.

## Reporting

All gifts or benefits accepted and valued at over \$AUD100.00 [excluding GST], must be publicly disclosed.

A report of gifts and benefits received by the Official Secretary and/or staff will be extracted from the gifts and benefits register and must be published on the Office website on a quarterly basis.

A report of gifts and benefits received by Their Excellencies will be extracted from the gifts and benefits register and must be published on the Disclosure Log on the Office website at the end of March each year.

Both reports must be provided to the Director Strategic Engagement and Deputy Official Secretary for review prior to publication.

## Auditing

The Finance team will undertake spot checks and other compliance activities to ensure that the requirements of this policy are met and that the management and retention of gifts is appropriate.