

AFTRS Gifts and Benefits (Emoluments) Policy Approved by Senior Management on 18th November 2002

The AFTRS recognises that there are times it may be appropriate to give or receive gifts or benefits on behalf of the AFTRS. It should be remembered that it is not appropriate to receive a personal gift or benefit and that acceptance could constitute an offence under the *Criminal Code Act 1995*.

What is a personal gift or benefit?

A gift or benefit includes any item(s) or service(s) offered to an AFTRS employee that is over and above their employment entitlements.

These may include:

- competition prizes;
- frequent flyer points (must not be used for personal travel);
- food or alcohol;
- clothing;
- entertainment;
- accommodation;
- cash/shares etc.

Who should not accept gifts or benefits?

Most gifts or benefits should not be accepted where there is a link to the person's official duties, their position, or an organisation that has received or hopes to receive a payment from the AFTRS. This policy applies to:

- employees of the AFTRS;
- contractors;
- staff from hire agencies, or
- families of the above.

Gifts which may be accepted

If a gift is accepted it must not be accepted personally, but on behalf of the AFTRS as a gift to the AFTRS.

In deciding whether to accept a gift on behalf of the AFTRS the following should be considered.

- The type and significance of the gift or benefit.
- Whether it gives rise to a perceived or real conflict of interest.
- The relationship the AFTRS has with the person or organisation offering the gift.
- Whether it is part of an exchange of gifts between official representatives of government organisations.

It is important to remember that the AFTRS has a reputation for integrity and professionalism which would be seriously damaged if an AFTRS employee were influenced, or appeared to be influenced, in the course of their employment by gifts or benefits.

Gifts may be accepted where:

- there is little monetary value and there can be absolutely no appearance of potential conflict of interest e.g. pens or mugs (provided the gifts are not regular and their use could not be seen as the AFTRS advertising the organisation);
- when the gift is part of a formal exchange of gifts between official representatives of the AFTRS and another government organisation (e.g. an overseas Film School);
- small, inexpensive thankyou gifts after a service has been provided;
- sponsored travel or accommodation in return for speaking at a seminar etc., or
- hospitality (only where it will facilitate the efficient conduct of AFTRS business and cannot be seen as a conflict of interest).

Gifts must not be accepted in connection with:

- a tendering or purchase process, or
- a selection or recruitment process

Official Gifts

An official gift is a gift given as part of an exchange of gifts between official representatives of governments. These are accepted on behalf of the Australian Government.

The giving of other gifts.

There may be occasions where the AFTRS chooses to give a gift or benefit to an individual or organisation. This must only be done with the approval of the Director or the Branch Head.

Procedure on offering or receiving a gift or benefit.

AFTRS employees should discourage gifts or benefits being offered. If they are offered it should be reported immediately.

Gifts or benefits must not be given to colleagues in order to try to influence them.

Where an AFTRS employee is offered or has received a gift or benefit which is not significant (generally over \$50) they should advise their supervisor or manager. The individual employee may retain that gift.

Where an AFTRS employee is offered or has received a significant gift or benefit they should formally advise the Director or their Branch Head. They, as delegate, will then decide whether the gift should be accepted or declined and, if already received, whether it should be returned on behalf of the AFTRS.

Where a significant gift or benefit is given or received the following details should be recorded in the gifts register maintained in Human Resources:

- the gift or benefit;
- the giver or recipient;
- the circumstances surrounding the gift, and
- its approximate value.

Where a significant gift or benefit is received the delegate will also determine the method of disposal. Options may include:

- remaining AFTRS property e.g. for display;
- donation to the Social Club for raffle or a social function;
- sale to an employee through internal auction;
- donation to a public or private organisation, or
- disposal in an alternative way that would not offend the giver.

The method of disposal should also be recorded in the Gifts Register.

Breaches of Policy

Any breach of this policy may be considered a breach of the AFTRS Code of Conduct and may result in disciplinary action including dismissal. Serious breaches may also be considered criminal and may result in investigation by the police.

Related Documents

Commonwealth Authorities and Companies Act 1997

Criminal Code Act 1995

Australian Film, Television and Radio School Act 1973

AFTRS Code of Conduct

AFTRS Administrative Orders

AFTRS Fraud Control Policy



Notification of the Giving or Receipt of a Gift or Benefit

To be completed by recipients and givers of gifts or benefits	
Description of Gift/Benefit	
Circumstances of Receipt/Offer	
Date of Gift/Benefit	Estimated Value of Gift/Benefit
Name of Recipient	Position Title
Branch/Department/Section	
Name of Giver	Organisation
Signature of Recipient/Giver (AFTRS)	
Date	

To be completed by Delegate	
Evaluation of Gift	Significant <input type="checkbox"/> Insignificant <input type="checkbox"/>
Method of Gift Disposal	Gift retained
Is other action necessary?	Yes / No
If yes indicate action.	
Signature	
Date	
Position Title	

Gift Register Noted _____

Date _____

