

Gifts, Benefits, and Entertainment Policy

Section 1 - Purpose

(1) This Policy establishes when it is acceptable and not acceptable for members of the Macquarie University Group (University) to accept Gifts, Benefits, or Entertainment from external bodies and individuals.

Background

(2) As a public entity, the University must ensure that high standards of integrity and accountability are maintained.

(3) As an employer, and a public entity, the University must comply with relevant legislation.

(4) Members of the University may on occasion be offered Gifts, Benefits or Entertainment from external bodies or individuals.

(5) A key question when contemplating accepting a Gift, Benefit or Entertainment is whether a reasonable person would think that the Gift, Benefit or Entertainment is intended to, or could be seen to, influence the recipient to act in the interest of the giver or their organisation at the time of the offer or in the future (i.e. a Gift of Influence).

Scope

(6) This Policy applies to all Members of the University across all campuses and locations of the University.

Section 2 - Policy

Part A - Prohibited Gifts, Benefits, and Entertainment

(7) A Member of the University must not solicit or accept any Gift, Benefit or Entertainment in connection with their official University functions or duties in circumstances where:

- a. the Gift, Benefit or Entertainment could be perceived by a reasonable person to be a Gift of Influence, create a conflict of interest or might reasonably be seen to compromise the recipient's integrity;
- b. there is a current or potential future commercial relationship between the University and an external organisation and the Gift, Benefit or Entertainment might provide or be perceived as providing an incentive for a member of the University to seek the services of a particular organisation;
- c. there is a procurement event, such as a Request for Quote or Tender, from any person or organisation that may be involved in the procurement event;
- d. it is offered as a Monetary Gift, including an offer of shares;
- e. it is provided from a foreign entity, or its representatives, that may seek access to or influence over University activities. Such access or influence may occur via funding arrangements or other inducements targeted at individual staff members and may create a foreign interference risk; or
- f. it is from a government body, political party, or union.

(8) If a member of the University is offered a Gift, Benefit or Entertainment where they believe the intention of the

person was to bribe them or influence the way they work, they must report it immediately to their manager, who must immediately report it to their Executive Dean or Executive Group member.

(9) Under section 11 of the [Independent Commission Against Corruption Act 1988](#), the Vice-Chancellor as the head of the agency concerned must inform the Independent Commission Against Corruption (ICAC) about any matter that they suspect on reasonable grounds may concern corrupt conduct.

Part B - Permitted Gifts, Benefits or Entertainment

(10) In accordance with accepted social and cultural practices, a member of the University may accept an occasional Gift, Benefit or Entertainment providing it has a value less than or equal to A\$250, and does not fall within any of the categories listed in Part A – Prohibited Gifts, Benefits and Entertainment of this Policy. Examples of permitted Gifts, Benefits or Entertainment include:

- a. Token Gifts, such as raffle gifts, door prizes, promotional merchandise, and other similar business orientated small incentives;
- b. Gifts of Gratitude (e.g. for speaking at an official function), or Ceremonial Gifts (e.g. a gift from a host institution provided to the University at a ceremonial event);
- c. hospitality provided as part of a conference, round table, seminar or similar event where invitees from other organisations are present; and
- d. occasional working lunches, where the hospitality is incidental and of low value.

Reportable gifts, benefits or entertainment

(11) A member of the University who receives or is offered a Gift, Benefit or Entertainment with an individual or aggregate value equal to or over \$250, regardless of whether the Gift, Benefit or Entertainment is intended for the receiving member of the University or for distribution to other members, must complete the [Registering Gifts, Benefits and Entertainment Form](#) and provide it to their Executive Dean or Executive Group member within ten (10) business days of receipt of the Reportable Gift. This form is to be completed regardless of whether the Reportable Gift, Benefit or Entertainment is accepted or rejected.

(12) A register of Reportable Gifts, Benefits and Entertainment will be maintained by the Office of the Vice-President, Finance and Resources. The recipient of the gift must submit a copy of the signed Registering Gifts, Benefits and Entertainment form to procurement@mq.edu.au.

Privacy

(13) In accordance with the [Privacy Act 1988](#), the Gift, Benefit or Entertainment giver must be advised by the recipient that their information will be included on the Gift, Benefits, and Entertainment Register and will be made available if requested under the [Government Information \(Public Access\) Act 2009](#) if the value is equal to or over \$250.

Section 3 - Procedures

(14) Refer to the [Gifts and Benefits Reporting Procedure](#).

Section 4 - Guidelines

(15) Nil.

Section 5 - Definitions

(16) Commonly defined terms are located in the University [Glossary](#). The following definitions apply for the purposes of this Policy:

- a. Benefit means a non-tangible item of value (e.g. a new job or promotion, preferential treatment or access to confidential information) that one person or organisation confers on another.
- b. Gift means an item of value (e.g. gift voucher, store card, entertainment, hospitality, travel, commodity, property) which one person or organisation offers or presents to another. In the business context, gifts can have different meanings and purposes - refer to Gift of Influence, Gift of Gratitude, Ceremonial Gift, Token Gift.
- c. Gift of Influence means a gift that is intended to generally ingratiate the giver with the recipient for favourable treatment at the time or in the future.
- d. Gift of Gratitude means a gift offered to an individual or the University in appreciation for performing specific tasks or for exemplary performance of duties. Gifts to staff who speak at official functions would be considered gifts of gratitude.
- e. Ceremonial Gift means an official gift from one organisation to another organisation. Such gifts are often provided to a host organisation when conducting official business with delegates from another organisation. Although these gifts may sometimes be offered to express gratitude, the gratitude usually extends to the work of several people in the University, and therefore the gift is considered to be for the University, not a particular individual.
- f. Token Gift means a gift that is offered in business situations to the University or to staff representing the University. Such gifts are often small office or business accessories e.g. pens, calendars, mugs, folders, that contain a company logo. They are usually products that are mass-produced and not given as a personal gift.
- g. Macquarie University Group or Group means Macquarie University and its Controlled Entities.
- h. Monetary Gift means a gift such as cash, cheques, money orders, traveller's cheques, direct deposits, gift vouchers, store cards or shares.
- i. Entertainment means the provision of food, drink, recreation (such as sightseeing, sport, theatre, concert tickets), and travel arrangements.
- j. Gift Register means an official University record that details reportable gifts, benefits or entertainment received.
- k. Member of University means Council or Board members, Committee members, staff (including professional, academic, and research staff), contractors, and students of the University and its Controlled Entities.
- l. Reportable Gift, benefit or entertainment means an individual Gift, Benefit or Entertainment with a value equal to or over \$250, or aggregated Gifts, Benefits or Entertainment over a calendar year with a value equal to or over \$250.

Status and Details

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