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AFP National Guideline on representation expenditure

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1. Disclosure and compliance

This document is classified **OFFICIAL** and is intended for internal AFP use.

Disclosing any content must comply with Commonwealth law and the [AFP National Guideline on information management](#).

This instrument is part of the AFP's professional standards framework. The [AFP Commissioner's Order on professional standards \(CO2\)](#) outlines the conduct expected of AFP appointees. Inappropriate departures from the provisions of this instrument may constitute a breach of AFP professional standards and be dealt with under Part V of the [Australian Federal Police Act 1979](#) (Cth).

2. Guideline authority

This guideline was issued by the Chief Financial Officer using power under section 37(1) of the [Australian Federal Police Act 1979](#) (Cth) as delegated by the Commissioner under section 69C of the Act.

3. Introduction

This guideline outlines the obligations for AFP appointees for using representation funds (i.e. when officially representing the AFP in the international environment).

This guideline should be read in conjunction with the:

- [National Guideline on hospitality and entertainment](#)
- [National Guideline on gifts and benefits](#).

If there is any inconsistency between the guidelines, then this guideline prevails in relation to the expenditure of representation funds only.

4. Purpose of AFP representation funds

The purpose of representation funds is to make funds available to International Command (Network) deployed AFP appointees on overseas postings. They must only be used to enable the establishment or maintenance of necessary levels of representation for the AFP to effectively conduct its business in the international environment. It must be demonstrable that any expenses will be of benefit or enhance the performance of the AFP and meet the criteria listed in sections 7, 8 and 9.

5. Authorised users of representation funds

The following AFP appointees are entitled to use representation funds in accordance with this guideline:

- AFP appointees deployed to the AFP International Command (Network)
- other AFP appointees as determined by Assistant Commissioner International.

6. Using representation funds

As stated above, representation funds must only be used to enable the establishment or maintenance of necessary levels of representation for the AFP to effectively conduct its business in the international environment.

All expenses must benefit the AFP, be used for official purposes and meet the criteria within this guideline. Approved representation funds use comprises:

- admission and participation charges for cultural and sporting occasions (e.g. golf green fees) where attending in an official capacity
- decorative flowers for functions
- wreaths for national events (e.g. Anzac Day, state funerals)
- gratuities and tips (when culturally expected and the service is provided directly in relation to a representational activity)
- purchase of alcohol (including bulk purchases for representation activities, gifting and for unscheduled liaison functions of a minor nature)
- membership of professional associations and friendship societies where representational activities can be undertaken
- participation in important functions dealing with matters of direct relevance to Australia and the AFP
- casual hire of domestic staff for representation functions in an AFP residence (not to offset the costs of domestic staff engaged by the AFP appointee for private use)
- babysitting to attend official functions
- printing of invitations for official functions (including stationary)
- business cards for spouse/partner for the purpose of diplomatic credentials
- hire of formal wear for representation purposes
- club membership (if mostly used for official representation purposes and overall expenditure is not out of proportion with other representation activities)
- hire of extra crockery, cutlery and glassware for representation functions

- dry-cleaning and laundry of clothing and linen used in specific representation activities
- gifts of a representational nature (see the [AFP National Guideline on gifts and benefits](#))
- purchase of food and beverages for official meetings.

For expenditure not listed above, approval must be received from Commander International Engagement or Manager International Strategy **prior** to expenditure being incurred.

AFP appointees must not use representation funds for gifts/functions prohibited by law or custom of the host nation.

An AFP appointee in receipt of a meal paid for by the representation fund must not also claim it as a travel expense or allowance. If an AFP appointee receives an allowance and then receives a meal paid for by the representation fund, they must inform the Per Diems Team (PerDiems@afp.gov.au) and arrange to pay back part of the allowance via Insight.

7. Approval

AFP appointees must complete a '[Request for approval to expend representation funds](#)' form seeking approval from the relevant delegate **prior** to the expense occurring. The form must:

- demonstrate how the representation will benefit the AFP
- include full details of the expense (date and type of representation)
- for AFP-hosted functions, list all recipients of the representation expenditure including their name, position and organisation
- for other functions, list all AFP attendees and estimate the total number of attendees
- identify the cost of liquor supplied if part of a bulk purchase.

The delegate must ensure:

- representation funds exist
- the scale of entertainment is suited to the purpose for which the funds are to be expended
- the number of AFP appointees and their spouses in attendance is appropriate in relation to the number of other attendees
- there will be a benefit to the AFP.

The AFP appointee requesting approval to expend representation funds should be a different AFP appointee to the one approving the expenditure; however, the Commissioner's Financial Instructions (CFIs) provide for the exceptional circumstances where it is not possible to obtain a supervisor's approval (e.g. the AFP appointee is the most senior officer within the area of responsibility). In these circumstances a delegate

may approve a spending proposal involving a real or perceived direct benefit provided the:

- payment relates to a formal entitlement resulting from an agreement or determination or is directly related to an AFP business requirement, and
- circumstances requiring self-approval are formally documented in writing, such as an entry in an official diary, a signed minute or an email, including the terms and/or basis of the approval and any other relevant information, such as parties involved and the costs of the proposed expenditure.

The CFIs also provide that the same appointee must not approve expenditure, manage delivery and authorise payment (acquit). Appointees approving representation expenditure in these exceptional circumstances must undertake the transaction through the corporate credit card. This will ensure segregation of duties via the established Freedom acquittal processes.

In these situations, the '[Request for approval to expend representation funds](#)' form must be submitted as soon as possible after the event.

Fringe Benefit Tax considerations

AFP appointees must complete all details requested on the [Request for Approval to Expend Representation Funds](#) Form to comply with Fringe Benefits Tax Reporting requirements.

If any item of expenditure is identified as being of a private nature, the amount must be reimbursed within 28 days of being identified. The senior AFP appointee at post must supervise and manage this process.

8. Payment and acquittal

Representation expenses must be paid and/or reimbursed only in one of the following ways:

- establishing a float for AFP representation funds at post, in consultation with AFP Treasury and the Department of Foreign Affairs and Trade (DFAT) – floats established in this manner must be administered in accordance with PGPA legislation and any local DFAT requirements
- using the AFP corporate credit card in accordance with the [AFP National Guideline on using the AFP corporate credit card](#)
- reimbursement of expenses via the DFAT system in accordance with the current service level agreement between the AFP and DFAT
- post-specific provisions for payment and acquittal of funds for posts outside the DFAT system.

Acquittal

All representation expenses incurred must be accounted for, with either a receipt or statutory declaration provided to verify the transaction/s. Receipts are preferred where possible, however a statutory declaration must be provided for acquittal if receipts are not available. All receipts or statutory declarations for representation expenditure must be held at post and made available for audit purposes if requested.

9. Recipients of representation expenditure

Recipients of representation expenditure benefits must meet one of the following criteria:

- members of Australian, state, territory or local governments
- executives of corporations or other commercial enterprise
- secretaries of departments
- commissioners and deputy commissioners of police
- AFP senior executives (when in the minority at functions)
- Australian heads of mission
- non-executive AFP appointees (when in the minority at functions)
- Australian public servants and A-based officers (when from government agencies with a demonstrated benefit to the AFP)
- representatives of the host nation:
 - law enforcement agencies
 - government
- officials from other overseas police services or law enforcement agencies (e.g. Interpol and United Nations)
- AFP appointees' spouses/partners when:
 - other spouses/partners are involved (except for club memberships)
 - the activity is in the AFP residence
 - there is a cultural expectation.

Regardless of role and location, representation funds must not be used for AFP appointee-only or Australian Government-only events.

AFP appointees in receipt of a gift or benefit while performing representational duties must comply with the [AFP National Guideline on gifts and benefits](#).

10. Further advice

Queries about the content of this guideline should be referred to:

- Representation related: IC Deployment Management – IC-Deployment-Management@afp.gov.au
- General: Finance Governance team – Finance-Governance@afp.gov.au
- FBT-related: National Tax team – tax@afp.gov.au

11. References

Legislation

- [Australian Federal Police Act 1979](#) (Cth)
- [Public Governance, Performance and Accountability Act 2013](#) (Cth).

AFP governance

- AFP Commissioner's Order on Professional Standards (CO2)
- AFP National Guideline on gifts and benefits
- AFP National Guideline on hospitality and entertainment
- AFP National Guideline on information management
- AFP National Guideline on using the AFP corporate credit card.

Other sources

- Request for approval to expend representation funds.

12. Shortened forms

AFP	Australian Federal Police
DFAT	Department of Foreign Affairs and Trade
FBT	Fringe benefits tax
PGPA Act	<i>Public Governance, Performance and Accountability Act 2013</i> (Cth)

13. Definitions

AFP appointee means a Deputy Commissioner, an AFP employee, special member or special protective service officer and includes a person:

- engaged overseas under section 69A of the [Australian Federal Police Act 1979](#) (Cth) (the Act) to perform duties as an AFP employee
- seconded to the AFP under section 69D of the Act
- engaged under section 35 of the Act as a consultant or contractor to perform services for the AFP and determined under section 35(2) of the Act to be an AFP appointee.

(See section 4 of the Act.)

Entertainment means the provision of food, drink or recreation and includes:

- accommodation or travel to facilitate such entertainment
- business lunches, staff social functions and sporting or theatre tickets
- hospitality.

Recreation includes amusement, sport and theatre, show, movie tickets and similar leisure-time pursuits.

Hospitality means any form of food, drink, recreation, entertainment or related benefit provided by an AFP appointee to another organisation(s) or individual(s), or which is offered by another organisation or individual to an AFP appointee. There is usually no immediate, tangible or measureable benefit in return.

Representation means hospitality, entertainment or related benefits available to AFP appointees of the AFP International Command (Network) conducted outside of Australia, for the purpose of facilitating contacts with:

- law enforcement agencies of the host country
- law enforcement representatives of other countries
- government and civic officials
- other influential people and organisations.

The purpose of representational funds is to enhance operational relationships between the AFP and overseas officials.

Representation funds means the budget, approved by Assistant Commissioner International, available at each AFP International Command post to facilitate official reception and representation activities that further the interests of the AFP. This includes any representation, hospitality or related benefit that would generally not meet the criteria for justifiable hospitality and entertainment expenditure.

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