



GIFT POLICY

For Gifts Received by the Governor-General and/or Spouse

July 2020

CONTENTS

1. POLICY OVERVIEW	3
2. PURPOSE.....	3
3. DEFINITION	3
4. THIS POLICY AT A GLANCE	3
5. GENERAL PRINCIPLES	4
6. GIFT REPORTING AND HANDLING	4
6.1 DECLARATION	4
6.2 GIFTS RECEIVED OVERSEAS	5
6.3 VALUATION.....	5
6.4 RETENTION OF GIFTS	6
6.5 GIFTS OF HISTORICAL OR CULTURAL SIGNIFICANCE TO THE AUSTRALIAN PEOPLE	6
6.6 GIFTS FROM THE SOVEREIGN AND HEIR TO THE THRONE	7
6.7 OFFICIAL GIFTS OF A PERSONAL NATURE	7
6.8 PURCHASE OF GIFTS	7
6.9 CUSTODY.....	7
6.10 TRANSFER OR DISPOSAL OF GIFTS RECEIVED.....	7
7. REVIEW	8
OFFICIAL GIFT REPORTING FORM	9
GIFT DISPOSAL/RE-GIFTING FORM	12

1. POLICY OVERVIEW

This policy outlines the position of the Office of the Official Secretary to the Governor-General (the Office), on gifts received by the Governor-General and/or spouse.

2. PURPOSE

The Australian Public Service Commission (APSC) Guidance on Gifts and Benefits came into effect from 18 October 2019. This policy is intended to establish internal control processes to ensure that substantial gifts received by the Governor-General and spouse in the course of their official duties are properly recorded (from all sources, both private and government, received overseas or within Australia). This policy also sets out the appropriate handling and management arrangements for such gifts.

The **OOSGG Gift Policy (For Gifts received by the Official Secretary and Staff)** outlines the process relating to the acceptance of gifts by the Official Secretary and OOSGG staff.

3. DEFINITION

For the purpose of this policy, gifts are considered to include any items that are gifted to the Governor-General and/or Spouse during the course of their duties. Gifts of this nature can be categorised in 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, foodstuffs, home-made items and consumables) and other items likely to have a commercial value of less than AUD\$100.
2. Group Two comprises any gifts worth more than AUD\$100.

4. THIS POLICY AT A GLANCE

Purpose	This policy provides internal control processes and procedures to ensure that substantial gifts received by the Governor-General and/or Spouse in the course of their official duties (from all sources, both private and government, received overseas or within Australia) are properly recorded; and the appropriate handling and management arrangements for such gifts.
Application	This policy applies to the Governor-General and/or Spouse in the course of their official duties.
Relevant Authority	Australian Public Service Commission

Related Documents	APSC Guidance on Gifts & Benefits APSC Gifts & Benefits FAQ's Gift Policy for Gifts received by OS & Staff
Policy Statement	This policy promotes integrity, accountability and transparency. It ensures that we are being open with Australians about exactly what gifts and benefits the Governor-General and/or spouse are accepting.

5. GENERAL PRINCIPLES

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.

It is also 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.

Decisions concerning the retention of any gifts should be made as quickly as is reasonably possible after receipt. A fundamental principle is that the Governor-General should not retain any gift that may be used for personal gain (for example through the sale of, or realisation of the monetary value of the gift).

6. GIFT REPORTING AND HANDLING

6.1 Declaration

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 the Governor-General's instructions. 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 in value should be confirmed informally by a second staff member whenever practicable. Group One book gifts which are directed to the Governor-General's library should be added to the book list kept by the Senior Executive Assistant.

Group Two gifts received in the course of official duties must be reported in detail to the Manager of Household Operations (MHO) – or nominated delegate – within 28 days of receipt, using the attached [Official Gift Reporting Form](#). On receipt of the gift and accompanying form, the MHO will:

3. photograph the gift and complete the reporting form, including the proposed action (retention by Their Excellencies, display, storage, TBC, etc.);
4. provide the reporting form to the Director Strategic Engagement (DSE) for endorsement;
5. once endorsed by DSE, provide the form to the Deputy Official Secretary, as Delegate, for a decision on action to be taken.

The reporting form is to be returned to the MHO so that summary details can be recorded in the Official Gifts Summary Spreadsheet. MHO will retain the original record in a chronological order in the Office's record management system and a copy will be kept with the gift (or its packaging if the gift is on display) in the secure gift store, to which access is controlled by MHO.

The MHO will maintain a register of Group Two gifts received. The register must be updated within 28 days of receiving the gift or benefit. The register must be presented to DSE for review each quarter and for clearance to publish on the Office website in the Office's Disclosure Log at the end of March each year.

Finance Section will undertake regular spot checks on gifts and documentation.

6.2 [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.

6.3 [Valuation](#)

For gifts Their Excellencies do not wish to retain for themselves, 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. If a valuation is necessary to determine whether the gift is over the allowable limit then the gift is to be forwarded to a valuer within 28 days of receipt.

Similar sources may also be used to ascribe value to gifts which Their Excellencies wish to retain for themselves if the items concerned are commonly available for purchase. Where this is not the case

(e.g. for unique works of art or jewellery, or for custom made articles) a formal valuation certificate may be required.

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 relevant Branch Director and the Delegate.

6.4 **Retention of gifts**

The Governor-General and Spouse may retain gifts in certain circumstances subject to the following principles:

- Gifts made to the Governor-General and/or Spouse may generally be retained by them if the value does not exceed AUD\$1,000 (at 2019 prices¹).
- Gifts worth more than AUD\$1,000 may be retained by them subject to the purchase arrangements outlined in [section 6.8](#) below.
- Items worth more than AUD\$3,000 should be checked annually by Finance staff to ensure they are being stored securely or displayed. Appropriate valuations should be sought for any high value items Their Excellencies may wish to retain, in time for purchase arrangements to be made at the end of the Governor-General's term. To facilitate the management of high value gifts, the MHO will maintain a register of these items.
- Gifts which are not received in the course of performance of the duties of office, but which arise out of a personal relationship or friendship need not be subject to the provisions above. The Official Secretary will determine any issues where there is doubt about the basis on which the gift is received.

6.5 **Gifts of historical or cultural significance to the Australian people**

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 Official Secretary about the appropriate course of action, for example transfer to a Commonwealth National Collection.

¹ This figure will be reviewed annually and may be adjusted in line with accepted practice.

6.6 **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.

6.7 **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.

6.8 **Purchase of gifts**

Subject to the principles mentioned above, gifts presented to the Governor-General and/or spouse valued at more than AUD\$1,000 may be purchased by Their Excellencies for the valuation price less AUD\$1,000 plus GST on the difference.

For example, if a gift is valued at AUD\$1,200 and the allowable limit is AUD\$1,000, the cost for the gift would be the AUD\$200 difference plus AUD\$20 GST.

The MHO is responsible for ensuring that all gift report forms are processed efficiently, whether sequentially or in batches, and that, where reasonable, the necessary processes are completed within 28 days of the receipt of the gift. All decisions relating to the movement of gifts must be recorded on the relevant registration form.

Gifts that are not retained or purchased by the Governor-General will be subject to the control requirements outlined in this policy.

6.9 **Custody**

The MHO is responsible for recording the receipt of gifts, safekeeping of official gifts received, and for arranging the review, display, storage or other actions arising except transfer. A report on gifts received and actions taken in relation to gifts (e.g. surrendered, retained, purchased, spot checks, etc.) is to be submitted to DSE each quarter.

DSE is responsible for the management of the gifts received in accordance with the stated policy above.

6.10 **Transfer or Disposal of gifts received**

On occasion, the most appropriate use of a gift may be to transfer it or the Governor-General may elect to surrender the gift. Any gifts the Governor-General or Spouse elect to transfer, surrender or not to take when leaving office will be considered the property of the Office and may be:

- displayed 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;

OOSGG Gift Policy

(Gifts Received by the Governor-General and/or Spouse)

- 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](#).

This does not include relevant money (gifting relevant money is a grant).

Disposal action is to be recorded on the attached [Gift Disposal Form](#).

In these cases, the Governor-General should retain the gift specifically for this purpose. The gift should be tagged with a label noting when it was presented, by whom, and at what event. The MHO should complete the Official Gift Reporting Form, and transfer the gift to the custody of the DSE for safe-keeping and transfer of the gift. After transfer, the DSE is to advise the MHO that this has occurred, and where and when it occurred. MHO will then update the register to this effect. The Governor-General is not required to reimburse any of the cost of such items, regardless of value. At the conclusion of the term of a Governor-General, a stocktake and reconciliation of all gifts received during the term will be undertaken by the MHO to ensure that all gifts that are to be retained by the outgoing Governor-General or the Office are appropriately accounted for.

7. REVIEW

This policy shall be reviewed periodically through established consultative processes and published on the intranet.



Paul Singer
Official Secretary to the Governor-General

3 July 2020

OFFICIAL GIFT REPORTING FORM

For use of reporting Group Two gifts (i.e. worth over AUD\$100) presented to the Governor-General and/or Spouse

Instructions: All gifts worth more than AUD\$100 received by Their Excellencies in the conduct of their official duties must be reported to the Manager Household Operations using this form within **28 days of receipt**.

TO: MANAGER HOUSEHOLD OPERATIONS

Detailed description of gift:	Approximate size: SMALL <input type="checkbox"/> MEDIUM <input type="checkbox"/> LARGE <input type="checkbox"/>
Date and occasion when received:	
Name and title of person or organisation who presented the gift:	
Estimated value of gift (including method of substantiation):	
Name of reporting official:	
Signature and date:	

Attach Photograph

TO: BRANCH DIRECTOR

Proposed action:	<input type="checkbox"/> Retention <input type="checkbox"/> Retain to Re-Gift <input type="checkbox"/> Purchase <input type="checkbox"/> Display GH <input type="checkbox"/> AH <input type="checkbox"/> Chancery <input type="checkbox"/> <input type="checkbox"/> Library <input type="checkbox"/> Disposal <input type="checkbox"/> Other
Signature of Director accepting valuation as fair/reasonable and endorsing proposed action:	
Date:	

TO: DEPUTY OFFICIAL SECRETARY (or nominated delegate)

Delegate's decision on proposed action	<input type="checkbox"/> Approved <input type="checkbox"/> More information required <input type="checkbox"/> Other
Signature:	
Date:	

TO: CHIEF FINANCIAL OFFICER

If gift is to be retained by the Governor-General and/or spouse and the Gift Policy requires the item to be purchased:	<input type="checkbox"/> Raise invoice for AUD\$..... <input type="checkbox"/> Issue receipt (on receipt of funds)
If gift is NOT to be retained by the Governor-General and/or spouse:	<input type="checkbox"/> Assign asset number (if to be registered as a portable and attractive item or otherwise registered as an asset)
Signature:	
Date:	

TO: MANAGER HOUSEHOLD OPERATIONS

Action taken:	<input type="checkbox"/> Transferred to Governor-General or spouse <input type="checkbox"/> Transferred to DSE for Re-gifting <input type="checkbox"/> Display GH <input type="checkbox"/> AH <input type="checkbox"/> Chancery <input type="checkbox"/> <input type="checkbox"/> Library <input type="checkbox"/> Disposal <input type="checkbox"/> Storage <input type="checkbox"/> Other
Signature:	
Date:	

GIFT DISPOSAL/RE-GIFTING FORM

For use of reporting disposal/re-gifting of gifts presented
to the Governor-General and/or Spouse

TO: MANAGER HOUSEHOLD OPERATIONS

Detailed description of gift:	<i>Attach Official Gift Reporting Form</i> Approximate size: SMALL <input type="checkbox"/> MEDIUM <input type="checkbox"/> LARGE <input type="checkbox"/>
Condition of gift at date of disposal/re-gifting	<input type="checkbox"/> As new <input type="checkbox"/> Deteriorated <input type="checkbox"/> Other
Estimated value of gift (including method of substantiation):	
Sensitivities and/or identifiable features:	
Proposed action:	<input type="checkbox"/> Destroy <input type="checkbox"/> Other e.g. re-gifted to ?
Destruction method:	<input type="checkbox"/> Damage and dismantle <input type="checkbox"/> Other

TO: DELEGATE

Delegates decision on proposed action:	<input type="checkbox"/> Approved <input type="checkbox"/> More information required <input type="checkbox"/> Other
Signature of Delegate:	
Date:	

TO: MANAGER HOUSEHOLD OPERATIONS

Action taken:	
Signature and date:	