

The logo for Ports Victoria is located in the top left corner of the page. It features a stylized white triangle pointing downwards, with the words "PORTS VICTORIA" in white, bold, uppercase letters to its right. The background of the logo area is a dark blue gradient, with a yellow and light blue geometric shape on the far left.

PORTS VICTORIA

Gifts, Benefits and Hospitality Policy

Authorised by: Board

Status: Approved

Classification: Official

Responsible executive:	Chief Financial Officer and Head of Corporate Services
Approval date:	24 June 2026
Review period:	In each 3-year period from the last approval date, or earlier if required.

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1. Introduction

Offers and exchange of gifts, benefits, and hospitality (**Offer**) are common in business. However, when performing public duties, Employees must maintain impartiality in their decisions, uphold trust and prevent criminal behaviour such as fraud and corruption.

This Policy provides guidance on how Ports Victoria and its Employees manage the acceptance of Offers and the provision of Gifts, Benefits and Hospitality. It defines boundaries and highlights potential risks, helping to safeguard the reputation of both individuals and the organisation. The Policy is supported by the *Gifts, Benefits and Hospitality Procedure*.

Ports Victoria encourages a culture where ‘thanks is enough’. This reflects a move towards a standard where Offers are politely declined, even when permitted under the Policy, to reinforce integrity and maintain public confidence in the organisation.

The Policy has been prepared in alignment with the Minimum Accountabilities for managing Offers established by the Victorian Public Sector Commission.

2. Scope

This Policy applies to everyone employed by Ports Victoria, contractors, consultants, and any individuals or groups undertaking activities for or on behalf of Ports Victoria's when explicitly required to do so under their contract for services or other similar agreements. It includes the directors of Ports Victoria for the time being (collectively referred to as **Employees**).

3. Definitions

Authorising Officer means an executive manager or senior manager in relation to Employees within their team, the Chief Executive Officer (CEO) in relation to executives, the Board Chair in relation to the CEO and other directors and the Chair of the Audit Committee in relation to the Board Chair.

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.

Conflict of Interest means a situation where an Employee's private interests conflict with their official functions as a public officer. Conflicts may be:

- **Actual:** There is a real conflict between an Employee's public duties and their private interests.
- **Potential:** 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.
- **Perceived:** 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.

Employee takes its definition under the heading “Scope.”

Gifts mean 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 ranges from light refreshment at a business meeting to expensive restaurant meals and sponsored travel and accommodation.

Legitimate Business Reason means a reason that furthers the conduct of official business or other legitimate goals of Ports Victoria in accordance with its statutory functions or the State.

Non-token Offer means an Offer that has or may reasonably be perceived to have, more than inconsequential value by the recipient, the person making the offer, or the wider community. 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 gifts are provided as part of the culture and practices of communities and governments within Australia or internationally. Ceremonial gifts are usually provided when conducting business with official delegates or representatives from another organisation, community or foreign government.

Policy means this Gifts, Benefits and Hospitality Policy.

Register means Ports Victoria's internal and external register that captures all relevant information in relation to accepted and declined Non-token Offers under this Policy.

Token Offer means an Offer that is of inconsequential or trivial value to both the person making the offer and the Employee 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.

4. What is excluded from the operation of this Policy

The following Offers can be accepted and do not have to be recorded in the Register:

- Offers received by Employees in a private capacity unrelated to their role or responsibilities at Ports Victoria. This includes attendance by the Employee at a particular event as a family member's guest.
- Hospitality that is purely internal and only involves Employees.
- Hospitality provided on behalf of the Victorian Government or other Victorian Public Sector organisations, provided that the hospitality is offered as part of official business, the reason for the Employees' attendance is consistent with Ports Victoria's statutory functions and objectives, and the Employee's attendance is appropriate within the scope of their role.

5. Receiving Offers

5.1. Key principles

Offers are not to be accepted unless there is a Legitimate Business Reason or public interest reason to do so, and it can be demonstrated that acceptance will not give rise to a Conflict of Interest.

When Offers are made, Ports Victoria's starting position is that they should be **declined** and that "thanks is enough".

An Employee must not accept an offer made to them without prior approval from an Authorising Officer. Any Offer intended to be accepted must be approved by an Authorising Officer before the Offer is formally accepted, in accordance with the *Gifts, Benefits and Hospitality Procedure*.

5.2. Minimum accountabilities

Employees must adhere to the following minimum accountabilities when considering to all Offers, whether Token or Non-token.

- Must not seek or solicit Offers for themselves or others
- Must refuse any Offer that:
 - involves money, items used like money, or items easily converted to money
 - creates or may be perceived to create a Conflict of Interest that could influence, or be seen to influence, the performance of their public duties
 - could undermine public confidence in their impartiality or in the impartiality of Ports Victoria or the broader public sector
 - is inconsistent with community expectations
 - could reasonably be viewed as a bribe or other form of inducement. In this event, this must be reported to the CEO or CFO and Head of Corporate Services.
- Declare all Offers and outcomes (whether accepted or declined) in the Register and obtain written approval from their manager where the acceptance of a Non-token Offer is contemplated.
- In the case of directors, seek advice from the Chair, or for Employees, their manager or the Authorising Officer if they are unsure about how to respond to an Offer.

The Policy and an appropriately redacted version of the Register are published annually on Ports Victoria's website for the current and the previous financial year.

5.3. Acceptance principles

Before accepting an Offer, Authorising Officers must consider the following questions in the GIFT test. The GIFT test provides a broad framework in determining the appropriateness of Offers.

G	Giver	Who is providing the Gift, Benefit or Hospitality and what is their relationship to the offeree? Is this Gift, Benefit or Hospitality being offered to someone in their role which requires them to select contractors, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision made by the offeree?
I	Influence	Are they seeking to influence Ports Victoria's decisions or actions? Has the Gift, Benefit or Hospitality been offered publicly or privately? Is it a courtesy, token of appreciation or highly valuable? Does its timing coincide with a decision that Ports Victoria is about to make?
F	Favour	Are they seeking a favour in return for the Gift, Benefit or Hospitality? Has the Gift, Benefit or Hospitality been offered honestly? Has the person or organisation made several offers over the last 12 months?
T	Trust	Would accepting the Gift, Benefit or Hospitality diminish public trust? How would I feel if the Gift, Benefit or Hospitality became public knowledge? What colleagues, family, friends or associates think?

If an Authorising Officer approves acceptance of a Non-token Offer, the *Gifts, Benefits and Hospitality Procedure* must be followed. The Procedure includes examples of how to apply the GIFT test.

5.4. Declining offers

Employees and Authorising Officers must decline Offers that do not meet policy requirements in the way set out in the *Gifts, Benefits and Hospitality Procedure*.

5.5. Official Gifts

Employees should accept all Official Gifts as defined in the Policy. These gifts must be reported by Employees and recorded on the Register. Official Gifts do not need to be recorded on the external Register which is published on Ports Victoria's website.

Ports Victoria will retain ownership of all Official Gifts.

5.6. 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, particularly if returning or refusing the Gift or Benefit is difficult or inappropriate due to cultural reasons, anonymity, or the context in which it was received. Such Gifts and Benefits need to be approved by an Authorising Officer within 5 business days of their receipt and recorded in the Register. The Authorising Officer will decide whether to keep, dispose of, or transfer them for Ports Victoria's use in accordance with the *Gifts, Benefits and Hospitality Procedure*.

6. Providing Ports Victoria-funded Gifts, Benefits and Hospitality

Hospitality or the giving of Gifts is often provided to welcome guests, facilitate the development of business relationships, further business outcomes (including launching of new initiatives or strengthening Ports Victoria’s reputation and brand), celebrate achievements, support training and learning opportunities. When planning to provide Token or Non-token Gifts, Benefits or Hospitality, Employees must apply the HOST Test to help inform them in their decision making:

H	Hospitality	To whom is the Gift or Hospitality being provided? Will recipients be external business partners, or employees of the host organisation?
O	Objectives	For what purpose will the Hospitality be provided? Is the Hospitality being provided to further the conduct of Port Victoria’s official business? Will it promote and support government policy objectives and priorities? Will it contribute to employee wellbeing and workplace satisfaction?
S	Spend	Will public funds be spent? What type of Hospitality will be provided? Will it be modest or expensive, and will alcohol be provided? Will the costs incurred be proportionate to and less than the benefits obtained?
T	Trust	Will public trust be enhanced or diminished? Can the rationale for providing the Gift or Hospitality be publicly explained and stand to their scrutiny? Will the event be conducted in a manner which upholds Ports Victoria’s reputation and that of the public sector? Have records in relation to the Gift or Hospitality been kept in accordance with reporting and recording procedures?

7. The Register

7.1. Internal Register

Ports Victoria must administer and maintain an Internal Register for internal reporting and governance purposes and from which the external Register is created.

7.2. External (Website) Register

Ports Victoria must make available an external version of the Register on its websites with the following modifications:

- Employee names are not published
- Full role title of the recipient and the organisation name and role title of the person providing the Offer shall be disclosed for accepted Offers
- Official gifts are not required to be published.

The external Register must be updated annually as soon as practicable following the end of the financial year.

8. Reporting Requirements

In addition to the publishing requirements under section 8 of the Policy, Ports Victoria shall report to the Audit Committee annually on the administration and quality control of the Policy, processes and Register, including an analysis of Ports Victoria’s Gifts, Benefits and Hospitality risks and trends and proposed improvements (if any).

A copy of an up-to-date Register must be reported to the Audit Committee quarterly.

9. Procedure

Ports Victoria may prepare and approve the Gifts, Benefits and Hospitality Procedure in compliance with and in support of the requirements of the Policy.

10. Awareness Plan

The CFO and Head of Corporate Services, or their delegate, is responsible for developing and reviewing an annual awareness plan. The plan aims to uplift organisational understanding of integrity policies through improved training materials and staff communications.

The plan will be developed through an awareness program that includes targeted communications throughout the year, particularly around higher-risk periods. For example, reinforcing expectations under this Policy in the lead up to the Christmas period. The program also includes the review and update of training materials in consultation with the People and Culture team. The plan must be documented.

11. Breaches

11.1. Speak up

Employees who consider that Offers have not been considered by someone else or managed consistently with the Policy are encouraged to speak up and notify their next-up manager or the CEO. Management will take decisive action, including possible disciplinary action, against Employees who discriminate against or victimise those who speak up in good faith.

11.2. Non-compliance with the Policy

Employees who fail to comply with the requirements of the Policy may face disciplinary action according to applicable Ports Victoria policies and other instruments. In appropriate cases, non-compliance with the Policy may constitute criminal or corrupt conduct. Specifically, any instance of non-compliance that involves a bribe is considered a criminal offence and will be reported to the CEO at first instance.

11.3. Reporting and investigation of breaches

Any suspected or actual breaches of the 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 Ports Victoria's Protected Disclosure Coordinator. Employees can otherwise make a public interest disclosure to the Independent Broad-based Anti-Corruption Commission (IBAC) or contact IBAC by phone on 1300 735 135 or by email at info@ibac.vic.gov.au. IBAC's website can be found at: www.ibac.vic.gov.au.

12. Accountabilities and responsibilities

Role	Accountabilities and responsibilities
Chief Executive Officer (CEO)	The CEO must: <ul style="list-style-type: none">Establish, implement and communicate an effective Policy.Annually attest to having a Gifts, Benefits and Hospitality Policy in place consistent with the VPSC policy framework.

Role	Accountabilities and responsibilities
	<ul style="list-style-type: none"> ▪ Report at least annually to the Audit Committee on the administration and quality control of the Policy, processes and Register, including an analysis of Ports Victoria’s Gifts, Benefits and Hospitality risks and trends and proposed improvements (if any). ▪ Publish the Policy and Register on Ports Victoria’s public website. ▪ approve the <i>Gifts, Benefits and Hospitality Procedure</i> as required.
Board and Audit Committee	<p>The Board is responsible for approving the Policy following endorsement by the Audit Committee.</p> <p>The Audit Committee reviews the Register quarterly.</p>
Chief Financial Officer (CFO) and Head of Corporate Services	<p>The CFO and Head of Corporate Services has overall responsibility for:</p> <ul style="list-style-type: none"> ▪ Implementing the Policy. ▪ Recording and reporting expenditure in accordance with whole of government financial management, accountability and reporting requirements. ▪ Providing advice on potential fringe benefits tax on the acceptance of Offers.
Authorising Officers	<p>Authorising officers, in addition to the minimum accountabilities outlined in the Policy, must also comply with the following requirements:</p> <ul style="list-style-type: none"> ▪ 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. ▪ Be aware that the acceptance of Offers may have fringe benefits tax implications and to consult with Finance in this regard. ▪ Assess the risks of accepting or declining Offers and document and manage these accordingly. ▪ Model good practice and foster a culture of integrity. ▪ Consider whether cumulative offers from a single source are appropriate. ▪ Use reasonable endeavours to communicate Ports Victoria’s 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. ▪ When an Employee speaks up in good faith, take decisive action, including possible disciplinary action, against anyone who discriminates against or victimises an Employee.
Governance and Information Manager	<p>The Governance and Information Manager is responsible for:</p> <ul style="list-style-type: none"> ▪ the administration of the Register and for ensuring relevant forms are comprehensive and completed and authorised prior to information being entered onto the Register.

Role	Accountabilities and responsibilities
	<ul style="list-style-type: none"> ▪ the preparation of the External Register. ▪ the periodic review of the Register to ensure transparent reporting of Offers and to scrutinise whether there have been attempts to improperly influence the decisions or actions of Employees or other policy-related risks to Ports Victoria. ▪ the periodic review of the <i>Gifts, Benefits and Hospitality Procedure</i> to ensure that Ports Victoria's processes are effectively administered.
Management Group	Members of the Management group must promulgate an awareness and compliance culture of the Policy to all applicable Employees.
Employees	Employees must be familiar with and comply with the Policy.

13. Review

The Policy will be reviewed and approved by the Board in each 3-year period from the last approval date by the Board, or earlier if required. Minor updates such as names, roles, divisions, links or legislative or other authoritative references may be made between reviews to keep information current, without requiring Board approval.

14. Related documents and legislation

No.	Title of related document
1.	Gifts, Benefits and Hospitality Notification Form and related register
2.	Gifts, Benefits and Hospitality Procedure
3.	Code of Conduct for Victorian Public Sector Employees and Directors of Public Entities
4.	Fraud, Corruption and Other Losses Prevention and Management Policy
5.	Conflict of Interest Policy
6.	Public Interest Disclosures Procedure
7.	Procurement Policy and associated procedures and guidelines
8.	Delegations of Authority Policy
9.	Victorian Public Sector Commission's Gifts, Benefits and Hospitality Policy Guide
10.	Minimum accountabilities for the management of gifts, benefits and hospitality (see Instructions supporting the Standing Directions of the Minister for Finance)
11.	Public Administration Act 2004

15. Version history

Version	Date	Name	Reason
1.0	27 October 2021	Board	Approved by the Board
1.1	22 November 2023	Audit Committee	Reviewed/amended and submitted to 29 November 2023 Audit Committee
1.1	29 November 2023	Audit Committee	Approved by the Audit Committee for submission to the Board for approval
1.1	28 February 2024	Board	Approved by the Board
1.2	27 March 2025	Audit Committee	Approved by the Audit Committee for submission to the Board for approval
1.2	30 April 2025	Board	Approved by the Board
2.0	27 May 2026	Audit Committee	Approved by the Audit Committee for submission to the Board for approval
2.0	24 June 2026	Board	Approved by the Board