

# Gifts, Benefits, Hospitality & Samples Policy

Division Name - Strategy & Governance

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Definitions

Term	Definition
Authorising Officer	Executive or Department Head in relation to employees within their team, the CEO in relation to executives, and the Trust Chair in relation to the CEO.
Benefits	Benefits include preferential treatment, privileged access, favours, or other advantage offered to an individual. They may include invitations to sporting, cultural or social events, access to discounts and loyalty programs and promises of a new job. The value of benefits may be difficult to define in dollars, but as they are valued by the individual, they may be used to influence the individual's behaviour.
Business Associate	An individual or body that MCET has, or plans to establish, some form of business relationship with, or who may seek to or expect commercial benefit or other advantages by making an offer
Ceremonial Gifts	Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government within Australia or internationally. Ceremonial gives are usually provided when conducting business with official delegates or representatives from another organisation, community, or foreign government.
Conflict of Interests	The Employee's Private Interests conflict with their official functions as a public officer. Conflicts may be: <ul style="list-style-type: none"> <li>• <b>Actual:</b> There is a real conflict between an Employee's public duties and their private interests.</li> <li>• <b>Potential:</b> An Employee has private interests that could conflict with their public duties. This refers to circumstances where it is foreseeable that a conflict may arise in future and steps should be taken now to mitigate that future risk.</li> <li>• <b>Perceived:</b> The public or a third party could reasonably form the view that an Employee's private interests could improperly influence their decisions or actions, now or in the future.</li> </ul>
Eligible Employee	For the purpose of Official Business Events, eligible employees include Trust Members, CEO, Executive Leadership Team, and those involved in relevant operational areas or corporate partnerships. Events must have a direct connection to the employee's role and organisational work.
Employee	All persons employed by MCET and contractors, consultants, and any individuals or groups undertaking activities for or on MCET's behalf when explicitly required to do so under their contract for services or other similar agreements.
Gifts	Gifts are free or discounted items or services and any item or service that would generally be seen by the public as a gift. These include items of high value (e.g. artwork, jewellery, or expensive pens), low value (e.g. small bunch of flowers), consumables (e.g. chocolates) and services (e.g. painting and repair).
Hospitality	Hospitality is the friendly reception and entertainment of guests. Hospitality may range from light refreshments at a business



Term	Definition
	meeting to expensive restaurant meals and sponsored travel and accommodation.
Legitimate Business Reason	A Gift, Benefit or Hospitality may have a legitimate business reason if it furthers the conduct of official business or other legitimate goals of MCET in accordance with MCET's statutory functions.
Non-token offer	An offer that is or may be perceived to be by the recipient, the person making the offer, or by the wider community of more than inconsequential value. offers worth more than \$50 are Non-token offers and must be recorded on the register.
Offer	Means an offer of Gifts, Benefits or Hospitality.
Official Business Event (OBE)	MCET's business activities span events, projects and campaigns that require workplace participants to interact with other public sector and non-public sector organisations in the pursuit of MCET's objective to provide exceptional events. Much of this activity involves attending events where the reason for attendance is consistent with the MCET's functions and objectives and is consistent with the roles of MCET persons attending.
Register	Internal and external register that captures all relevant information in relation to accepted and declined Non-token offers in accordance with this policy.
Samples	Small quantities of a product provided by external entities free of charge to potential customers as a direct marketing technique.
Token offer	An offer that is of inconsequential or trivial value to both the person making the offer and the individual and, in all cases, is not worth more than \$50. Examples of such offers may include promotional items such as pens and notepads and modest hospitality that would be considered a basic courtesy, such as light refreshments during a meeting.

## 1. Purpose

This policy outlines how the Melbourne Convention and Exhibition Trust (MCET) upholds the highest standards of integrity and public trust in the management of Gifts, Benefits, Hospitality (GBH) and Samples. It has been written in alignment with the Minimum Accountabilities for managing GBH established by the Victorian Public Sector Commission (VPSC).

This policy sets out how MCET and its employees:

- Respond to offers of GBH.
- Encourage a culture of 'thanks is enough'.
- Manage offers of Official Business Events.
- Provide MCET funded GBH.
- Manage samples.



## 2. Application

This policy applies to all MCET employees, and any individual undertaking activities for or on behalf of MCET.

## 3. What is excluded from the operation of this policy

Employees may accept hospitality provided it is part of official business, aligns with MCET's statutory functions and objectives, and is appropriate to their role. The following offers can be accepted and do not have to be recorded in MCET's GBH register:

- Offers received by Employees in a private capacity unrelated to their role or responsibilities at MCET. This includes attendance by the Employee at a particular event as a family member's guest.
- Complimentary tickets allocated under the Complimentary Ticket Policy.
- Tickets to rehearsal, dress, trial or workshop performances which have no commercial value because the ticket is not available for sale to the public and the attendance to which is consistent with MCET's statutory functions.
- Hospitality that is purely internal and only involves Employees.
- Hospitality provided on behalf of the Victorian Government or other VPS organisations. Provided that the hospitality is offered as part of official business, the reason for the employees' attendance is consistent with MCET's statutory functions and objectives, and the Employee's attendance is appropriate within the scope of their role.
- Invitations to attend functions or events and receive hospitality from organisations with which MCET pays a fee for membership. For clarification on which organisations MCET holds memberships with, please consult your manager or the Governance & Compliance team at [compliance@mcec.com.au](mailto:compliance@mcec.com.au) before accepting the offer.
- Invitations that are provided through community partnership and sponsorship arrangements, as outlined in the Community Partnership and Sponsorship Engagement Procedure

## 4. Receiving Offers

### 4.1 Key principles

#### Impartiality and Integrity

- Offers are not to be accepted unless there is a legitimate and compelling business or public interest reason to do so, and it can be demonstrated that acceptance will not give rise to a Conflict of Interest.
- Employees should act in accordance with MCET's default position of thanks is enough, and politely decline all offers of GBH, unless exceptional circumstances apply.



## 4.2 Minimum Accountability

VPSC issue minimum accountabilities for the management of GBH. Employees must comply with the following minimum accountabilities when responding to all offers of GBH (token or non-token):

- Not seek or solicit GBH for themselves or others;
- Refuse all offers (token or non-token) if any of the following apply:
  - Are money items, used in a similar way to money or items easily converted to money.
  - If the offer gives rise to a conflict of interest (actual, potential, or perceived). Offers must be refused if they could influence, or be reasonably perceived to influence, the performance of public duties
  - If the offer could compromise the public's trust public trust in the impartial performance of duties or in the impartiality of MCET.
  - If the offer is not consistent with community expectations.
  - If the offer Could reasonably be seen as a bribe or other inducement. Such offers should be reported to a manager and the Governance and Compliance team, which will report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-Corruption Commission.
  - Legitimate business reason - non token offers: Even if the offer complies with all the above requirements, must be refused unless there is a legitimate business reason to accept them. The offer must further the conduct of official business or other legitimate goals of MCET.

Consult the *Identifying and Reporting offers of Gifts, Benefits, Hospitality & Samples Procedure* prior to accepting any offers.



### 4.3 Authorising Officers

Authorising officers, in addition to the minimum accountabilities recorded above, must also comply with the following requirements.

- Oversee the approval or rejection of offers presented by their team members and ensure approval to accept a particular offer is provided prior to the offer being accepted.
- Assess the risks of accepting or declining offers and document and manage these accordingly.
- Communicate MCET's GBH Policy position to contractors, consultants, community partners and sponsors and other business and key stakeholders through procurement documents, service contracts, MOU's or other communications, outlining to these stakeholders the potential consequences arising from an Employee acting contrary to this policy.
- Model good practice and foster a culture of integrity.
- Consider whether cumulative offers from a single source are appropriate. When an employee speaks up in good faith:
- Take decisive action, including possible disciplinary action, against anyone who discriminates against or victimises an employee who speaks up in good faith.
- Actively support and protect employees who speak up in good faith about possible breaches of the policy and respond constructively to the information they provide.

### 4.4 Declaring all non-token offers:

If an employee receives a non-token offer (valued at \$50 or more), must:

- Declare the offer in writing, even if it was refused it.
- Always refuse the offer unless it complies with the minimum accountabilities advised above and have approval as set out in this policy.

The offer and outcome must be recorded on MCET's official [GBH register](#) located on MCET's Intranet and in the public register.

Refer to *Identifying and Reporting offers of Gifts, Benefits, Hospitality & Samples Procedure* for guidance on requirements surrounding legitimate business reasons.

### 4.5 Ceremonial Gifts

Employees should accept all Ceremonial Gifts on behalf of MCET. These gifts must be reported by employees and recorded in the GBH internal register on the intranet.

Ceremonial Gifts do not need to be reported in the external register published on MCET's public website. MCET will retain ownership of Ceremonial Gifts.



#### 4.6 Inadvertent acceptance of a non-token Gift or Benefit

There may be situations where a gift or benefit that should have been declined is accidentally accepted and cannot be easily returned. This can happen when returning or refusing the gift is difficult or inappropriate due to cultural reasons, anonymity, or the context in which it was received.

Gifts and benefits need to be approved by an Authorising Officer within 5 business days and recorded in the GBH register. The Authorising Officer will decide whether to keep, dispose of, or transfer them for MCET's use.

### 5. Sample offers

Samples are considered a small quantity of a product provided by external entities free of charge to potential customers as a direct marketing technique, to demonstrate or promote their products or services for potential sales or contracts. This includes but is not limited to various types of items such as food, wine, tools, and computer programs.

Employees may only accept samples for the purpose of evaluating the product or service in relation to MCET procurement or decision-making procedures. They should not request or solicit samples directly from external sources. All received samples must be recorded in the Samples internal register located on MCET's Intranet, with details including the source, description, quantity, estimated value, date received, and intended use. This register must be updated promptly to ensure accurate tracking.

If a sample is returned after a specified evaluation period, the return must be documented in the Samples Internal Register with the return date and any relevant notes. Samples are to be accepted strictly for evaluation to determine their potential use and should not unduly influence purchasing decisions or contract negotiations. Any Conflicts of Interest, as defined in the *Conflict-of-Interest Policy* must be declared and managed in accordance with that policy.

Any offers of samples or incentives that could be seen as attempts to influence decision-making should be reported to the Governance & Compliance Team. Non-compliance with this process may lead to disciplinary action.

### 6. Official Business Events (OBE)

Official Business Events (OBEs) involve attending events as a representative of MCET or the government. Eligibility to attend such events depends on the employee's role within the organisation. For example, an event might be classified as an OBE for an Executive but not for their direct reports. Eligible employees typically include the CEO, Executive Leadership Team, and individuals involved in relevant operational areas or corporate partnerships. These events must have a direct connection to the employee's role and organisational responsibilities.



OBEs cover various areas, including service delivery observation, stakeholder engagement, sector knowledge, business leveraging, and professional development. They may also involve state functions, support for government representatives, or participation in relevant industry events. Before accepting an OBE invitation, it's crucial to consider its appropriateness, the number of attendees, the purpose of attendance, and whether it serves a legitimate business purpose. Events that offer only personal benefits or hospitality are not considered OBEs unless not attending could negatively impact MCET's reputation.

Criteria for an invitation to be classified as an OBE include:

- Invitation Source: Must come from a federal or local government function, a corporate partner, an industry-related event, or an educational/training event relevant to the employee's role.
- Role Relevance: The invitee's role should directly relate to the event.
- Expectations: There should be a reasonable expectation that the attendance benefits MCET, government, or the public.
- Approval: The employee must have prior approval from their authorising officer.
- Purpose: Attendance should provide clear, proportional benefits, such as networking, knowledge development, or relationship management.

All invitations to OBE's must be recorded in the [GBH register](#) regardless of if they have been accepted or declined.

Refer to the *Identifying and Reporting offers of Gifts, Benefits, Hospitality & Samples Procedure* for examples of appropriate justifications for acceptance.

## 7. Providing MCET-funded GBH

- Employees may only provide GBH funded by MCET when all of the following criteria is met:
  - It is in the best interests of MCET, has legitimate business interest, and supports government policy objectives and priorities and it does not give rise to a Conflict of Interest.
  - It should have a direct relationship to the performance of the employee's role and not be of a private nature, with individuals demonstrating professionalism and upholding their duty of care to other participants.
  - The overall cost should be considered reasonable in relation to community expectations and proportionate to the benefits accruing to MCET, while also being within approved budget limits and properly authorised.
- An Employee unsure about the provision of GBH of more than Token value should consult the *Identifying and Reporting offers of Gifts, Benefits, Hospitality & Samples Procedure* for guidance. If unsure, further advice and assistance is available from the Governance & Compliance Team.
- GBH funded and provided by MCET do *not* need to be declared or recorded on the Register. However, all GBH funded by MCET for clients or stakeholders are subject to expenditure approvals as per the Financial Delegation of Authority.





## 8. Registers

The Governance & Compliance Team maintains [GBH](#) and the [Sample Registers](#), which capture all offers received by MCET Employees.

### Internal Register

- The internal registers are reviewed regularly, and risk assessed by the Governance & Compliance Manager to ensure transparent reporting of offers and to scrutinise whether there have been attempts to improperly influence the decisions or actions of Employees.
- It is the responsibility of all MCET employees to record all offers of GBH or Samples accepted or declined in the relevant internal register, employees must receive approval from their authorising officer prior to acceptance of any offer.

### External Register - Website

MCET is required to publish a modified version of the GBH Register, not including Samples as well as our GBH Policy externally on its website in accordance with the following guidelines:

- Individual names are not published on the external register according to MCET's Privacy Statement.
- Full role title of the recipient and the organisation name and role title of the person providing the offer shall be disclosed for accepted and transferred offers.
- Ceremonial gifts are not required to be published.

Refer to the *Identifying and Reporting offers of Gifts, Benefits, Hospitality & Samples Procedure* for the full list of minimum reportable information required.

## 9. Reporting

- MCET is required to report annually to the Risk Committee on the administration and quality control of its policy, processes, and register, including an analysis of MCET's GBH risks (such as repeat offers from the same source and offers from business associates), risk mitigation measures, and proposed improvements.
- The Chair of the Risk Committee is required to provide a report to the Department of Jobs, Skills, Industry and Regions (DJSIR) detailing MCET's compliance with the VPSC's Minimum Accountabilities for managing gifts, benefits, and hospitality as part of its annual Financial Management Compliance Report.
- In accordance with the requirements of Victorian Public Sector Commission's GBH Minimum Accountabilities, a GBH Register report will be published annually on MCET's public website, following the end of the financial year.
- A summary report of the internal registers is provided to Executive Leaders and Department Heads on a quarterly basis for review, oversight, and education purposes.



## 10. Breaches

### Non-compliance with this policy

- Disciplinary action in accordance with MCET's Disciplinary Procedure Policy and relevant legislation, may be taken where an individual fails to comply with the requirements of this policy.
- Non-compliance with this policy may, in appropriate cases, constitute criminal or corrupt conduct. Specifically, any instance of non-compliance that involves a bribe is considered a criminal offense and will be reported to the Fraud Control Officer.

### Reporting and Investigation of breaches or alleged breaches

- Any suspected or actual breaches of this policy should be reported in the first instance to the relevant Senior Manager. If an Employee is not comfortable reporting a breach to the relevant Senior Manager, they can make a report confidentially to MCET's Fraud Control Officer.
- Employees can also make a protected disclosure to the Independent Broad-based Anti-Corruption Commission (IBAC) or contact IBAC as follows:

By phone: 1300 735 135  
 By email: [info@ibac.vic.gov.au](mailto:info@ibac.vic.gov.au)  
 By website: [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)

## 11. References

### External

Victorian Public Sector Commission - Gifts, Benefits and Hospitality Minimum Accountabilities

Victorian Public Sector Code of Conduct

### Internal

Identifying and Reporting offers of Gifts, Benefits, Hospitality & Samples Procedure

Disciplinary Procedure Policy

Fraud and Corruption Control Policy & Framework

Complimentary Ticket Policy

Code of Conduct Policy

Conflict of Interest Policy

Public Interest Disclosure Policy

