

## PROPOSED AMENDMENT TO THE PSC Civil Service Regulations 2015

<b>Ref:</b>	<b>Amendment PSC 15 – 196</b>
<b>Re:</b>	<b>Civil Service Regulations A7 – Acceptance of Gifts and Rewards</b>
<b>Proposal:</b>	Amendment to align Civil Service Regulations with Section FPN A.02 of IOM Government Financial Regulations.
<b>Existing Regulation:</b>	<p><b>Acceptance of gifts and rewards A7</b></p> <p>a) It is an offence under the Corruption Act, 2008 for a civil servant corruptly to accept any gift or consideration as an inducement or reward for:</p> <ol style="list-style-type: none"> <li>1. doing, or refraining from doing, anything in their official capacity <b>or</b></li> <li>2. showing favour or disfavour to any person in their official capacity</li> </ol> <p>b) A civil servant must not accept directly or indirectly any gift, reward or benefit from any member of the public or organisation with whom they were brought into contact by reason of their official duties.</p> <p>c) If the refusal of a proffered gift is likely to cause offence to the giver, a civil servant should, in accordance with the Financial Regulations, immediately submit a written report to their Accounting Officer, or if they are the Accounting Officer, to the Chief Executive Officer (Isle of Man Government). In suitable cases, permission may be granted for the gift to be retained but the opportunity should be taken to avoid further gifts being offered from the same source.</p> <p>d) The following items are not considered to be either gifts or rewards:</p> <ol style="list-style-type: none"> <li>1. general hospitality, such as business lunches</li> <li>2. normal commercial advertising (for examples diaries, pens and calendars)</li> <li>3. in the case of Ministers/Members, any gift with an estimated value below £100</li> </ol> <p>Last updated : 8 May 2012 - Amendment No. <a href="#">12-019</a></p>
<b>Proposed Amendment:</b>	<p><b>Acceptance of gifts and rewards A7</b></p> <p>a) It is an offence under the <del>Corruption Act, 2008</del> <u>Bribery Act 2013</u> for a civil servant corruptly to accept any gift or consideration as an inducement or reward for:</p> <ol style="list-style-type: none"> <li>1. doing, or refraining from doing, anything in their official capacity <b>or</b></li> <li>2. showing favour or disfavour to any person in their official capacity</li> </ol> <p>b) A civil servant must not accept directly or indirectly any gift, reward or benefit from any member of the public or organisation with whom they were brought into contact by reason of their official duties <u>other than:-</u></p>

	<ul style="list-style-type: none"> <li>• <u>Conventional 'corporate' hospitality in the course of working visits or meetings;</u></li> <li>• <u>Isolated gifts of low value such as diaries, calendars, flowers or chocolate or other items up to the value of £20. Where feasible, such gifts must be shared amongst all of the team members within the relevant budget area.</u></li> </ul> <p>c) <u>If the refusal of a proffered gift is likely to cause offence to the giver, or has been inadvertently received then the early advice of the Designated Finance Officer must be sought and followed. If the recipient of such a gift is the Designated Finance Officer then the advice of the Director of Audit Advisory Division must be sought and followed.</u> a civil servant should, in accordance with the Financial Regulations, immediately submit a written report to their Accounting Officer, or if they are the Accounting Officer, to the Chief Executive Officer (Isle of Man Government). In suitable cases, permission may be granted for the gift to be retained but the opportunity should be taken to avoid further gifts being offered from the same source. <u>Exemptions from requirements outlined within Financial Practice Note A.02 may be approved by the Responsible Officer and/or other officers if nominated within the Financial Directions, provided it is made in accordance with Financial Practice Note A.01: Obtaining Approval for Exemptions.</u></p> <p>d) <del>The following items are not considered to be either gifts or rewards:</del></p> <ol style="list-style-type: none"> <li><del>1. general hospitality, such as business lunches</del></li> <li><del>2. normal commercial advertising (for examples diaries, pens and calendars)</del></li> <li><del>3. in the case of Ministers/Members, any gift with an estimated value below £100</del></li> </ol> <p><u>Further information and guidance on gifts and rewards can be found at section FPN A.02 of the Isle of Man Government Financial Regulations</u></p> <p>Last updated : <del>8 May 2012</del><u>March 2024</u> - Amendment No. <del>12-01915-196</del></p>
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Agreed and authorised by:

Signed on behalf of Prospect




Date: 27/3/2024

Signed on behalf of Unite the Union



Date: 27/3/24

Signed on behalf of the Commission



Date: 27/03/2024

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**For Office of Human Resources Use Only**

**Instruction for implementation:**

Passed to.. [Redacted]

By. [Redacted] .....

Date *2/4/24* .....

**An IOM Government All Staff Notice prior to implementation is\*/is not\* required (\*please delete as appropriate)**

Signed .. [Redacted] .....

*PP* **Head of Industrial Relations and Policy Section**

**Date Regs updated:**

Website .....

Date.....*02/04/2024*.....

Previous Civil Service Regulation amendment reference (if any) :	12 019
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<u>Notes/Special Instructions:</u> E.g. Communication to Pay Sections required	N/A
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