

Gifts and Hospitality Policy

This policy sets out when it is appropriate to accept gifts or hospitality and when they should be declined. It also outlines how to declare, record and handle any gifts or hospitality accepted or declined.

Version	3.1	Contact	Team Leader, Facilities
Status	Current – In effect from 18 June 2015.	Approved	3.1: Executive Leadership Team, 18 Jun 2015
Owner Group(s)	Facilities	Policy Owner	Treasury Solicitor and Manager, Legal Group
iManage	1857715v5	Due for Revision	19 February 2020
File Reference	MG-0 Treasury's Corporate Policies	Revision History	Refer to the Register of Corporate Policies (1934553)

Please do not make unauthorised electronic copies or new versions (drafts) of this Treasury corporate policy. Contact [Gavin Hamilton](#), x8112, to have new drafts initiated and recorded in the [Register of Treasury Corporate Policies](#) (1934553).

Contents

Policy Statement	2
Purpose of this Policy	2
Who the Policy Covers	3
Who and What the Policy Does Not Cover	3
Principles	3
Principle 1: Treasury staff should not accept gifts or hospitality unless there is a clear business benefit to Treasury.	3
Principle 2: All gifts or hospitality that could reasonably be seen as undermining the integrity of Treasury staff, Treasury, or the wider State Sector must be refused.	3
Principle 3: Treasury staff must adhere to the Treasury Conflicts of Interest policy and Treasury Code of Conduct.	4
Principle 4: Treasury staff must not accept prohibited gifts and hospitality.	4
Process	4
Accepting Gifts	4
Accepting Hospitality	5
Pre-Approval	6
Ratification Where Pre-approval Not Obtained	6
Register	7
Review and Reports	7
Gift – Decision Tree	9
Hospitality – Decision Tree	10

Policy Statement

1. All Treasury staff are required to be fair, impartial, responsible and trustworthy, and act in a way that maintains public confidence in the Treasury and the wider State Sector. Consequently, Treasury staff must:
 - a. avoid any situation where actions they take in an official capacity could be seen to be influenced by their private interests or to create an obligation to another party
 - b. be very careful about accepting gifts or hospitality and always be aware of the public perception that can result from accepting gifts and hospitality
 - c. apply the Treasury Conflicts of Interest policy (#2198032) and the Treasury Code of Conduct (#1963916).
2. In this policy:

“**Gifts**” may be items or services (e.g. chocolates, flowers, gift vouchers) and includes such things that you are given or win (e.g. merit-based prizes whether monetary or otherwise) at a hospitality event to be taken home. Spot prizes, raffles and other prizes awarded on a random or chance basis are not considered gifts for the purposes of this policy.

“**Hospitality**” is any item or service (e.g. food, drink, transportation or accommodation) provided by a party to be consumed at a function (e.g. networking function, conference, speaking engagement), and includes the provision of services associated with the function (e.g. travel). Hospitality does not include items that you or the Treasury have paid for (e.g. official conference dinner).
3. Hospitality and gifts received are not limited to within New Zealand and this policy continues to apply to staff while overseas.
4. If in doubt about accepting gifts and hospitality, seek guidance from your manager.
5. Treasury will maintain a Register of material gifts and hospitality received.
6. Failure to comply with this policy may be considered misconduct under the Treasury Code of Conduct and may result in disciplinary action.

Purpose of this Policy

7. The purpose of this policy is to maintain public confidence in the Treasury and the wider State Sector, as well as to protect Treasury staff, by providing a transparent and consistent means of recording gifts and hospitality accepted by Treasury staff.
8. This policy accordingly explains the principles and procedures that apply to Treasury staff when:
 - a. Considering whether to accept or decline gifts or hospitality.
 - b. Gifts or hospitality are accepted.

Who the Policy Covers

9. This policy applies to you if you are Treasury staff, which includes:
 - a. Treasury employees, including those on all types of leave.
 - b. Consultants, contractors, casual and temporary staff paid by Treasury.
 - c. Non-executive Treasury Board and Committee members carrying out Treasury business.
 - d. Secondees to Treasury.

Who and What the Policy Does Not Cover

10. This policy does not apply to:
 - a. Gifts or hospitality that Treasury staff may be offered or receive independently of, and not in relation to, their work or role at Treasury.
 - b. Secondees from Treasury to the extent that they are required to comply with their host agency's gifts and hospitality policies.

Principles

11. You must consider the following principles before accepting gifts or hospitality. If accepting a gift or hospitality would be inconsistent with any principle, then the gift or hospitality **should be declined**. If in doubt as to whether accepting a gift or hospitality would be inconsistent with any principle, you should consult your manager. If any doubt remains, you should err on the side of caution and decline the gift or hospitality.

Principle 1: Treasury staff should not accept gifts or hospitality unless there is a clear business benefit to Treasury.

12. A business benefit to Treasury is one that furthers Treasury business, relationships and interests. The business benefit must be identifiable and able to be recorded if required.

Principle 2: All gifts or hospitality that could reasonably be seen as undermining the integrity of Treasury staff, Treasury, or the wider State Sector must be refused.

13. In assessing whether acceptance of a gift or hospitality might be perceived as undermining the integrity of Treasury staff, the Treasury or the wider State Sector, you should consider how the public might reasonably perceive acceptance of the gifts or hospitality. Some relevant factors to assess may include:
 - a. the value of the gift or hospitality,
 - b. the perceived private benefit obtained by Treasury staff,
 - c. whether the public might perceive a conflict of interest, an improper influence or obligation,
 - d. the nature of the gift or hospitality,
 - e. the timing, frequency and regularity of offers of gifts or hospitality,
 - f. the proportionality between the gift or hospitality offered and the Treasury business benefit,
 - g. the nature of the relationship between the Treasury staff member and the external party, and

- h. situations of procurement and tendering, where accepting gifts or hospitality might lead the public to believe that Treasury independence or decision making was, or might be, compromised.

Principle 3: Treasury staff must adhere to the Treasury Conflicts of Interest policy and Treasury Code of Conduct.

- 14. This policy should be read in conjunction with all other Treasury policies, in particular:
 - a. The Treasury Conflicts of Interest policy (#2198032), and
 - b. The Treasury Code of Conduct (#1963916).

Principle 4: Treasury staff must not accept prohibited gifts and hospitality.

- 15. Prohibited gifts and hospitality are:
 - a. Items or invitations where a direct instruction has been given by the Secretary to the Treasury or the State Services Commissioner that they should not be accepted (e.g. Rugby World Cup tickets).
 - b. Money, shares, or similar items. The only exception is money as part of a merit-based prize. See paragraph 19 for details.
 - c. Gift vouchers, **unless** they are worth less than \$100 and are given in recognition of a speaking engagement (or similar activity approved by the recipient's manager).
 - d. The provision of favourable prices and/or terms on services or products that are not available to all Treasury staff, **unless** the discount is offered as a result of membership of a union or professional body.
 - e. Items or invitations offered during a procurement process, tendering, decision making process or similar situation where Treasury is likely to be making decisions involving the external party offering the item or invitation and there could be a reasonable perception that the Treasury decision-making process will be influenced by acceptance.
 - f. Attendance at a venue where a sporting or entertainment event is being held that is more than incidental to the purpose of furthering Treasury business, relationships and interests.
 - g. Hospitality offered to Treasury staff in connection with their work or role at Treasury while in attendance at a venue where a significant sporting or entertainment event is being held, even if Treasury staff paid to attend with their own money.

Process

Accepting Gifts

- 16. Gifts worth less than \$100 may be accepted, provided acceptance is consistent with the principles.
- 17. Gifts worth \$100 or more should be declined, unless:
 - a. the gift is from an international/cultural dignitary or iwi and refusing the gift would cause offence (see paragraph 19 below), or
 - b. the gift was received unintentionally and a Deputy Secretary decides that returning the gift would cause an unacceptable amount of offence (see paragraph 20 below).

18. If the value of a gift is unclear, staff should discuss with their manager and a common sense based approach should be applied as to value.
19. Merit-based prizes are treated differently from random prizes. Where a staff member wins a competition in their capacity as a Treasury employee (e.g. by submitting a research paper) the prize money may be accepted but must be surrendered to the Policy Owner. This is in recognition of the fact that work was done during business hours, using Treasury resources, and, likely, with the input of other staff members.
20. All accepted gifts immediately become the property of Treasury:
 - a. Perishable items under \$100, such as food or flowers, are to be shared amongst the recipient's team.
 - b. Incidental work related items, such as professional books, corporate stationary, pens and similar promotional items, that can be used by Treasury Staff to support Treasury business may be accepted and used within the relevant team.
 - c. All other gifts must be surrendered to the Policy Owner.
21. The Policy Owner will decide on the appropriate use of other gifts, which may include:
 - a. display on Treasury premises,
 - b. storage,
 - c. use at a Treasury function (e.g. in the case of alcohol), or
 - d. donating the gift to charity.
22. Gifts from **international/cultural dignitaries and iwi** (regardless of amount) are to be accepted where refusal would cause offence. The gift is recorded in the Register as *value unknown* (to avoid embarrassment to the giver) and surrendered to the Policy Owner:
 - a. for display or storage,
 - b. if perishable, for sharing amongst Treasury staff, or
 - c. if alcohol, for use at a Treasury function.
23. Gifts from parties other than international/cultural dignitaries and iwi that are worth \$100 or more should be declined and not recorded in the Register. Should Treasury staff unintentionally accept or receive a gift, e.g. by mail, the gift is to be returned and not recorded in the Register (as the gift has been declined). If you intend to return a gift, let your Deputy Secretary know. However, if, after consideration, the applicable Deputy Secretary decides that returning the gift would cause an unacceptable amount of offence, then the gift is to be recorded in the Register and surrendered to the Policy Owner for display in Treasury or storage or donation to charity.

Accepting Hospitality

24. Hospitality valued at **less than \$100** may be accepted, provided that it is consistent with the [principles](#).
25. Hospitality valued at **\$100 or more** (including the cumulative total of multiple events in a 12 month period) may be accepted only if:
 - a. it is consistent with the principles, and
 - b. it has been pre-approved by the relevant manager (see paragraph 26 below).

26. If you don't know the value of the hospitality, you should discuss with your manager and a common sense based approach should be applied as to value.
27. Although hospitality valued at less than \$100 does not need pre-approval, you should ensure your manager is aware of any hospitality that you accept.

Pre-Approval

28. Pre-approval should be recorded in writing (e.g. an email from the relevant manager) and saved into iManage.
29. The following table sets out who must pre-approve the hospitality:

Who is offered the hospitality?	How much is the hospitality worth?	Who must pre-approve the hospitality?
Treasury staff	\$100 - \$200	Recipient's manager
Treasury staff	More than \$200	Relevant Deputy Secretary
Treasury staff	Travel and accommodation for functions or professional speaking engagements, regardless of value	Relevant Deputy Secretary
Treasury staff	Treasury staff should maintain awareness of repeat low value hospitality that is provided by the same party multiple times in a 12 month period. Staff should record the total value in the Register if cumulatively, the value \$100 or more. The 'other comments' field should be used to record the hospitality dates. Note: If a party segregates its business, products or services into different organisational units, then each organisational unit can be treated as a different party for the purposes of this policy.	Recipient's manager
Secretary to the Treasury / Chief Executive	More than \$100	Pre-approval by the Chief Financial Officer and routine review and ratification by the Chair of Risk and Audit Committee
Chief Operating Officer	More than \$100	Secretary to the Treasury/Chief Executive
Other Deputy Secretaries	More than \$100	Chief Operating Officer

Ratification Where Pre-approval Not Obtained

30. If you unintentionally breach the pre-approved limit (i.e. where the value of the hospitality is higher than expected), you must seek ratification of the higher limit from your manager.

Register

31. The following items must be recorded in the Register:
 - a. **Accepted** gifts or hospitality with a value of \$100 or more.
 - b. If the same external party provides hospitality to an individual more than four times in a twelve month period totalling more than \$100.
 - c. Gifts from international/cultural dignitaries and iwi.
32. The Register can be found at: <http://treasury-gifts>. The page also contains a FAQ section.
33. Declined offers of gifts or hospitality are not recorded in the Register.
34. You are responsible for recording in the Register all gifts and hospitality you have accepted (and for updating the Register, if necessary). In the case of hospitality, you must update the Register before receiving the hospitality, or, if it is not practical to do so, within a week of receiving the hospitality. In the case of gifts, you must update within a week of receiving the gift.
35. The Register will be available for viewing by all Treasury staff, and a summary will be proactively released to the public annually by the Policy Owner.

Review and Reports

Quarterly

36. Each Deputy Secretary is responsible for:
 - a. reviewing the Register entries made by Treasury staff within his or her portfolio each quarter.
 - b. confirming that each entry complies with this policy and, if an entry does not comply with the policy, that appropriate action has been taken by the relevant manager.

Biannually

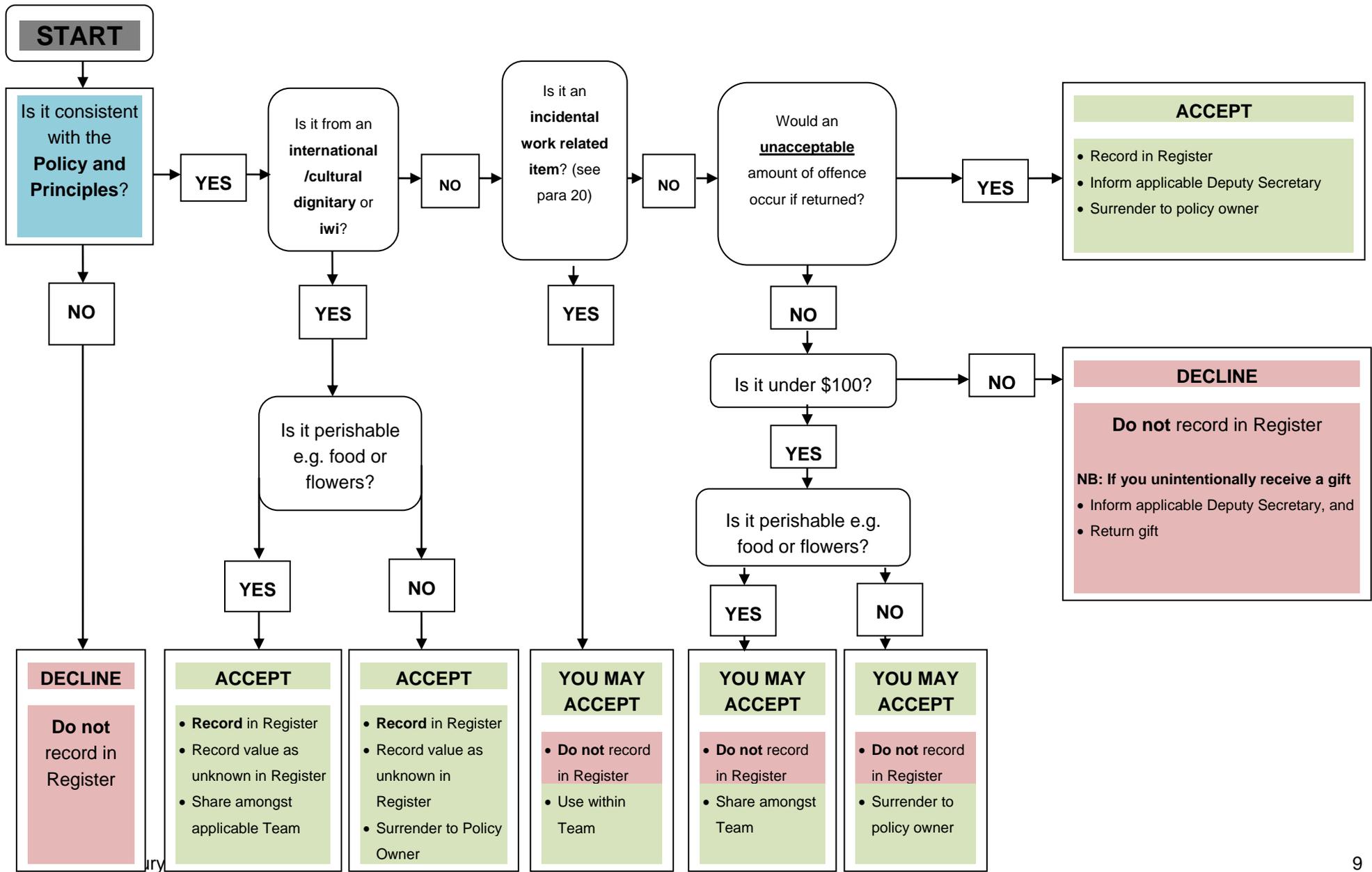
37. Every six months, the Policy Owner will issue a notice to staff on the intranet reminding them of the policy principles.

Annually

38. Each year, the Policy Owner will:
 - Review the entries in the Register to identify and address any entries that appear to be inconsistent with the requirements or intent of this policy.
 - Provide ELT with:
 - a summary of the findings of his/her review of the Register,
 - any recommendations (including policy changes), and
 - a summary of the Register to be proactively released to the public (prior to release).
 - Arrange for the Communications Team to proactively release to the public a summary of the Register, after consultation with and approval by the Chief Operating Officer. The Chief

Operating Officer has the discretion to choose whether or not to consult with ELT before giving approval for the public release of a summary of the Register.

Gift – Decision Tree



Hospitality – Decision Tree

