



GPO Box 1700, Canberra ACT 2601  
Email: [FOI@csiro.au](mailto:FOI@csiro.au)  
ABN 41 687 119 230

This document was created in response to a Freedom of Information request made to CSIRO.

FOI Number: FOI2017/42

Date: 14 December 2017

Request: Information about where CSIRO executives and staff have been the beneficiaries of gifts, sponsorship or hospitality given to them by other parties over the past five years which might be recorded as a declarable gift or otherwise.

Document(s): 1-38

For more information, please refer to CSIRO's FOI disclosure log at [www.csiro.au/FOILog](http://www.csiro.au/FOILog)

s22

**From:** Cook, Angie (HR, Campbell)  
**Sent:** Wednesday, 14 March 2012 8:13 AM  
**To:** Heldt, Trevor (HR, Campbell) [REDACTED]  
**Subject:** RE: Requesting Permission

Hi Trevor

Please see below:

The seats would be approx \$45  
 The meal is 2 course so approx \$50  
 Lets call it \$100 a head  
 Regards  
 Dean  
 Sent from my iPhone

Kind Regards

Angie Cook  
 Executive Pay Manager | HR Service Centre  
 CSIRO Human Resources  
 Phone: [REDACTED] | Fax 02 6276 6707  
 [REDACTED] | [www.csiro.au](http://www.csiro.au)  
 PO Box 225, Dickson ACT 2602

---

**From:** Heldt, Trevor (HR, Campbell)  
**Sent:** Tuesday, 13 March 2012 5:36 PM  
**To:** Cook, Angie (HR, Campbell)  
**Cc:** Preuss, John (HR, Campbell)  
**Subject:** RE: Requesting Permission

Thanks Angie – please provide information on whether this is an invitation in your private capacity and the approximate value of the gift.

---

**From:** Cook, Angie (HR, Campbell)  
**Sent:** Tuesday, 13 March 2012 1:10 PM  
**To:** Heldt, Trevor (HR, Campbell)  
**Cc:** Preuss, John (HR, Campbell)  
**Subject:** Requesting Permission

Dear Trevor

I have a had a meeting with the new ACT State manager from SGFleet last week and he has offered me Directors Dinner Tickets to the Brumbies in a couple of weeks. John is aware of this and I have double checked the Policy on Accepting Hospitality, hence this email requesting permission to attend.

I am fully aware of the rules regarding influencing of Agencies towards recommending one vendor over another. If approved this event will not have any bearing on my professional actions within CSIRO.

Kind Regards

Angie Cook  
Executive Pay Manager | HR Service Centre  
CSIRO Human Resources  
Phone [REDACTED] s47F Fax 02 6276 6707  
[REDACTED] s47F | [www.csiro.au](http://www.csiro.au)  
PO Box 225, Dickson ACT 2602

s22

**From:** Heldt, Trevor (HR, Campbell)  
**Sent:** Thursday, 20 December 2012 2:38 PM  
**To:** Pena, Ricky (HR, Kensington)  
**Subject:** RE: Acceptance of Gifts

Thanks Ricky for disclosing this offer.

Given the nature of the current arrangement and the modest value of the offered gift I am comfortable with you accepting these general audience tickets.

Regards

**Trevor Heldt**  
General Manager  
Human Resource Business Services  
CSIRO  
E s47F T s47F  
Limestone Avenue, Campbell, Canberra ACT 2602  
[www.csiro.au](http://www.csiro.au)

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**From:** Pena, Ricky (HR, Kensington)  
**Sent:** Wednesday, 19 December 2012 1:09 PM  
**To:** Heldt, Trevor (HR, Campbell)  
**Subject:** Acceptance of Gifts

Hi Trevor



As discussed Mark Jeffery who is an existing provider for us in terms of an executive coach has recently (13 December) offered tickets to a basketball game. He has coached one of the Energy Group Directors (Edson Nakagawa) who is no longer with us. He was selected earlier this year after receiving a number of quotes from other providers (early May 2012)

The exact value of the tickets is unknown but range from \$40.00-\$150.00.

Can you please advise on whether it is okay to accept the gift from Mark Jeffery from ODG Solutions.

Regards

Ricky

## Document 3

Message: CO2013/2301

---

From: Loneragan, Annemaree (OCE, Campbell) s47F  
To: McIntosh, Chris (OCE, Campbell) s47F  
Cc:  
Sent: 12/02/2013 at 10:41 AM  
Received: 12/02/2013 at 10:41 AM  
Subject: FW: An Invitation from Virgin Australia

---

Attachments: image001.gif  
image002.png

---

A

Megan is going to accept this invitation and has asked if you could please add to the register for declarations

A

From: Loneragan, Annemaree (OCE, Campbell)  
Sent: Tuesday, 5 February 2013 2:52 PM  
To: Clark, Megan (OCE, Campbell)  
Subject: FW: An Invitation from Virgin Australia

A

Megan A is this something you and Trent would be interested in. A It is Virgin's equivalent to Chairman's Lounge.

A

AM

A

A

From: The Club Executive Services [ s47F  
Sent: Tuesday, 5 February 2013 2:31 PM  
To: Loneragan, Annemaree (OCE, Campbell)  
Subject: An Invitation from Virgin Australia

A

Good morning Annemaree,

A

Thank you for taking the time to speak with me today.

A

As discussed, Virgin Australia's CEO Mr John Borghetti would like to extend an invitation to Dr Megan Clark and her spouse (or partner), to take advantage of the exclusive products and services on offer as a member of The Club. Membership to The Club is for a select group of Virgin Australia guests and members will be entitled to an exclusive range of product and services including their own private lounge facilities in key ports and access to a dedicated 24/7 call centre team.

A

In addition to this we would also like to offer you as her executive assistant a Platinum Velocity Membership. For additional information on the benefits of a Platinum membership, please click the link.

<http://www.velocityrewards.com.au/content/Status/PlatinumMembership/index.htm>. A

A

For Dr Clark, her spouse (or partner) and yourself to become Velocity members (if not already), please click on the link below. Upon completing the registration, an automated welcome email will be generated. In order for me to elevate the memberships to the appropriate status, please email me the Velocity numbers at your earliest convenience. \*\* If you would like to enter the words "STATUS MATCH" under the Promo code field, this will ensure the introductory welcome pack which is the standard entry level status is not issued.

<http://www.velocityrewards.com.au/content/ProgramBenefits/JoinNow/index.html>

Â

I have attached a Third Party Access form which gives Dr Clark the opportunity to nominate a third party representative (such as yourself), to have full access to the membership to be able to make bookings and discuss the membership details in full.Â If Dr Clark would like to complete this, you can email all documentation to the below email address for processing.Â If you could please ensure the third party access form is sent from the email address which matches Dr Clark's Membership.Â

Â

Â

Please do not hesitate to contact me if you require any assistance.

Â

We look forward to receiving your response in order to initiate Dr Clark's formal invitation.

Â

Kind regards,

Â

Cane

Â

Â

Description: Description:

[http://www.virginaustralia.com/cs/groups/internetasset/@wc/documents/webasset/~edisp/img\\_footer\\_logo.gif](http://www.virginaustralia.com/cs/groups/internetasset/@wc/documents/webasset/~edisp/img_footer_logo.gif)

Cane | Premium Guest Services

PO Box 1034 Spring Hill QLD Australia 4004

F - s47F

E HYPERLINK

s47F

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"http://www.virginaustralia.com"www.virginaustralia.com


**From:** Street, Laurence (Governance, North Ryde)  
**To:** Williams, Dave (Group Exec, North Ryde)  
**Subject:** RE: Invitation to IBM/ACO Event  
**Date:** Monday, 29 July 2013 6:21:00 PM

---

s42



-----Original Message-----

**From:** Rosie Iannell  **s47F**  
**Sent:** Wednesday, 24 July 2013 3:00 PM  
**To:** Williams, Dave (Group Exec, North Ryde)  
**Subject:** Re: Invitation to IBM/ACO Event

Hello David,

We are pleased you and Jeannie are able to attend our ACO Dinner being held 16th August 2013.

I have noted Jeannie's vegetarian dietary requirement and will forward onto the chef.

As part of IBM's reporting policies, could you please review the attached acceptance letter and return the signed copy to me by either fax or scan and email.

We look forward to seeing you both on the night.

Many thanks.

(See attached file: Confirmation Letter - David Williams.1.doc)

Regards

Rosie Iannelli

Events Co-ordinator, Corporate Affairs

IBM Australia Limited

ph: [REDACTED] s47F fax: (612) 9354-9117

Mobile: [REDACTED] s47F

<Dave.Williams [REDACTED] s47F  
[REDACTED] s47F

To  
17/07/2013 10:32 PM Glenn Wightwick [REDACTED] s47F  
cc  
Rosie Iannelli [REDACTED] s47F  
Subject  
Re: Invitation to IBM/ACO Event

Glenn

Jeannie and I will be pleased to accept

Dave Williams

Sent from my iPad

On 17/07/2013, at 9:28, "Glenn Wightwick" [REDACTED] s47F  
wrote:

>

> Dear Dave

>

> I hope you are very well. On behalf of Andrew Stevens, I would like  
> to invite you to an IBM and Australia Chamber Orchestra event on  
> Friday, August 16th. I've attached the invitation below.

> (See attached file: 2013 ACO Dinner Invitation David Williams.pdf)

>

> Regards

> Glenn

>

> Glenn Wightwick

> IBM Distinguished Engineer

> Chief Technologist, IBM Australia

> Director, IBM Research - Australia

> **s47F**

>

> <2013 ACO Dinner Invitation David Williams.pdf>



**From:** Steele, Jack (Science Excellence, North Ryde)  
**To:** Loneragan, Annemaree (OCE, Campbell); Williams, Dave (Group Exec, North Ryde)  
**Cc:** McIntosh, Chris (OCE, Campbell)  
**Subject:** RE: Invitation to IBM/ACO Event  
**Date:** Tuesday, 30 July 2013 12:33:41 PM

---

Dave

If it is an event where others are paying, with your ticket(s) being a gift of free attendance by IBM, then that is one situation;

If it is an event where no one is paying and it is simply part of an IBM event the I think it needs to be logged according to the gifts procedures.

Cheers

Jack

-----Original Message-----

**From:** Loneragan, Annemaree (OCE, Campbell)  
**Sent:** Tuesday, 30 July 2013 10:09 AM  
**To:** Williams, Dave (Group Exec, North Ryde)  
**Cc:** Steele, Jack (Science Excellence, North Ryde); McIntosh, Chris (OCE, Campbell)  
**Subject:** RE: Invitation to IBM/ACO Event

Hi Dave - subject to Jack's advice, Craig says this is okay.

Thanks

AM

Annemaree Loneragan  
EA to Dr Megan Clark  
Chief Executive  
CSIRO  
PO Box 225  
DICKSON ACT 2602

Phone: s47F  
Fax: +61 (2) 6276 6628  
Mobile: s47F

-----Original Message-----

**From:** Williams, Dave (Group Exec, North Ryde)  
**Sent:** Tuesday, 30 July 2013 9:55 AM  
**To:** Clark, Megan (OCE, Campbell)  
**Subject:** FW: Invitation to IBM/ACO Event

Megan

IBM have invited myself and Jeannie to this evening. I have checked and there are no conflicts of interest with IBM nor open tender negotiations. Andrew Stevens is the Chairman of the Services Leaders group of the department, and this will be a good opportunity to talk informally.

I propose to accept. Is this OK with you.

Dave

Dr. David Williams

Group Executive, CSIRO Information Sciences

Phone: [REDACTED] s47F Fax: +61 2 9490 5629 [REDACTED] s47F www.csiro.au |

<http://www.csiro.au/Organisation-Structure/ISgroup.aspx>

Address: PO Box 52, North Ryde NSW 1670

Street Address: Riverside Life Sciences Building, 11 Julius Avenue, North Ryde NSW 2113 PLEASE NOTE

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-----Original Message-----

From: Glenn Wightwick [REDACTED] s47F

Sent: Wednesday, 17 July 2013 5:28 PM

To: Williams, Dave (Group Exec, North Ryde)

Cc: Rosie Iannelli

Subject: Invitation to IBM/ACO Event

Dear Dave

I hope you are very well. On behalf of Andrew Stevens, I would like to invite you to an IBM and Australia Chamber Orchestra event on Friday, August 16th. I've attached the invitation below.  
(See attached file: 2013 ACO Dinner Invitation David Williams.pdf)

Regards

Glenn

Glenn Wightwick

IBM Distinguished Engineer

Chief Technologist, IBM Australia

Director, IBM Research - Australia

[REDACTED] s47F

---

**From:** Clark, Megan (OCE, Campbell)  
**Sent:** Sunday, 29 September 2013 2:38 PM  
**To:** Moate, Toni (NCMI, Hobart)  
**Cc:** Lonergan, Annemaree (OCE, Campbell)  
**Subject:** Re: Request for Approval - Acceptance of Gift

Thanks for advice I think it would be appropriate to keep the gift and will make a note of it in the gift register.  
Megan

Sent from my iPhone

On 29/09/2013, at 1:37 PM, "Moate, Toni (CMAR, Hobart)" [REDACTED] wrote:

Dear Megan

At the Naming Ceremony for RV *Investigator* on 5 September 2013 I was presented with a gift as Lady Sponsor. It was a painting of Singapore with a plaque "Presented to Toni Moate – Lady Sponsor ...". CSIRO was also presented with a second painting as a gift from Sembawang for the vessel itself.

I am writing to seek your permission to personally retain the gift – which is allowable under CSIRO policy if approved by a Senior Manager.

Participation in the FRV Project has been an incredible experience, and I will always be grateful to CSIRO (through you, Mike, Andrew and Bruce) that I had this opportunity.

My participation has, however, also required significant support and understanding from my family. [REDACTED]

[REDACTED] s47F [REDACTED]

I feel the painting would be recognition for my whole family of our collective achievement in enabling me to take on the Executive Director role and, wherever I am in the future, a wonderful reminder of this once in a lifetime experience.

I can promise you that I completely understand the intent of the CSIRO Code of Conduct and Gifts Policy:

To promote integrity and honest behaviour by CSIRO staff at work and to avoid conflicts of interests by strictly limiting the circumstances in which staff may accept gifts, hospitality and externally sponsored travel, and use frequent flyer points accrued on duty.

I in no way feel compromised by the gift, and can assure you that I will remain vigilant in representing CSIRO's interests in the contract to build the vessel, while at all times respecting the position of our industry partners. I am very committed to concluding this component of the Project with strong relationships intact, even though robust discussions are often required.

I hope that circumstances might allow my acceptance of the gift, but will understand if after consideration you don't believe this is appropriate. I would not want to compromise the integrity of the FRV Project that we have worked so hard to uphold.

Regards, Toni

**Toni Moate CPA GAICD**  
Deputy Chief, Science Operations  
Executive Director, Future Research Vessel Project

Marine and Atmospheric Research  
CSIRO

Phone: s47F Fax: +61 3 62325125 | Mobile: s47F  
s47F [www.csiro.au](http://www.csiro.au)  
Address: GPO Box 1538, Hobart, TAS 7001

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## Document 7

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**Message:** CO2013/9792

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**From:** Lonergan, Annemaree (OCE, Campbell) s47F  
**To:** McIntosh, Chris (OCE, Campbell) s47F  
**Cc:**  
**Sent:** 1/10/2013 at 8:31 AM  
**Received:** 1/10/2013 at 8:31 AM  
**Subject:** FW: Request for Approval - Acceptance of Gift

---

For gift register please.

Â

Â

Â

Annemaree Lonergan  
EA to Dr Megan Clark  
Chief Executive  
CSIRO  
PO Box 225  
DICKSON ACT 2602

Â

Phone: s47F  
Fax: Â Â Â Â Â +61 (2) 6276 6628  
Mobile s47F

Â

**From:** Clark, Megan (OCE, Campbell)  
**Sent:** Sunday, 29 September 2013 2:38 PM  
**To:** Moate, Toni (CMAR, Hobart)  
**Cc:** Lonergan, Annemaree (OCE, Campbell)  
**Subject:** Re: Request for Approval - Acceptance of Gift

Â

Thanks for advice I think it would be appropriate to keep the gift and will make a note of it in the gift register. MeganÂ

Sent from my iPhone

Duplicate - Document 6









SO PROUD  
OF YOUR  
SUCCESS!  
I thought I <sup>WANT</sup> to build it  
IN OTHERS

! MAKE A DIFFERENCE

Document 8

CHIEF EXECUTIVES  
OFFICE

10 OCT 2013

RECEIVED



THANK YOU! Dr Megan Clark

A donation has been made on your behalf to support gender equality in Asia and the Pacific. Rural women in Timor-Leste face gender inequalities in income, education and employment opportunities. This gift represents the cost for a woman facilitator from Covalima Community Centre to work with women in a rural community to build their micro-businesses. These projects provide women with opportunities to take on leadership roles, often for the first time.

Your gift empowers women to build opportunities for themselves.

**iwda**

international  
women's development  
agency inc.

1300 661 812  
PO Box 64 Flinders Lane  
VIC 8009

[www.iwda.org.au](http://www.iwda.org.au)

*When women benefit, the whole community benefits.*

IWDA: ABN 19 242 959 685. Photo credit: Georgia Ride



---

**From:** Van Kerckhof, Rudy (B&IS, St. Lucia)  
**Sent:** Thursday, 27 February 2014 9:50 AM  
**To:** Dittmar, Naomi (B&IS, North Ryde)  
**Subject:** RE: gift - ethics

Hi Naomi,

Sorry I didn't get back earlier. I believe the gift related to the effective communications and assistance you provided both CSIRO and the contractor in sorting out the adjustments to the contract and in review at North Ryde. This has no impact on the contract for now or the future as you are not involved in contract assessment so feel free to accept the gift on this occasion. It might be a concern if it was a regular event or you were involved in contractor selection.

Regards,

Rudy

**From:** Dittmar, Naomi (Property, North Ryde)  
**Sent:** Monday, 17 February 2014 12:18 PM  
**To:** Van Kerckhof, Rudy (Property, St. Lucia)  
**Subject:** gift - ethics

Hi Rudy

Have looked into the policy.

'The CSIRO Code of Conduct states that staff members "are not permitted to accept gifts or benefits of any significant value" without the approval of their Senior Manager. Such precluded gifts include offers of equity (for example shares, share options or derivatives) from companies. However the acceptance of a gift can be permissible in some circumstances - for example:

- \* a gift of a nominal value (eg. an inexpensive pen at Christmas) may be accepted in a situation where gifts such as this are being generally distributed;
- \* a gift may be accepted where the giver is from a different cultural background and refusal may cause offence. See Actions Required <<http://my.csiro.au/Business-Units/Science-Strategy-and-People/Human-Resources-2/Procedures-and-Guidelines/Procedures/Conduct-and-Ethics/Acceptance-of-gifts-travel-and-hospitality.aspx#Procedures>> for the course to be followed in these circumstances. '

The voucher is to Billy Kwong Chinese Eating House at Surry Hills for the value of \$150.00 from SKG Management.

Please advise if this is OK to accept.

Regards

Naomi

Naomi Dittmar

Administrator

Business & Infrastructure Services

CSIRO

E [REDACTED] s47F T [REDACTED] s47F

11 Julius Avenue North Ryde NSW 2113

[www.csiro.au](http://www.csiro.au) <<http://www.csiro.au>>

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-----Original Message-----

From: Fulton, Gail (IP & Licensing, North Ryde)

Sent: Friday, 2 May 2014 4:27 PM

To: CSIRO Legal [REDACTED] s47F CSIRO Legal - Commercial  
Lawyers-DG [REDACTED] s47F Falkenberg, Tristy (Business Services, Clayton)

[REDACTED] s47F

Subject: Do I have an ethical dilemma? Bribery and Corruption

A friend has co-written the Australian Chapter of the 2014 Getting the Deal Through - Anti-Corruption Regulation book. The book has chapters covering in basic details relevant provisions and approaches in 44 jurisdictions.

She has sent me a complimentary copy of the book - I am almost sure that a gift of a book about avoiding bribery and corruption could not possibly be construed as bribery or corruption.

In any event, I have copied the list of countries which are covered and the overview chapter happy to provide more information to anyone if this is of use.

Gail

Gail Fulton  
Commercial Director, Energy  
Commercial  
CSIRO

Phone: [REDACTED] s47F Mob. [REDACTED] s47F [REDACTED] s47F | [www.csiro.au](http://www.csiro.au)  
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**Anti-Corruption Regulation 2014**

**Contributing editor:**  
**Homer E Moyer Jr**  
**Miller & Chevalier Chartered**

*Getting the Deal Through* is delighted to publish the eighth edition of *Anti-Corruption Regulation*, a volume in our series of annual reports that provide international analysis in key areas of law and policy for corporate counsel, cross-border legal practitioners and business people.

Following the format adopted throughout the series, the same key questions are answered by leading practitioners in each of the 44 jurisdictions featured. New jurisdictions this year include Algeria, Bermuda, Cameroon, Denmark, Ecuador, Malaysia, Peru and Portugal. There is also a new chapter on asset recovery. In addition to a global overview and the perspectives of Transparency International and the OECD.

Every effort has been made to ensure that matters of concern to readers are covered. However, specific legal advice should always be sought from experienced local advisers. *Getting the Deal Through* publications are updated annually in print. Please ensure you are referring to the latest print edition or to the online version at [www.GettingTheDealThrough.com](http://www.GettingTheDealThrough.com).

*Getting the Deal Through* gratefully acknowledges the efforts of all the contributors to this volume, who were chosen for their recognised expertise. We would also like to extend special thanks to contributing editor Homer E Moyer Jr of Miller & Chevalier Chartered for his continued assistance with this volume.

**Getting the Deal Through**

London  
 February 2014

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# Global Overview

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Corruption, including corruption of public officials, dates from early in human history and countries have long had laws to punish their own corrupt officials and those who pay them bribes. But national laws prohibiting a country's own citizens and corporations from bribing public officials of other nations are a new phenomenon, less than a generation old. Over the course of perhaps the past 15 years, anti-corruption law has established itself as an important, transnational legal speciality, one that has produced multiple international conventions and scores of national laws, as well as an emerging jurisprudence that has become a prominent reality in international business and a well-publicised theme in the media.

This volume undertakes to capture the growing anti-corruption jurisprudence that is developing around the globe. It does so first by summarising national anti-corruption laws that have implemented and expanded the treaty obligations that more than 150 countries have now assumed. These conventions oblige their signatories to enact laws that prohibit paying bribes to foreign officials. Dozens of countries have already done so, as this volume confirms. These laws address both the paying and receiving of illicit payments – the supply and the demand sides of the official corruption equation – as well as mechanisms of international cooperation that have never before existed.

Second, this volume addresses national financial record-keeping requirements that are increasingly an aspect of foreign bribery laws because of their inclusion in anti-corruption conventions and treaties. These requirements are intended to prevent the use of accounting practices to generate funds for bribery or to disguise bribery on a company's books and records. Violations of record-keeping requirements can provide a separate basis of liability for companies involved in foreign as well as domestic bribery.

Finally, because the bribery of a foreign government official also implicates the domestic laws of the country of the corrupt official, this volume summarises the better-established national laws that prohibit domestic bribery of public officials. Generally not a creation of international obligations, these are the laws that apply to the demand side of the equation and may also be brought to bear on payers of bribes who, although foreign nationals, may be subject to personal jurisdiction, apprehension and prosecution under domestic bribery statutes.

The growth of anti-corruption law can be traced through a number of milestone events that have led to the current state of the law, which has most recently been expanded by the entry into force in December 2005 of the sweeping United Nations Convention against Corruption. Spurred on by a growing number of high-profile enforcement actions, investigative reporting and broad media coverage, ongoing scrutiny by non-governmental organisations and the appearance of an expanding cottage industry of anti-corruption compliance programmes in multinational corporations, anti-corruption law and practice is rapidly coming of age.

## The US 'questionable payments' disclosures and the FCPA

The roots of today's legal structure prohibiting bribery of foreign government officials can fairly be traced to the serendipitous discovery in the early 1970s of a widespread pattern of corrupt payments to foreign government officials by US companies. First dubbed merely 'questionable' payments by regulators and corporations alike, these practices came to light in the wake of revelations that a large number of major US corporations had used off-book accounts to make large payments to foreign officials to secure business. Investigating these disclosures, the US Securities and Exchange Commission (SEC) established a voluntary disclosure programme that allowed companies that admitted to having made illicit payments to escape prosecution on the condition that they implement compliance programmes to prevent the payment of future bribes. Ultimately, more than 400 companies, many among the largest in the United States, admitted to having made a total of more than US\$300 million in illicit payments to foreign government officials and political parties. Citing the destabilising repercussions in foreign governments whose officials were implicated in bribery schemes – including Japan, Italy and the Netherlands – the US Congress, in 1977, enacted the Foreign Corrupt Practices Act (FCPA), which prohibited US companies and individuals from bribing non-US government officials to obtain or retain business and provided for both criminal and civil penalties.

In the first 15 years of the FCPA, during which the US law was unique in prohibiting bribery of foreign officials, enforcement was steady but modest, averaging one or two cases a year. Although there were recurring objections to the perceived impact that this unilateral law was having on the competitiveness of US companies, attempts to repeal or dilute the FCPA were unsuccessful. Thereafter, beginning in the early to mid-1990s, enforcement of the FCPA sharply escalated, and, at the same time, a number of international and multinational developments focused greater public attention on the subject of official corruption and generated new and significant anti-corruption initiatives.

## Transparency International

In hindsight, a different type of milestone occurred in Germany in 1993 with the founding of Transparency International, a non-governmental organisation created to combat global corruption. With national chapters and chapters-in-formation now in more than 90 countries, Transparency International promotes transparency in governmental activities and lobbies governments to enact anti-corruption reforms. Transparency International's annual Corruption Perceptions Index (CPI), which it began publishing in 1995, has been uniquely effective in publicising and heightening public awareness of those countries in which official corruption is perceived to be most rampant. Using assessment and opinion surveys, the CPI currently ranks 177 countries and territories by their perceived levels of corruption and publishes the results annually. In 2013, Denmark and New Zealand, followed by Finland, topped the index as the countries seen to be the least corrupt in the world, while Afghanistan, North

Korea and Somalia, followed by Sudan, South Sudan and Libya, were those perceived to be the most corrupt.

Transparency International has also developed and published the Bribe Payers Index (BPI), a similar index designed to evaluate the supply side of corruption and rank the 28 leading exporting countries according to the propensity of their companies to bribe foreign officials. In the 2011 BPI, Dutch and Swiss firms were seen as the least likely to bribe, while Russian firms, followed closely by Chinese and Mexican firms, were seen as the worst offenders.

Through these and other initiatives, Transparency International has become recognised as a strong and effective voice dedicated solely to combating corruption worldwide.

#### The World Bank

Three years after the formation of Transparency International, the World Bank joined the battle to stem official corruption. In 1996, James D Wolfensohn, then president of the World Bank, announced at the annual meetings of the World Bank and the International Monetary Fund that the international community had to deal with 'the cancer of corruption'. Since then, the World Bank has launched more than 600 programmes designed to curb corruption globally and within its own projects. These programmes, which have proved controversial and have encountered opposition from various World Bank member states, include debarring consultants and contractors that engage in corruption in connection with World Bank-funded projects. Since 1999, the World Bank has sanctioned over 540 firms and individuals for fraud and corruption, and referrals from the Integrity Vice Presidency of findings of fraud or corruption to national authorities for prosecution have resulted in dozens of criminal convictions. In September 2013, the World Bank announced that during the 2013 fiscal year (ending 30 June 2013) it debarred 47 firms and individuals for wrongdoing, honoured 295 additional cross-debarments under a 2010 multilateral agreement (see below), entered into several high-profile negotiated resolution agreements in which companies acknowledged misconduct related to a number of World Bank-financed projects, and cooperated with authorities from numerous countries to quickly address corruption identified during ongoing World Bank investigations. The World Bank maintains a listing of firms and individuals it has debarred for fraud and corruption on its website and, in an effort to increase the transparency and accountability of its sanctions process, the World Bank recently began publishing the full text of sanction decisions issued by its Sanctions Board.

In August 2006, the World Bank established a voluntary disclosure programme (VDP) which allows firms and individuals who have engaged in misconduct – such as fraud, corruption, collusion or coercion – to avoid public debarment by disclosing all past misconduct, adopting a compliance programme, retaining a compliance monitor and ceasing all corrupt practices. The VDP, which was two years in development under a pilot programme, is administered by the World Bank's Department of Institutional Integrity.

In April 2010, the World Bank and four other multilateral development banks (MDBs) – the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development and the Inter-American Development Bank Group – each agreed to cross-debar any firm debarred by one of the other MDBs for engaging in corruption or fraud on an MDB-financed development project. Mutual enforcement is subject to several criteria, including that the initial debarment is made public and the debarment decision is made within 10 years of the misconduct. The agreement also provides for wider enforcement of cross-debarment procedures by welcoming other international financial institutions to join the agreement after its entry into force.

In October 2010, the World Bank announced the creation of the International Corruption Hunters Alliance to connect anti-corruption authorities from different countries and to aid in the tracking and resolving of complex corruption and fraud investigations that are

cross-border in nature. In June 2012, the World Bank convened its second large-scale gathering of the Alliance. According to the World Bank, the Alliance has succeeded in bringing together more than 280 senior enforcement and anti-corruption officials from 134 countries to date in an effort to inject momentum into global anti-corruption efforts.

Finally, the World Bank has significantly expanded its partnerships with national authorities and development organisations in recent years to increase the impact of World Bank investigations and increase the capacity of countries throughout the world to combat corruption. For example, since 2010, the World Bank has entered into more than a dozen cooperation agreements with authorities such as the UK Serious Fraud Office (SFO), the European Anti-Fraud Office, the International Criminal Court, the United States Agency for International Development (USAID), the Australian Agency for International Development, the Nordic Development Fund, the Ministry of Security and Justice of the Netherlands, the Liberian Anti-Corruption Commission and the Ombudsman of the Philippines.

In the coming years, the World Bank's prestige and leverage promise to be significant forces in combating official corruption, although the World Bank continues to face resistance from countries in which corrupt practices are found to have occurred.

#### International anti-corruption conventions

Watershed developments in the creation of global anti-corruption law came with the adoption of a series of international anti-corruption conventions between 1996 and 2005. Although attention in the early 1990s was focused on the Organisation for Economic Co-operation and Development (OECD), the Organisation of American States (OAS) was the first to reach agreement, followed by the OECD, the Council of Europe and the African Union. Most recent, and most ambitious, is the United Nations Convention against Corruption, adopted in 2003. The events unfolded as follows.

On 29 March 1996, OAS members initialled the Inter-American Convention against Corruption (IACAC) in Caracas. The IACAC entered into force on 6 March 1997. Thirty-three of the 34 signatories have now ratified the IACAC. The IACAC requires each signatory country to enact laws criminalising the bribery of government officials. It also provides for extradition and asset seizure of offending parties. In addition to emphasising heightened government ethics, improved financial disclosures and transparent book-keeping, the IACAC facilitates international cooperation in evidence-gathering.

In 1997, 28 OECD member states and five non-member observers signed the Convention on Combating Bribery of Foreign Officials in International Business Transactions (OECD Anti-Bribery Convention), which was subsequently ratified by the requisite number of parties and entered into force on 15 February 1999. Forty countries in all, including six countries not currently members of the OECD, have now signed and ratified the OECD Anti-Bribery Convention, most recently Colombia, which ratified the country's accession to the convention on 20 November 2012.

States that are parties to the OECD Anti-Bribery Convention are bound to provide mutual legal assistance to one another in the investigation and prosecution of offences within the scope of the OECD Anti-Bribery Convention. Moreover, such offences are made extraditable. Penalties for transnational bribery are to be commensurate with those for domestic bribery, and in the case of states that do not recognise corporate criminal liability (eg, Japan), the OECD Anti-Bribery Convention requires such states to enact 'proportionate and dissuasive non-criminal sanctions'.

In terms of monitoring implementation and enforcement, the OECD has set the pace. An OECD working group monitors state parties' enforcement efforts through a regular reporting and comment process. In phase I of the monitoring process, examiners assess whether a country's legislation adequately implements the OECD Anti-Bribery Convention. In phase II, examiners evaluate whether a country is enforcing and applying this legislation. After each phase, the examiners'



report and recommendations are forwarded to the government of each participating country and are posted on the OECD's website.

On 26 November 2009, the OECD Council issued its first resolution on bribery since the adoption of the OECD Anti-Bribery Convention. Entitled the 'Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions', the resolution urges member countries to continue to take meaningful steps to deter, prevent and combat the bribery of foreign public officials, not only on a national level, but on a multinational level, with rigorous and systemic follow-up. Among other things, the resolution recommends that member countries 'encourage companies to prohibit or discourage the use of small facilitation payments', and to always require accurate accounting of any such payments in the companies' books and records. The resolution was supplemented by two annexes setting forth 'Good Practice Guidance', one for member countries and one for companies.

On 4 November 1998, following a series of measures taken since 1996, the member states of the Council of Europe and eight observer states, including the United States, approved the text of a new multilateral convention – the Criminal Law Convention on Corruption. A year later, the parties adopted the Civil Law Convention on Corruption. Forty-four countries have ratified the Criminal Convention, which entered into force on 1 July 2002, while 34 countries have ratified the Civil Convention, which entered into force on 1 November 2003.

The Criminal Convention covers a broad range of offences including domestic and foreign bribery, trading in influence, money laundering and accounting offences. Notably, the Criminal Convention also addresses private bribery. The Criminal Convention sets forth cooperation measures and provisions regarding the recovery of assets. Similar to the OECD Anti-Bribery Convention, the Criminal Convention establishes a monitoring mechanism, the Group of States against Corruption (GRECO), to conduct mutual evaluations.

The Civil Convention provides for compensation for damage that results from acts of public and private corruption. Other measures include civil law remedies for injured persons, invalidity of corrupt contracts and whistleblower protection. Compliance with the Civil Convention is also subject to peer review.

The African Union Convention on Preventing and Combating Corruption was adopted on 11 July 2003. To date, 34 of the 48 signatories have ratified the African Union Convention. The convention covers a wide range of offences including bribery (domestic and foreign), diversion of property by public officials, trading in influence, illicit enrichment, money laundering and concealment of property. The convention also guarantees access to information and the participation of civil society and the media in monitoring it. Other articles seek to ban the use of funds acquired through illicit and corrupt practices to finance political parties and require state parties to adopt legislative measures to facilitate the repatriation of the proceeds of corruption.

Most aggressive, and potentially most important, of all of the international conventions is the United Nations Convention against Corruption. One hundred and forty countries have signed this convention, which was adopted by the United Nations General Assembly on 31 October 2003. The convention entered into force on 14 December 2005 and 169 countries are now party to it, though not all are signatories.

The United Nations Convention against Corruption addresses seven principal topics: mandatory and permissive preventive measures applicable to both the public and private sectors, including accounting standards for private companies; mandatory and permissive criminalisation obligations, including obligations with respect to public and private sector bribery, trading in influence and illicit enrichment; private rights of action for the victims of corrupt practices; anti-money laundering measures; cooperation in the investigation and prosecution of cases, including collection actions, through mutual legal assistance and extradition; and asset recovery.

## Enforcement

Public dispositions of anti-corruption enforcement actions, media reports of official and internal investigations, disclosures in corporate filings with securities regulatory agencies and stock exchanges, private litigation between companies and former employees, monitoring reports by international organisations, voluntary corporate disclosures, occasional confessions or exposés of implicated individuals, public statements by enforcement officials, statistics compiled by NGOs and international organisations, findings of anti-corruption commissions, World Bank reports and academic studies all provide windows into the fast-changing landscape of enforcement of anti-corruption laws and conventions. Although public knowledge of official investigations and enforcement activity often lags behind, sometimes by years, the available indicators suggest ever-increasing enforcement activity. Without going beyond the public domain, a few recent examples indicate the breadth and diversity of anti-corruption enforcement, including international cooperation, extra-territorial and parallel enforcement, the use of liberalised bank secrecy laws and a growing array of penalties and sanctions.

## Greece

In August 2012, a large German engineering firm agreed to pay the Greek Ministry of Finance €330 million to resolve longstanding bribery allegations involving the firm's Greek subsidiary. According to Greek authorities, the subsidiary paid millions of euros in bribes from 1997 to 2002 to win contracts with Greece's state-owned telecommunications company. Under the terms of the settlement, the engineering firm will reportedly satisfy its monetary penalty through a combination of writing off debt the firm is owed by the Greek government, investing in the local Greek economy and covering the Greek government's legal costs. The Greek government will also reportedly appoint a committee to oversee the engineering firm's compliance programme. Over the past few years, the engineering firm has settled related bribery charges with a number of other countries, including the United States and Germany.

In February 2013, Greek prosecutors announced criminal charges against five executives of the orthopaedic medical device subsidiary (orthopaedic subsidiary) of a global US health-care company. The executives are accused of paying €16 million in bribes to doctors at government-owned hospitals in Greece. The alleged bribes were reportedly paid between 1998 and 2006 to secure the assistance of these doctors in promoting the company's products. In addition to charging these executives, Greek prosecutors have also formally accused eight government-employed doctors – mostly orthopaedic specialists – of taking bribes and money laundering in connection with the same allegations. The charges by Greek authorities come approximately two years after the orthopaedic subsidiary and its US parent resolved related charges in parallel actions brought by enforcement authorities in the UK and the US, respectively.

## Switzerland

In November 2011, the Swiss Office of the Attorney General announced a summary punishment order against the Swiss subsidiary of a global, Paris-based power and engineering firm, assessing a total penalty of 38.9 million Swiss francs against the company. The engineering firm allegedly paid hundreds of millions of euros in bribes to public officials throughout the world to obtain civil-engineering contracts. The questionable payments were first discovered by an accounting firm during an audit of a small private Swiss bank. After a two-year investigation encompassing 15 countries, Swiss authorities charged the engineering firm with corporate negligence, stating that the company 'did not take all necessary and reasonable organisational precautions to prevent bribery of foreign public officials in Latvia, Tunisia and Malaysia'. Consultants engaged by the company allegedly forwarded a significant portion of their success fees to foreign officials to influence the award of state contracts. In February 2012, the World Bank announced the three-year debarment of two

of the engineering firm's subsidiaries for alleged bribery related to a Bank-financed hydropower project in Zambia. The subsidiaries also agreed to pay US\$9.5 million in restitution pursuant to a negotiated resolution agreement with the Bank. Authorities in the United States, France, Brazil and the United Kingdom are also reportedly investigating the engineering firm in connection with these and other bribery allegations against the company. In March 2010, the UK's Serious Fraud Office arrested three of the company's directors on an array of corruption-related charges. This prosecution is ongoing.

In November 2013, Swiss prosecutors entered into a settlement with a Germany-based global engineering and electronics firm after the company admitted that it failed to prevent a Swedish subsidiary from making illicit payments to senior executives of Russia's state-owned gas company in exchange for contracts related to the construction of a large-scale gas pipeline. In pleading guilty to 'organisational offences', the engineering company agreed to make a US\$136,000 donation to the Red Cross and disgorge US\$10.6 million in unlawful profits.

#### Canada

In recent years, the Canadian government has increased its efforts to investigate and prosecute violations of the country's Corruption of Foreign Public Officials Act (CFPOA) and has enhanced and strengthened the act's enforcement provisions.

In June 2011, Canadian authorities brought their first sizeable case under the CFPOA, a C\$9.5 million anti-bribery enforcement action against a publicly held Canadian oil and gas exploration company. Canadian prosecutors followed up on this enforcement action in January 2013, when they secured a guilty plea from a privately held, Calgary-based oil and gas exploration company in connection with efforts to improperly secure exclusive contracts to explore and develop oil and gas reserves in southern Chad. Among other things, the Calgary company acknowledged providing direct and indirect benefits to the wife of the Chadian ambassador in an attempt to induce the ambassador to use his position to influence the award of these contracts. After initially contemplating an agreement with a consulting company owned by the Chadian ambassador, the Calgary company instead entered into a C\$2 million agreement with a consulting company owned by the ambassador's wife. The Calgary company also allowed the ambassador's wife and the wife of another diplomat to purchase 'founders' shares' in the company. In mid-2011, during due diligence conducted in anticipation of a planned IPO, the Calgary company's new management team uncovered the scheme, initiated an internal investigation, and made a voluntary disclosure to Canadian and US authorities. As part of its settlement with Canadian authorities, the Calgary company agreed to pay C\$10.35 million in penalties. Canadian prosecutors are still trying to recoup the proceeds of the bribery scheme from the ambassador's wife, whose shares in the Calgary company may end up being worth over C\$30 million.

In June 2013, Canada amended the CFPOA to include a new books and records offence, enhance the jurisdictional scope over and stiffen penalties for foreign bribery, eliminate the previous exception for facilitation payments and the words 'for profit' from the definition of business, and centralise the authority to investigate the corruption of Canadian and foreign officials with the Royal Canadian Mounted Police.

In August 2013, Canadian authorities convicted the first individual under the CFPOA for attempting to bribe officials associated with India's state-owned airline, Air India, in an effort to secure a contract for an Ottawa-based technology company to provide facial recognition software and other related security systems. The individual, an agent for the technology company, made arrangements to provide two bribes to Air India officials totalling C\$450,000, both of which ultimately failed to secure the desired contract for the technology company. This conviction comes in the midst of the prominent, ongoing prosecution of two executives from a Montreal-based engineering firm that is currently under investigation

for allegedly bribing foreign officials in over 10 African and Asian countries in connection with large-scale international construction projects. Earlier in 2013 the World Bank debarred this engineering company and 100 of its affiliates from working on World Bank-funded projects for 10 years due to alleged misconduct in Bangladesh, Cambodia and elsewhere.

#### United Kingdom

On 1 July 2011, the UK Bribery Act 2010 (Bribery Act) entered into force after years of debate. The legislation banned both the payment and receipt of an 'advantage' provided to induce a person to improperly perform a function or activity or reward a person for such an improper performance, regardless of whether it is a public function or a private business activity.

In August 2013, the UK's Serious Fraud Office (SFO) charged three British individuals with, among other things, 'making and accepting a financial advantage' in violation of the Bribery Act. While other UK agencies have previously brought cases under the Bribery Act, this represents the first formal criminal prosecution by the SFO, which is the UK enforcement body charged with investigating high-value and more complex cases of bribery and corruption. The charges in this matter stem from an alleged £23 million fraud related to the sale of biofuel investment products to be grown on land purchased in Cambodia. The individuals involved are all connected to a UK biofuel investment company that has since been placed in administration (a procedure similar to bankruptcy); they include the company chairman, who was arrested in Cambodia earlier this year on charges of forgery related to the allegations. UK authorities are reportedly seeking his extradition.

Since the Bribery Act applies only to conduct occurring after its implementation, UK authorities have continued to prosecute foreign corruption that predates the act using a patchwork of civil and criminal corruption laws the UK has long had in place. For example, in July 2012, the SFO announced an enforcement action against a UK-based publisher for alleged unlawful payments made by its wholly owned Kenyan and Tanzanian subsidiaries. From 2007 to 2010, the subsidiaries allegedly offered and made corrupt payments intended to induce recipients to award them publishing contracts to supply foreign governments with textbooks. Upon learning of the potentially improper payments, the publishing company initiated an internal investigation and voluntarily reported the concerns to the SFO. As part of its settlement with the SFO, the publishing company agreed to pay £1.9 million in civil recovery and court costs and will have a corporate monitor imposed. In a parallel proceeding, the World Bank also announced a negotiated resolution agreement with the publishing company that requires the company to pay US\$500,000 in restitution, debars its two subsidiaries for a period of three years, and obliges the publishing company's monitor to report its review findings to the Bank, in addition to and separate from its report to the SFO.

The SFO has also continued to press forward with the prosecution of individuals implicated in foreign bribery schemes that predate the Bribery Act. For example, in 2012, a former director and the former CEO of a UK-based chemical manufacturer pleaded guilty to allegations by the SFO that they conspired to bribe Indonesian and Iraqi government officials to induce the award of government contracts and ensure that government tests of a competitor's product resulted in unfavourable ratings. The sentencing of both former executives has been adjourned. Two other former senior executives of the chemical manufacturer have also been charged by the SFO, both of whom are scheduled to go to trial in April 2013. US and UK enforcement officials resolved charges with the chemical manufacturer in connection with these allegations in March 2010.

In April 2013, the UK enacted the Crime and Courts Act 2013, which permits the SFO and the Crown Prosecution Service (CPS) to enter into deferred prosecution agreements (DPAs) with cooperating corporate defendants to settle prosecutions for fraud, bribery and



economic crimes. While UK law already permitted DPAs in the prosecution of individuals, the adoption of corporate DPAs mirrors a common approach by the US government for prosecuting corporate misconduct in the anti-corruption area. According to a draft Deferred Prosecution Agreement Code of Practice issued by the SFO and CPS, these agencies intend to use DPAs as 'an alternative to prosecution' and see the agreements as 'a discretionary tool... to provide a way of responding to alleged criminal conduct'. DPAs will not be offered in every prosecution. Instead, the draft code of practice outlines when the SFO and CPS will offer to negotiate a DPA and how such negotiations will proceed.

#### United States

In 2013, the US Department of Justice (DoJ) and the SEC resolved 26 FCPA-related enforcement dispositions. These cases involved both US and non-US individuals and corporations and imposed a range of civil and criminal penalties, including fines into the hundreds of millions of dollars. Corporate defendants resolved these cases by entering into deferred prosecution agreements, non-prosecution agreements and plea agreements. In some instances, a condition of settlement has been that the company retain and pay for an 'independent compliance monitor', who is given broad authority under these agreements. In other instances, the company has been required to 'self-report' at periodic intervals on the status of its remediation and compliance efforts. And, in a recent development, the US enforcement agencies on several occasions have imposed a hybrid of the two, requiring companies to retain and pay for an 'independent compliance monitor' during the first half of their probationary period and 'self-report' at periodic intervals during the second half. At a recent FCPA conference, a high-ranking US enforcement official also revealed that more than 150 additional corporations and individuals are currently under active investigation.

While still high by historical standards, overall enforcement levels in the United States fell in 2013 for the third consecutive year after reaching record heights in 2010. Despite this downward trend, however, the level of enforcement activity against individuals (as opposed to corporations) has only dipped slightly over this period and actually saw an uptick in 2013, with the DoJ and SEC announcing FCPA-related charges against 13 individuals in 2013 compared with only five in 2012. This is indicative of the agencies' continued emphasis on the prosecution of individuals and may explain, in part, why overall enforcement has declined, since individuals are much more likely to demand trials that divert the agencies' limited resources.

A record four criminal trials involving 15 defendants charged with FCPA-related violations took place from 2011 to 2012, resulting in two convictions, two mistrials (involving seven individual defendants) and six acquittals. While the DoJ recently decided to abandon its ongoing prosecution of 16 individuals indicted as part of a highly publicised sting operation, there are well over a dozen other individuals currently involved in some stage of pretrial, trial or post-trial proceeding with the DoJ and SEC. Included among this backlog of individual defendants is a large group of former executives and contractors from a global, Germany-based engineering firm. The individuals, who were charged by the DoJ and SEC in mid-December 2011, allegedly conspired with intermediaries to pay more than US\$100 million in bribes to Argentine government officials, initially to secure a US\$1 billion contract to replace Argentina's national identity cards, then to get the project reinstated after it was terminated, and finally as part of an effort to recoup revenues that would have been due under the contract. The charges came three years after the engineering firm and several of its subsidiaries entered into historic settlements with the DoJ, SEC and General Prosecutor's Office in Munich over related conduct and agreed to pay US\$1.6 billion in combined penalties and disgorgement. The co-conspirators allegedly used a variety of mechanisms to generate funds and conceal payments, including offshore companies, sham invoices and contracts for services never performed, and off-books

accounts. The defendants include, among others, a former member of the company's management board and the central executive committee, several senior executives from the company's Argentine subsidiary and two intermediaries. All of the defendants are non-US citizens, many of whom would require extradition to be criminally prosecuted, a fact which has complicated the DoJ's efforts and presented the courts with jurisdictional questions about the extraterritorial reach of US law. In February 2013, the former CEO of the company's Argentine subsidiary actually succeeded in obtaining a dismissal of the civil charges against him on grounds that the alleged misconduct was 'far too attenuated' from the resulting harm to satisfy the necessary jurisdictional requirements under US law. As of February 2014, the charges brought by the SEC against the seven individual defendants had all been resolved, either through settlement, default judgment or dismissal; by contrast, the DoJ had not resolved any of the parallel charges it brought against six of those defendants.

Also likely to be contributing to the drop in enforcement are the resources the DoJ and SEC diverted into the drafting of new written guidance designed to provide additional clarity on the FCPA's key elements and the agencies' enforcement priorities. Following a recommendation of the OECD that the United States consider issuing consolidated public guidance on the FCPA and calls from the US Chamber of Commerce and other stakeholder groups for statutory amendments to the Act, the enforcement agencies issued a 120-page 'Resource Guide on the US Foreign Corrupt Practices Act' (the Guide) in November 2012. The Guide addresses each element of the statute in depth and contains narrative discussions of key issues, hypotheticals, case summaries, 'anonymised' examples of declinations, examples of violations, enforcement principles, over 400 footnotes, and 'practical tips' for reducing risk or complying with the law. While the Guide makes no sharp departures from current practice, it does confirm some previously unwritten enforcement policies and practices and explicitly clarifies the government's view of provisions that may appear ambiguous to companies new to the statute and counsel who do not regularly practise in the area.

This small sample of the diverse array of investigations and prosecutions under way or pending reflects a pronounced shift in anti-corruption law and a dramatic escalation of enforcement activity compared with only a decade ago.

As yet untested is the provision in article 35 of the United Nations Convention against Corruption, which creates a private right of action for entities or persons who have suffered damage as a result of bribery of public officials or other acts of corruption covered by the United Nations Convention against Corruption. The United States provides no private right of action consistent with article 35, as it maintained a reservation against this requirement when ratifying the UN Convention. However, a private right of action can be available within the United States through other means. For instance, US law allows those injured in certain circumstances to bring a cause of action and seek compensation under the Racketeer Influenced and Corrupt Organizations Act or as part of a civil securities suit; recent examples of such litigation include actions against Avon Products Inc, Juniper Networks Inc, Net 1 UEPS Technologies Inc and Archer Daniels Midland Co, all of which were filed in recent years, based in part on alleged FCPA violations.

#### Anti-corruption compliance programmes

The rapid changes in legal structures and enforcement have, in turn, contributed to a new corporate phenomenon and legal discipline – the widespread institution of anti-corruption compliance programmes within multinational corporations. Programmes that would have been innovative and exceptional in the early 1990s are becoming de rigueur. 'Best practices' have become a standard by which many companies seek to measure their own efforts and that standard continues to rise. Spurred by government pronouncements, regulatory requirements, voluntary corporate codes and the advice of experts as to what mechanisms best achieve their intended purposes,

anti-corruption compliance programmes have become common, and often sophisticated, in companies doing business around the world. As a result, anti-corruption codes and guidelines, due diligence investigations of consultants and business partners or merger targets, contractual penalties, extensive training, internal investigations, compliance audits and discipline for transgressions have become familiar elements of corporate compliance programmes. The OECD's recent 'Good Practice Guidance on Internal Controls, Ethics and Compliance', issued on 18 February 2010, is directed squarely at companies, business organisations and professional associations, and identifies a number of recognised elements of effective compliance programmes:

- a strong commitment from senior management;
- a clearly articulated anti-bribery policy;
- accountability and oversight;
- specific measures applicable to subsidiaries that are directed at the areas of highest risk;

- internal controls;
- documented training;
- appropriate disciplinary procedures; and
- modes for providing guidance and reporting violations.

This guidance is noteworthy both because it is one of the first treaty-based articulations of effective anti-bribery compliance standards and because, on close reading, it emphasises some elements that have received less attention in traditional compliance programmes.

Against this backdrop, the expert summaries of countries' anti-corruption laws and enforcement policies that this volume comprises are becoming an essential resource. It is within this legal framework that the implementation of anti-corruption conventions and the investigations and enforcement actions against those suspected of violations will play out. Our thanks to those firms that have contributed to this volume for their timely summaries and for the valuable insights they provide.

RUBEM CORRÊA BARBOSA  
Ambassador of Brazil

1 2014

RECEIVED

*Canberra, 11th of August 2014*

*Dear Dr Clark*

*On the occasion of pianist Marcela Fiorillo's concert at the Embassy of Brazil on 14<sup>th</sup> of August, I have the honour to send you a gift comprised of a CD with Brazilian artists performing the music of Villa-Lobos, a DVD of the social project Camerata Vale Música, a biography and a copy of his original score for "Choro nº 5".*

*Heitor Villa-Lobos is one of the most significant Brazilian classical composers to date, and has written numerous orchestral, chamber, instrumental and vocal works. His music was influenced by both Brazilian folk music and by stylistic elements from the European classical tradition.*

*I hope you enjoy it.*

*Yours sincerely,*

s47F

*Rubem Corrêa Barbosa*



s22



**From:** Street, Laurence (Governance, North Ryde)

**Sent:** Friday, 5 December 2014 9:56 AM

**To:** Cooper, Maria (B&IS, North Ryde)

s47F

**Subject:** RE: I signed for your package from IINET which arrived at Reception this morning

Thanks, it must be Christmas! I think this is gift for a speech I gave....

---

**From:** Cooper, Maria (B&IS, North Ryde)  
**Sent:** Friday, 5 December 2014 9:33 AM  
**To:** Street, Laurence (Governance, North Ryde)  
**Subject:** RE: I signed for your package from IINET which arrived at Reception this morning

Laurence, another courier satchel arrived from the Govt Solicitor Office in Vic (description - chocolate tin). I've put that also in the large drawer of your desk.

---

**From:** Street, Laurence (Governance, North Ryde)  
**Sent:** Thursday, 4 December 2014 11:54 AM  
**To:** Cooper, Maria (B&IS, North Ryde)  
**Subject:** RE: I signed for your package from IINET which arrived at Reception this morning

OK, thanks

---

**From:** Cooper, Maria (B&IS, North Ryde)  
**Sent:** Thursday, 4 December 2014 11:45 AM  
**To:** Street, Laurence (Governance, North Ryde)  
**Subject:** RE: I signed for your package from IINET which arrived at Reception this morning

Not yet, there's nothing else at Reception for you but I wasn't here yesterday so not sure if anything came for you yesterday.

---

**From:** Street, Laurence (Governance, North Ryde)  
**Sent:** Thursday, 4 December 2014 11:35 AM  
**To:** Cooper, Maria (B&IS, North Ryde)  
**Subject:** RE: I signed for your package from IINET which arrived at Reception this morning

Hi, was there a package also from star track or surf stitch? Sorry about all of this. L

---

**From:** Street, Laurence (Governance, North Ryde)  
**Sent:** Thursday, 4 December 2014 11:32 AM  
**To:** Cooper, Maria (B&IS, North Ryde)  
**Subject:** RE: I signed for your package from IINET which arrived at Reception this morning

Great, thanks

---

**From:** Cooper, Maria (B&IS, North Ryde)  
**Sent:** Thursday, 4 December 2014 11:28 AM  
**To:** Street, Laurence (Governance, North Ryde)  
**Subject:** RE: I signed for your package from IINET which arrived at Reception this morning

Yes, Laurence, I put it in the bottom large drawer of your desk.

---

**From:** Street, Laurence (Governance, North Ryde)  
**Sent:** Thursday, 4 December 2014 11:19 AM  
**To:** Cooper, Maria (B&IS, North Ryde)  
**Subject:** RE: I signed for your package from IINET which arrived at Reception this morning

Thanks Maria, much appreciated. Are you able to put in one of my draws and I will collect on the weekend? I am in Canberra until Friday night.

Thanks

**From:** Cooper, Maria (B&IS, North Ryde)  
**Sent:** Thursday, 4 December 2014 11:01 AM  
**To:** Street, Laurence (Governance, North Ryde)  
**Subject:** I signed for your package from IINET which arrived at Reception this morning

***Maria Cooper***

Reception, 8.30am - 1.30pm

CSIRO, Business Services

T: **s47F** Riverside Corporate Park

F: + 612 9490 8103 5 Julius Avenue

E: **s47F**

---

**From:** Zipper, Marcus (Services, Clayton)  
**Sent:** Wednesday, 6 May 2015 8:32 PM  
**To:** Stammer, Andrew (Services, Clayton Wgtn Rd)  
**Subject:** RE: Declaration

Thanks Andrew  
Cheers  
Marcus

Dr Marcus Zipper PhD MBA  
Director  
CSIRO Services

**s47F** Private Bag 10, Clayton South 3169, Victoria  
www.csiro.au | LinkedIn profile | Skype Name **s47F**

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-----Original Message-----

**From:** Stammer, Andrew (CSIRO Services, Clayton Wgtn Rd)  
**Sent:** Wednesday, 6 May 2015 8:24 PM  
**To:** Zipper, Marcus (CSIRO Services, Clayton)  
**Subject:** Declaration

Hi Marcus

In line with CSIRO policy I am letting you know that tonight I gave a lecture to the RMIT Grad Dip in Editing and Publishing class and was given a bottle of red wine and a book voucher - total value c\$75.

Regards  
Andrew

Sent from my iPad

---

**From:** Aldham, Ben (Executive, Clayton)  
**Sent:** Tuesday, 14 July 2015 5:06 PM  
**To:** Hill, Anita (Executive, Clayton); McLean, Keith (Manufacturing, Clayton)  
**Cc:** Boyce, Vivian (HR, Clayton)  
**Subject:** RE: "Gift"

Hi Keith,

Thanks for the email you sent to Anita, Anita discussed it with me; as the gift is of no substantial value she is happy for you to retain them.

Cheers, Ben

---

**From:** McLean, Keith (Manufacturing, Clayton)  
**Sent:** Monday, 13 July 2015 6:04 PM  
**To:** Hill, Anita (Executive, Clayton)  
**Subject:** "Gift"

Hi Anita

I received a pair of Steel Blue boots today as a 'gift' from Steel Blue. Mel Dell'Olio is doing some innovation/moulding trials for them regarding the boots and they were very keen for me to have a pair which I received today via Russell Varley.

I need to advise you of this in accordance with the 'Acceptance of Gifts' policy. The value of the boots is ~\$150.00 and if appropriate I intend to retain them for my own use.

Cheers,

Keith

Keith M. McLean  
Director, Manufacturing Flagship  
CSIRO

s47F

Bayview Avenue, Clayton, Victoria 3169 Australia  
[www.csiro.au](http://www.csiro.au)

Professor (Adjunct), Australian Regenerative Medicine Institute,  
Science, Technology, Research and Innovation Precinct (STRIP)  
Monash University, Clayton Campus,  
Wellington Road,  
Clayton, VIC, 3800  
Australia



---

**From:** McLean, Keith (Manufacturing, Clayton)  
**Sent:** Sunday, 23 August 2015 4:06 PM  
**To:** Hill, Anita (Executive, Clayton); Aldham, Ben (Executive, Clayton)  
**Cc:** McNicol, Danielle (HR, Clayton)  
**Subject:** Gift

Hi Anita and Ben

While in China I was gifted a Chinese made tablet estimated value \$100 or so. I intend to donate this to a local school or charity who can hopefully make use of it

Cheers  
Keith

Sent from my iPhone

**From:** State Government of Victoria [REDACTED] s47F  
**Sent:** Tuesday, 12 January 2016 11:17 AM  
**To:** Hill, Anita (Future Industries, Clayton)  
**Subject:** Registration Confirmed - 2016 Australian Open Tennis - President's Reserve

**australian open**

*The Grand Slam of Asia/Pacific*  
January 2016



Dear Anita

Your registration for acceptance is confirmed. Please save this email for future reference.

**Event:** 2016 Australian Open Tennis - President's Reserve

**Attending:** Anita Hill

**Date and Time:** Tuesday 19 January, Night Session, 5:15pm

**Location:** President's Reserve, Rod Laver Arena, Melbourne Park

Please [Click here](#) to modify your registration. You will be asked to enter the confirmation number XNNR2956MXL.

Your entry pass and information sheet will be sent to the postal address you provided. If you have any questions, contact the Events Team on the contact details below.

Sincerely,

**Events Trade Victoria**

**Department of Economic Development, Jobs, Transport and Resources**

Level 32, 121 Exhibition Street, Melbourne, Victoria 3000 Australia

T: [REDACTED] s47F

E: [REDACTED]



Having trouble with the link? Simply copy and paste the entire address listed below into your web browser:  
<http://missions.trade.vic.gov.au/d/tg-YQh7GLkeT9GFMM45BnA/x0zp/P1/OR?>

If you no longer want to receive emails from State Government of Victoria please click the link below.  
[Opt-Out](#)

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**From:** Watson, Lynda (H&B, Parkville)  
**Sent:** Monday, 15 August 2016 1:46 PM  
**To:** Stojanovic, Erika (Future Industries, Clayton)  
**Subject:** RE: INVITATION: AAMI VICTORIA DERBY DAY - SATURDAY 29 OCTOBER 2016

Definitely available and very happy to attend.

-L

---

**From:** Stojanovic, Erika (Future Industries, Clayton)  
**Sent:** Friday, 12 August 2016 5:12 PM  
**To:** Watson, Lynda (H&B, Parkville) [REDACTED] s47F  
**Subject:** Re: INVITATION: AAMI VICTORIA DERBY DAY - SATURDAY 29 OCTOBER 2016

Lynda, they are happy to have rob and his wife attend, can you please let me know if they are available :) thanks

Sent from my iPhone

On 11 Aug 2016, at 12:34 PM, Watson, Lynda (H&B, Parkville) [REDACTED] s47F wrote:

Thanks Erika – so just to clarify – this is as a guest, so no cost. Thought I would better check in case. Tell them he is super-duper and a very good alternate! ☺

-L

---

**From:** Stojanovic, Erika (Future Industries, Clayton)  
**Sent:** Thursday, 11 August 2016 11:51 AM  
**To:** Watson, Lynda (H&B, Parkville) [REDACTED] s47F  
**Subject:** RE: INVITATION: AAMI VICTORIA DERBY DAY - SATURDAY 29 OCTOBER 2016

Lynda – I am also just checking with the organisers if they will accept an alternate.... ☺

**Ms Erika Stojanovic**  
Executive Assistant to Dr Anita J Hill, Executive Director  
CSIRO Future Industries

Phone: [REDACTED] s47F | Fax: +61 3 9545 2059 | Mobile: [REDACTED] s47F  
[REDACTED] s47F | [www.csiro.au](http://www.csiro.au)

**Postal Address:** Private Bag 10, Clayton South VIC 3169 | **Street Address:** Bayview Ave, Clayton VIC 3168 | **Delivery Address:** CSIRO Store, Gate 3 Normanby Road Clayton VIC 3168

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**From:** Grenfell, Rob (H&B, Clayton)  
**Sent:** Thursday, 11 August 2016 11:43 AM  
**To:** Stojanovic, Erika (Future Industries, Clayton) [REDACTED] s47F  
**Subject:** RE: INVITATION: AAMI VICTORIA DERBY DAY - SATURDAY 29 OCTOBER 2016



Hi Erika

Rob is very interested in this. He is just checking with his 'other half'.

-L

**From:** Stojanovic, Erika (Future Industries, Clayton)

**Sent:** Monday, 8 August 2016 2:55 PM

**To:** Grenfell, Rob (H&B, Clayton)

s47F

**Cc:** Watson, Lynda (H&B, Clayton)

s47F

**Subject:** FW: INVITATION: AAMI VICTORIA DERBY DAY - SATURDAY 29 OCTOBER 2016

Rob – are you interested and avail to attend this? Anita will be away this weekend....

**Ms Erika Stojanovic**

Executive Assistant to Dr Anita J Hill, Executive Director

CSIRO Future Industries

Phone: s47F

Fax: +61 3 9545 2059 | Mobile: s47F

s47F

[www.csiro.au](http://www.csiro.au)

**Postal Address:** Private Bag 10, Clayton South VIC 3169 | **Street Address:** Bayview Ave, Clayton VIC 3168 | **Delivery Address:** CSIRO Store, Gate 3 Normanby Road Clayton VIC 3168

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**From:** Kaye Mercer

s47F

**Sent:** Friday, 5 August 2016 2:43 PM

**To:** Hill, Anita (Future Industries, Clayton)

s47F

**Cc:** Stojanovic, Erika (Future Industries, Clayton)

s47F

**Subject:** FW: INVITATION: AAMI VICTORIA DERBY DAY - SATURDAY 29 OCTOBER 2016

Dear Anita

Orica is pleased to be hosting a private marquee in the Winning Post Enclosure at the 2016 AAMI Victoria Derby Day.

We would like to extend a warm invitation to you and your partner for a day of racing at Flemington on Saturday 29<sup>th</sup> October, preceded by an exclusive dinner and 'white glove experience' at the State Library of Victoria on Friday 28<sup>th</sup> October.

I look forward to welcoming you to what promises to be an elegant evening of fine dining and an entertaining day of racing.

Kind regards

Alberto

**Alberto Calderon | CEO**

Orica Limited | 1 Nicholson Street | East Melbourne | Victoria 3002 | Australia

Tel:

s47F

[www.orica.com](http://www.orica.com)

<image001.png>



---

**From:** Marshall, Larry (Executive, Black Mountain)  
**Sent:** Tuesday, 15 November 2016 2:04 PM  
**To:** Hill, Anita (Future Industries, Clayton)  
**Cc:** Manson, Claire (Comms, Clayton)  
**Subject:** FW: Please Accept an Invitation to Gift a Complimentary OSA Membership

Anita – can you follow up here and see what can be done. Let's make the most of the opportunity.

Larry

---

**From:** Alan Willner [REDACTED] s47F  
**Sent:** Thursday, 10 November 2016 11:02 AM  
**To:** Marshall, Larry (Executive, Black Mountain) [REDACTED] s47F  
**Cc:** [REDACTED] s47F Rodriguez, Monique [REDACTED] s47F  
**Subject:** Re: Please Accept an Invitation to Gift a Complimentary OSA Membership

Dear Larry: Great to hear from you!! Indeed, perhaps CSIRO and OSA can do something jointly - would be lots of fun. I am copying Monique Rodriguez who is the OSA staff person heading our centennial events. Many thanks!! All the best, Alan

Alan,

I just noticed OSA is 100 this year, as is CSIRO – we should consider doing something – especially in light of the optics CSIRO built for LIGO to enable gravity wave discovery ☺  
Larry.

**Dr Larry Marshall**

Chief Executive

CSIRO

E [REDACTED] s47F T [REDACTED] s47F

Canberra: Limestone Avenue, Campbell, ACT 2612 (all correspondence)

Sydney: 5 Julius Avenue, North Ryde, NSW 2113

[www.csiro.au](http://www.csiro.au)

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---

**From:** Alan Willner, OSA President [REDACTED] s47F  
**Sent:** Saturday, 15 October 2016 3:00 AM  
**To:** Marshall, Larry (Executive, Black Mountain) [REDACTED] s47F  
**Subject:** Please Accept an Invitation to Gift a Complimentary OSA Membership

View Online

Dear Larry,

Thank you for your dedication and commitment to The Optical Society. As a Multi-year or Lifetime member, we want to recognize your valued commitment by giving you the opportunity to share OSA Membership with another professional in our field.

*Please accept our offer to give a free one-year Individual Membership to a colleague of your choice.*

**How to Gift a Membership:**

1. Think about who you know that would benefit most from being an OSA Member. (Students are not eligible to receive a gift membership.)
2. Submit the name and contact information for your colleague at [osa.org/giftmembership](http://osa.org/giftmembership) or by sending an email to [membershipteam@osa.org](mailto:membershipteam@osa.org).
3. If you want to participate, but don't have someone in mind, just let the Membership team know by email. They can find someone on your behalf.

I encourage you to take part in this effort. Think about the meaningful ways that OSA Membership has impacted your career, and consider how you can help someone else achieve their professional goals.

Please take a few moments of your day to participate.

Warm regards,

Alan Willner  
OSA 2016 President

2010 Massachusetts Ave., N.W.  
Washington, D.C. 20036 USA  
s47F

This message has been sent to s47F. If this message has been sent in error, or you would like to unsubscribe from all future OSA emails, please click on the following link.  
<https://emessaging.vertexcommunication.com/p/oJ4uOkYmDN>

---  
Alan Willner  
Rm. EEB 538  
Ming Hsieh Dept. of Electrical Engineering  
Viterbi School of Engineering

s22

From: Kay Hull [REDACTED] s47F

Sent: Tuesday, 13 December 2016 7:44 AM

To: Lander, Staci (HR, Black Mountain) [REDACTED] s47F

Subject: RE: Randstad signs an agreement to acquire Sageco - an unrivalled force in outplacement and career transition

Hi Stacy,

Thanks for your email – poor Trevor, it's been a big year for CSIRO!

Are you in the office Thursday afternoon at 3pm? Could I meet you in the Discovery café? I have something to drop off.

I look forward to hearing from you.

Regards,

Kay

Kay Hull

Head of Practice & Quality, and  
ACT Strategic Relationship Manager

direct: [REDACTED] s47F

mobile [REDACTED]

Level 1, 18 National Circuit

Barton ACT 2600

email: [REDACTED] s47F

web: [www.sageco.com.au](http://www.sageco.com.au)

Sageco is a CPI firm.

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s22

---

**From:** Zipper, Marcus (Services, Clayton)  
**Sent:** Thursday, 22 December 2016 11:51 AM  
**To:** Stammer, Andrew (Services, Clayton Wgtn Rd)  
**Subject:** RE: Declaring a gift

No problem at all. Thanks

**Dr Marcus Zipper** BSc BE PhD MBA

Director

CSIRO Services

CSIRO Education & Outreach, CSIRO Publishing, SME Connect, CSIRO Futures and Infrastructure Technologies

Private Bag 10, Clayton South 3169, Victoria

[www.csiro.au](http://www.csiro.au) | [Linked in profile](#) | Skype Name: marcuszipper

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**From:** Stammer, Andrew (Services, Clayton Wgtn Rd)

**Sent:** Thursday, 22 December 2016 8:48 AM

**To:** Zipper, Marcus (Services, Clayton) s47F

**Subject:** Declaring a gift

Hi Marcus

This is to let you know that I have been given a bottle of wine by our printer, as a Christmas 'thanks for putting your business with us'. Value ~\$25.

Let me know if you have any concerns about this.

Thanks

Andrew



---

**From:** Hill, Anita (Future Industries, Clayton)  
**Sent:** Tuesday, 28 February 2017 7:24 AM  
**To:** Falkenberg, Tristy (BD&C, Clayton)  
**Cc:** EXI-Falkenberg, Tristy  
**Subject:** RE: Supplier of Year approval

approved

---

**From:** Falkenberg, Tristy (BD&C, Clayton)  
**Sent:** Tuesday, 28 February 2017 1:33 AM  
**To:** Hill, Anita (Future Industries, Clayton) s47F  
**Cc:** EXI-Falkenberg, Tristy s47F  
**Subject:** Supplier of Year approval

Hi Anita

I am seeking your approval for me to travel to Dallas, TX, USA for the Boeing 'Supplier of the Year' event on 12 April 2017 and accept the gratuities offered by Boeing in respect of this event. Your approval is necessary due to CSIRO's policy on accepting gifts.

Thank you in advance.

Regards

Tristy

Tristy Falkenberg  
CSIRO Senior Technical Adviser to Boeing

**F** s47F  
**T** s47F  
The Boeing Company  
Bldg 2-25 | 7755 E Marginal Way S  
Seattle | Washington | 98108 USA  
[www.csiro.au](http://www.csiro.au)

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---

**From:** Hill, Anita (Future Industries, Clayton)  
**Sent:** Tuesday, 28 February 2017 7:26 AM  
**To:** Vanderven, Gael (Manufacturing, Clayton)  
**Subject:** travel for Boeing event

Hi Gael,

I also approve Keith's acceptance of the gratuities offered by Boeing in respect of the event. Apparently my approval is necessary due to CSIRO's policy on accepting gifts.

Cheers,  
Anita

Anita J. Hill FTSE  
Executive Director  
Future Industries  
CSIRO

Private Bag 10, South Clayton VIC 3169 AUSTRALIA

Ian Wark Laboratory, Bayview Avenue, Clayton VIC 3168 AUSTRALIA

Phone: s47F Fax: +61 3 9545 2059 Mobile: s47F

s47F

[www.csiro.au](http://www.csiro.au)



---

**From:** Zipper, Marcus (Services, Clayton)  
**Sent:** Wednesday, 22 March 2017 11:45 AM  
**To:** Stammer, Andrew (Services, Clayton Wgtn Rd)  
**Subject:** Re: declaring a corporate gift

No problem. Thanks.

**Dr Marcus Zipper**

Director

CSIRO Services

Phone: [REDACTED] s47F Fax: +61 3 9562 8919 | Mobile: [REDACTED] s47F

Sent from my iPhone

On 22 Mar 2017, at 11:23 am, Stammer, Andrew (Services, Clayton Wgtn Rd) [REDACTED] s47F wrote:

Hi Marcus

A note to declare that one of our external typesetters has sent me a corporate gift comprising 2 personalised B5 sized diary/note books. Value estimated at ~\$40.

Let me know if you have any concerns about this.

Regards

Andrew

**From:** Keelie Hamilton [REDACTED] s47F  
**Sent:** Friday, 12 May 2017 8:44 AM  
**To:** Zuelke, Kurt (AAHL, Geelong AAHL)  
**Subject:** FW: CEO Invitation - Geelong Football Club President's Club Function

Good morning, I am just following up on the invitation as below. Hoping to receive RSVP's today to finalise numbers.

Please note you are welcome to bring a guest.

Have a great weekend.

**the  
Gordon**

**The Gordon TAFE**  
 cordially invites you to join us  
 at the **Geelong Football Club**  
 President's Club function

Dear Kurt and guest,

The Cats are playing at home!

We would be delighted if you could join The Gordon at the most prestigious match day experience; the Presidents Club function, as a guest of Lisa Line, CEO.

This is the first game to be played at Simonds Stadium for the season and this is the first game day function to be held in the new Charles Brownlow Stand.

**WHEN:** Round 9 - Geelong Cats v Western Bulldogs, Friday 19 May  
**WHERE:** Simonds Stadium, Charles Brownlow Stand, The President's Room.  
 South Geelong, VIC 3220  
**TIME:** Function commences 5.50pm, game commences 7.50pm.  
**DRESS:** Jacket and tie. Ladies in business attire, no denim.  
**FUNCTION:** This event features a guest speaker, includes dinner and drinks service  
 and the opportunity to view the match from the Captains' Stand.  
**PARKING:** Parking is available off Kilgour Street at a cost of \$10 per vehicle  
**DROP OFF:** Request access to the Charles Brownlow Stand via the parking marshals from the  
 Kilgour Street entrance.  
**RSVP:** Friday 12 May 2017  
 Please indicate any dietary requirements.

*Please note this invitation is not transferable.*





**Keelie Hamilton**  
Director Industry Engagement

**The Gordon**

P [REDACTED] s47F

E

Private Bag 1, Geelong Mail Centre, Victoria, 3221

**Real skills.**

**Real experience.**

**Real outcomes.**

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[thegordon.edu.au](http://thegordon.edu.au)

**the  
Gordon**

---

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**From:** Cootes, Tracey (Executive, Black Mountain)  
**Sent:** Thursday, 13 July 2017 6:00 PM  
**To:** Bazzacco, Mark (Executive, Black Mountain)  
**Subject:** FW: Executive Assistants' Evening at the Sydney Opera House  
**Attachments:** s 42 [REDACTED]

Mark

Invitation as discussed for your approval please. I have also attached [REDACTED] s [REDACTED]. I will take leave to travel to Sydney so there will be no cost to CSIRO.

Thanks  
Tracey

---

**From:** Huane, Fiona [REDACTED] s47F  
**Sent:** Thursday, 18 May 2017 10:23 AM  
**To:** Cootes, Tracey (Executive, Black Mountain) [REDACTED] s47F  
**Subject:** Executive Assistants' Evening at the Sydney Opera House

Hello Tracey

For some time now I've been wondering when I will get to meet you and my other NSW contacts in person. Fortunately, Cath is a marvel, and she has happily agreed to me coming up to Sydney to host an Executive Assistants' dinner. As you may know, EnergyAustralia is a sustainability partner and energy provider to the Sydney Opera House, so where better to hold the dinner than at **Bennelong Restaurant**, Sydney Opera House's fabulous fine dining restaurant.

Having **ONLY** a dinner seemed a little wasteful of such a beautiful and unique venue, so we will also take in a show, namely Scott Bradlee's Postmodern Jukebox, which should be great fun – if you don't know them, have a look on YouTube – such talented and quirky musicians!  
<https://www.youtube.com/watch?v=aLnZ1NQm2uk>

There is another little surprise in store too, so I truly hope that you might be able to join me on **Thursday 28 September, starting at 6pm**, for what I think will be an absolutely lovely, memorable evening – and of course a fantastic networking opportunity too!

Do let me know as soon as possible whether you can join me.

With kind regards

**Fiona Huane**  
Executive Assistant to Catherine Tanna, Managing Director  
[REDACTED] s47F

**EnergyAustralia**  
Level 33, 385 Bourke Street, Melbourne, Victoria 3000  
[energyaustralia.com.au](http://energyaustralia.com.au)

f [REDACTED] in G+

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**From:** Fincher, Megan (Governance, Clayton)  
**Sent:** Tuesday, 4 July 2017 1:08 PM  
**To:** Cootes, Tracey (Executive, Black Mountain)  
**Cc:** Johnstone, Fiona (Governance, Black Mountain)  
**Subject:** Acceptance of hospitality

s42







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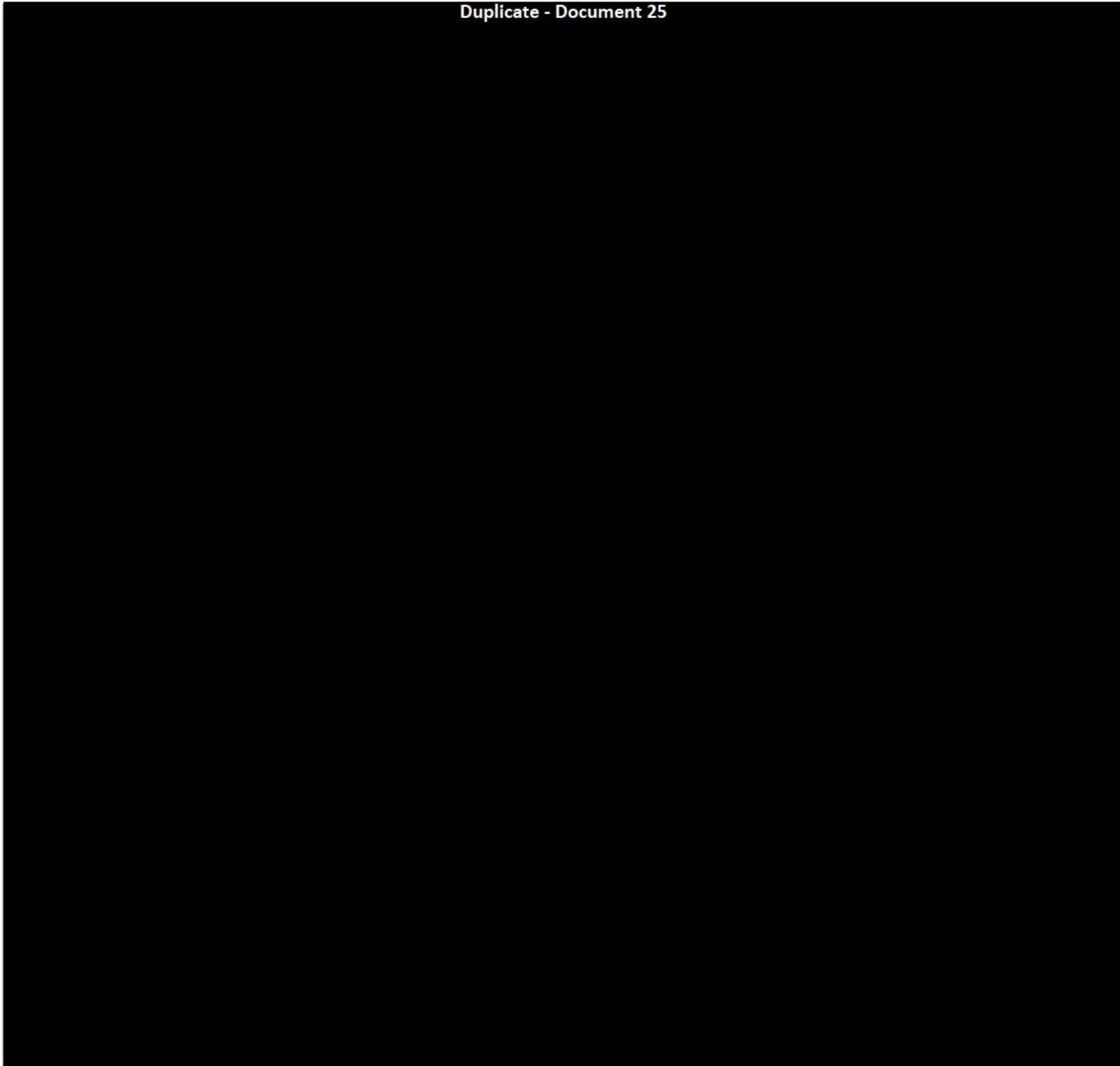
**From:** Bazzacco, Mark (Executive, Black Mountain)  
**Sent:** Friday, 14 July 2017 9:49 AM  
**To:** Cootes, Tracey (Executive, Black Mountain)  
**Subject:** RE: Executive Assistants' Evening at the Sydney Opera House

Tracey

I am comfortable with you attending and can't foresee an actual or perceived conflict of interest. This is good opportunity for you to build relationships with a key partner and a broader network.

Mark

Duplicate - Document 25



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**From:** Falkenberg, Tristy (BD&C, Seattle)  
**Sent:** Thursday, 21 September 2017 3:39 AM  
**To:** Hill, Anita (Future Industries, Clayton)  
**Cc:** Falkenberg, Tristy (BD&C, Seattle); Lucas-Conwell, Susan (Global, Silicon Valley)  
**Subject:** Boeing gift: CSIRO US Office opening

Hi Anita,

Thanks for the chat last night.

As discussed, Paul Pasquier plans to attend the opening of the CSIRO US Office next week and plans to gift the CSIRO US Office a model of a 777x for display (approx. value \$300). As per CSIRO policy, I have informed you of the intended gift and you have confirmed that acceptance of the gift is appropriate.

This email is just for our records and also to alert Susan to the gift prior to the event next week.

Thanks

Tristy

**Tristy Falkenberg**  
CSIRO Senior Technical Adviser to Boeing

s47F

The Boeing Company  
Bldg 2-25 | 7755 E Marginal Way S  
Seattle | Washington | 98108 USA  
[www.csiro.au](http://www.csiro.au)

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s22

**From:** Munyard, Tom (Finance, Black Mountain)

**Sent:** Friday, 22 September 2017 10:33 AM

**To:** Colbert, Joe (B&IS, Black Mountain) s47F

**Subject:** RE: Hospitality Declaration

Hi Joe,

Sorry for taking so long to get back to you.

I've sought advice from HR as the owners of the policy.

The Procedure and Code of Conduct provide that gifts of significant value must not be accepted. The acceptance of gifts procedure provides that *the acceptance of a gift can be permissible in some circumstances - for example: a gift of a nominal value (eg. an inexpensive pen at Christmas) may be accepted in a situation where gifts such as this are being generally distributed.*

The procedure also provides a process where it is not possible to obtain permission beforehand and a gift of nominal value is received, to declare it and provide a process to allow the staff member to purchase the item or donate it to the social club. The procedure provides an example of nominal value in that context which is \$100. Given both yours and Kristy's estimates are less than \$100, this is less than what the Procedure suggests is considered a 'nominal value'.

The only other issue that also needs to be considered is the potential for conflicts of interest and equity amongst colleagues in similar roles. Receiving a gift from a supplier could create a perception of preferable consideration in future transactions with that supplier.

Under the Code of Conduct staff must ensure decisions are documented including any approval to accept a gift. Whatever decision is taken, it should be documented.

So, in terms of the considerations, I am comfortable to provide you with advice that the gift meets the nominal value criteria. That is, I am satisfied it is of a low value. Without knowing who Netpro is, their potential competitors, and how/when we engage with them, I am not sure I am able to provide you with advice on the second consideration around conflicts or equity amongst colleagues. I would suggest, that if there is any doubt around that criteria, a donation to the social club might be the most appropriate course of action.

I am happy to consider further advice on that consideration if you wish. Let me know if you have any questions.

**Tom Munyard**

Director of Finance / Chief Finance Officer  
CSIRO

s47F

s47F

[www.csiro.au](http://www.csiro.au)

**From:** Colbert, Joe (B&IS, Black Mountain)  
**Sent:** Thursday, 14 September 2017 9:21 AM  
**To:** Munyard, Tom (Finance, Black Mountain)  
**Subject:** FW: Hospitality Declaration

s47F

Hi Tom

Recently Kristy received a gift from a supplier in the form of two bottles of wine (independently valued at \$20 and \$25 each) and a branded cooler (estimated value \$10). Kristy has consulted the relevant policy and written to me to declare the receipt.

Given current circumstances I am hesitant to provide approval without seeking an independent view.

Based on a total estimated value of approximately \$55 are you;

- a) Satisfied that the gift is of low value and a declaration is sufficient;
- b) Of a view that it should be donated to the Social Club;
- c) Of a view that the present should be returned to the supplier with a note thanking them for their gift but explaining that it is not in line with CSIRO practice to accept gifts from suppliers.

Regards

Joe

**From:** Green, Kristy (B&IS, Black Mountain)  
**Sent:** Wednesday, 13 September 2017 12:44 PM  
**To:** Colbert, Joe (B&IS, Black Mountain) <  
**Subject:** RE: Hospitality Declaration

s47F

Thanks Joe. Yes the procedure just said to declare it to the delegate so I think this is all we need.

**From:** Colbert, Joe (B&IS, Black Mountain)  
**Sent:** Wednesday, 13 September 2017 12:43 PM  
**To:** Green, Kristy (B&IS, Black Mountain)  
**Subject:** RE: Hospitality Declaration

s47F

Hi Kristy

Thank you and noted. Can you please check the relevant policy or procedure to ensure that we are clear on what needs to occur in respect to gifts nad hospitality.

Thanks

Joe

**From:** Green, Kristy (B&IS, Black Mountain)  
**Sent:** Tuesday, 12 September 2017 8:27 AM  
**To:** Colbert, Joe (B&IS, Black Mountain) <  
**Subject:** Hospitality Declaration

s47F

Hi Joe



I would like declare a gift I have received from a supplier (Netpro) amounting to approximately \$70 for a branded cooler and two bottles of wine.

Many thanks  
Kristy

**Kristy Green**  
Project Officer  
CSIRO Business & Infrastructure Services

s47F

CSIRO Discovery Centre, North Science Road, Acton ACT 2601  
Postal address: GPO BOX 1700, Canberra, ACT 2601  
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s22

**From:** Heldt, Trevor (HR, Black Mountain)

**Sent:** Tuesday, 26 September 2017 6:39 PM

**To:** Tanya Hammond s47F

**Cc:** Louise Frezza s47F Nick Myburgh s47F Stephanie

Waddon s47F Lander, Staci (HR, Black Mountain)

**Subject:** Re: Thank you for a "Insightful and Engaging" presentation

Many thanks Tanya.

Really appreciate the feedback (and the bubbly gift).

Very happy to talk on Friday or next week.

Regards Trevor

On 25 Sep 2017, at 6:16 am, Tanya Hammond s47F wrote:

Hi Trevor

I hope you are enjoying the Canberra long weekend?

Just wanted to drop you a line to say thank you once again for your terrific presentation at our Senior Leaders Forum. You shared such valuable insights which were sincerely appreciated by the attendees. Having spoke to a number of them post presentation - they each took a variety of learnings away to reflect on and apply.

We know that great effort would have gone into preparing and sharing your story. We appreciated it very much.

We are keen to further explore the sharing of your experience in relation to Certification. \_\_\_\_\_  
Would you have capacity for a telephone call over the next couple of weeks?

Warm regards

Tanya

Tanya Hammond  
Director

s47F

---

**From:** Gardiner, Jindra (Executive, North Ryde)  
**Sent:** Monday, 9 October 2017 2:54 PM  
**To:** McIntosh, Chris (Executive, Black Mountain)  
**Subject:** FW: for gift register  
**Attachments:** sharpmfd@csiro.au\_20171009\_144702.pdf

Hi Chris

As discussed this gift for Larry was received from Dolla Merrillees , Museum of Applied Arts & Sciences following the Robert Lightfoot meeting on Friday 29 September.

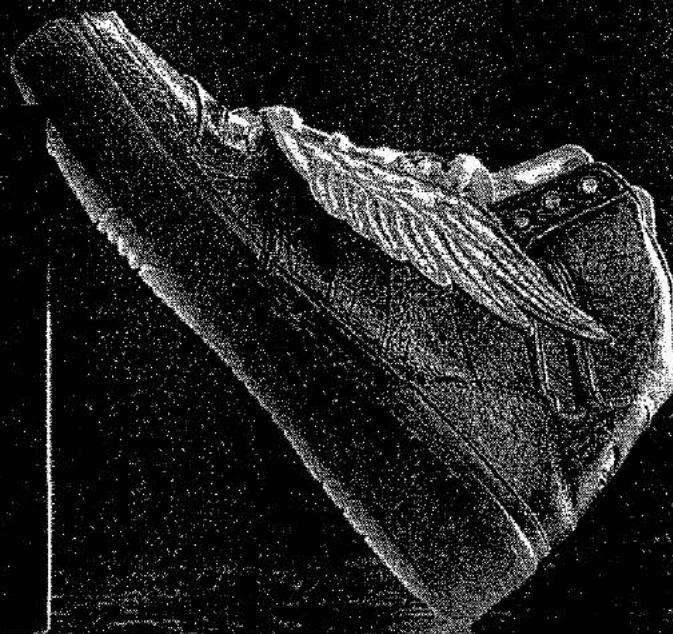
Gift includes 2 books -

- 2018 Australasian Sky Guide by Dr Nick Lomb, Sydney Observatory
- Becoming Martian by Josh Richards

And 1 pair of men's business socks with wording of Cassiopeia, Orion, Pegasus & Polaris.

Thanks  
Jindra

Pair of sneakers, JS Wings  
Iridescent Foils, designed by  
Jeremy Scott for Adidas, USA/  
China, 2014. MAAS Collection.  
© Lucas Allen Photographer



**MAAS**  
Museum of  
Applied Arts  
& Sciences

**MAAS**  
Museum of  
Applied Arts  
& Sciences

Museum of Applied Arts and Sciences  
500 Harris St, Ultimo  
Sydney NSW 2007

POSTAGE  
PAID  
AUSTRALIA

Dr Larry  
Marshall

Della. Merrillees

@maas.museum



Dear Larry,

With  
compliments

and thanks.

Kind regards

Della S.  
Narritkes

# JOSH RICHARDS

COMEDIAN, PHYSICIST & ASTRONAUT CANDIDATE



**HOW COLONISING MARS  
WILL CHANGE OUR SPECIES IN  
BODY, MIND & SOUL**

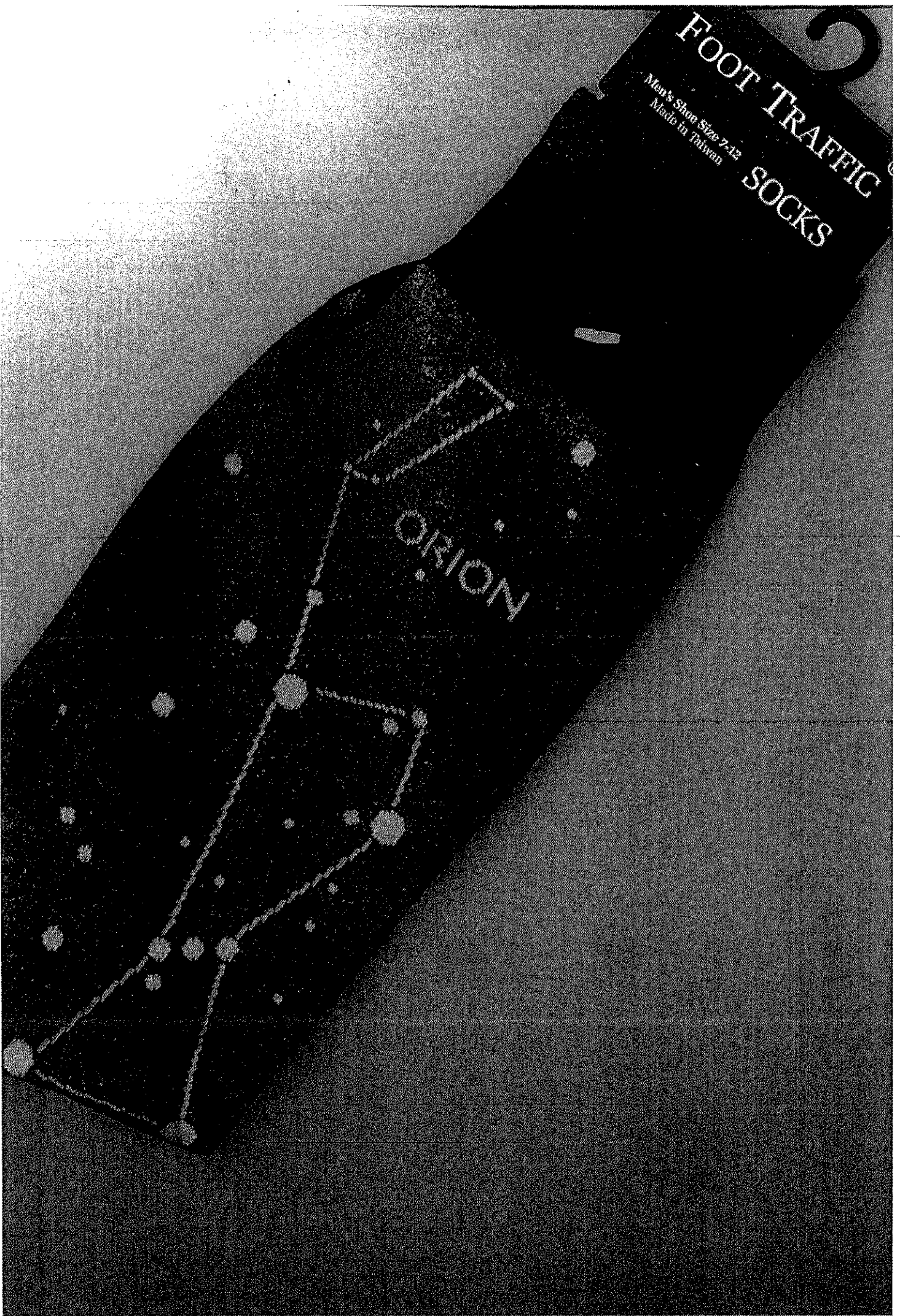
# 2018 AUSTRALASIAN SKY GUIDE

DR NICK LOMB  
SYDNEY OBSERVATORY  
MUSEUM OF APPLIED  
ARTS AND SCIENCES

FOOT TRAFFIC  
SOCKS

Men's Shoe Size 7-12  
Made in Taiwan

ORION





**From:** Manson, Claire (Future Industries, Clayton)  
**Sent:** Friday, 20 October 2017 12:29 PM  
**To:** Stojanovic, Erika (Future Industries, Clayton)  
**Subject:** RE: Dow Melbourne Cup 2017: Reminder to please confirm your attendance today

Confirmed with Nick he is attending Cup Day with Orica.

Cheers,  
 Claire

Claire Manson  
 Executive Officer  
 Future Industries and Chief Scientist  
 CSIRO

E [REDACTED] s47F  
 Research Way (Private Bag 10) Clayton VIC 3168  
[www.csiro.au](http://www.csiro.au) | [www.csiro.au/Contact](http://www.csiro.au/Contact)

**From:** Stojanovic, Erika (Future Industries, Clayton)  
**Sent:** Friday, 20 October 2017 12:19 PM  
**To:** Manson, Claire (Future Industries, Clayton) [REDACTED] s47F  
**Subject:** RE: Dow Melbourne Cup 2017: Reminder to please confirm your attendance today

Claire – Bronwyn reminded me of something the other week when she advised Nick couldn't attend the Derby Day event – so you may want to clear it with Anita perhaps in writing if you haven't done so already ☺

It is fairly generous what they are offering so Claire would need to consider CSIRO's gift/entertainment policy, and get Anita's ok

**Ms Erika Stojanovic**  
 Executive Assistant to Dr Anita J Hill, Executive Director, CSIRO Future Industries & Chief Scientist, CSIRO

Phone: [REDACTED] s47F Fax: +61 3 9545 2059 | Mobile: [REDACTED] s47F  
 [REDACTED] s47F [www.csiro.au](http://www.csiro.au)

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**From:** Manson, Claire (Future Industries, Clayton)  
**Sent:** Friday, 20 October 2017 11:34 AM  
**To:** Stojanovic, Erika (Future Industries, Clayton) [REDACTED] s47F  
**Subject:** RE: Dow Melbourne Cup 2017: Reminder to please confirm your attendance today

Oh really... mmm maybe I should go Cup Day too ☺



Cheers,  
Claire

Claire Manson  
Executive Officer  
Future Industries and Chief Scientist  
CSIRO

s47F

Research Way (Private Bag 10) Clayton VIC 3168  
[www.csiro.au](http://www.csiro.au) | [www.csiro.au/Contact](http://www.csiro.au/Contact)

**From:** Stojanovic, Erika (Future Industries, Clayton)

**Sent:** Friday, 20 October 2017 11:33 AM

**To:** Manson, Claire (Future Industries, Clayton)

s47F

**Subject:** Re: Dow Melbourne Cup 2017: Reminder to please confirm your attendance today

Rob said he can't go

Sent from my iPhone

On 20 Oct 2017, at 11:08 am, Manson, Claire (Future Industries, Clayton)

s47F

wrote:

FYI – Nick is going to Orica Cup Day (I'm going to Derby Day). Rob will be attending Dow Cup Day it looks like.

Cheers,  
Claire

Claire Manson  
Executive Officer  
Future Industries and Chief Scientist  
CSIRO

s47F

Research Way (Private Bag 10) Clayton VIC 3168  
[www.csiro.au](http://www.csiro.au) | [www.csiro.au/Contact](http://www.csiro.au/Contact)

**From:** Stojanovic, Erika (Future Industries, Clayton)

**Sent:** Friday, 13 October 2017 5:00 PM

**To:** Hill, Anita (Future Industries, Clayton)

s47F

**Subject:** RE: Dow Melbourne Cup 2017: Reminder to please confirm your attendance today

Anita – Nick was an apology for the Orica Derby Day event (not cup day) – Claire put her hand up to go.

**Ms Erika Stojanovic**

Executive Assistant to Dr Anita J Hill, Executive Director, CSIRO Future Industries & Chief Scientist,  
CSIRO

Phone: s47F Fax: +61 3 9545 2059 | Mobile: s47F  
s47F [www.csiro.au](http://www.csiro.au)

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**From:** Hill, Anita (Future Industries, Clayton)  
**Sent:** Friday, 13 October 2017 4:52 PM  
**To:** Grenfell, Rob (H&B, Parkville) - s47F Watson, Lynda (H&B, Parkville)  
s47F  
**Cc:** Stojanovic, Erika (Future Industries, Clayton) s47F  
**Subject:** FW: Dow Melbourne Cup 2017: Reminder to please confirm your attendance today  
**Importance:** High

Hi Lynda,  
Rob mentioned that he and his wife wanted to go to the Cup (but I had already given the Orica invite to Nick and his wife). Please use this RSVP if that works for Rob.  
Thanks,  
Anita

**From:** Paris, Valentine (V) s47F  
**Sent:** Friday, 13 October 2017 2:47 PM  
**Subject:** Dow Melbourne Cup 2017: Reminder to please confirm your attendance today  
**Importance:** High

<image003.jpg>

## Reminder to RSVP

We hope you can make it.

Please click below to confirm your attendance.

<image009.jpg>

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Dow Melbourne Cup 2017

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Peanut Productions - Level 1, 352 Bourke Street - Surry Hills, New South Wales 2010 - Australia

<image011.jpg>

<image012.jpg>

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**From:** Hill, Anita (Future Industries, Clayton)  
**Sent:** Tuesday, 7 November 2017 7:35 PM  
**To:** McLean, Keith (Manufacturing, Clayton)  
**Subject:** Re: Gifts

That is fine Keith.

Sent from my iPhone

> On 6 Nov. 2017, at 6:47 pm, McLean, Keith (Manufacturing, Clayton) s47F wrote:  
>  
> Hi Anita  
>  
> I need your permission or otherwise to:  
>  
> 1. Accept hospitality from Dow to attend Melbourne Cup  
> 2. For being a panelist at Australia Pacific Regional Conference I was given a coin from Australian Mint. I have  
looked on-line and it is valued at \$95.  
>  
> Cheers  
> Keith  
>  
> Sent from my iPhone



---

**From:** Breanna Rosman [REDACTED] s47F  
**Sent:** Monday, 13 November 2017 11:08 AM  
**To:** Goh, Mary (Data61, Eveleigh ATP)  
**Subject:** Re: Invitation - Beautiful: The Carol King Musical

Hi Mary

The musical runs for 2 hours and 35 minutes with a 20 minute interval. We anticipate that the show will end at approximately 6:00pm.

I will send through a confirmation email with all of the relevant details in the coming days.

Kind regards  
Breanna

**Breanna Rosman** | Executive Assistant to Duncan Challen, Executive Director  
Industry Development, Skills & Economic Development  
NSW Department of Industry  
Level 43 | 19 Martin Place | Sydney NSW 2000  
T: [REDACTED] s47F  
E: [REDACTED]  
W: [www.industry.nsw.gov.au](http://www.industry.nsw.gov.au)

On Wed, Nov 8, 2017 at 2:57 PM, <Mary.Goh [REDACTED] s47F> wrote:

Hi Breanna,

I have just received confirmation from Adrian's wife that they are able to attend the event on Sunday 26<sup>th</sup> November at 3pm. Do you know what time the show will finish?

Once again, please thank Duncan for the invite.

Kind regards,

Mary

**From:** Breanna Rosman [REDACTED] s47F  
**Sent:** Monday, 6 November 2017 8:49 AM  
**To:** Goh, Mary (Data61, Eveleigh ATP) [REDACTED] s47F  
**Subject:** Re: Invitation - Beautiful: The Carol King Musical

Hi Mary

My apologies for the delay in responding to you. We have since received our revised ticket allocation, which is now for Sunday 26 November at 3:00pm.

Please let me know if Adrian and Alison are available on this date and I will confirm the tickets.

Happy to discuss if required, my phone number is [REDACTED] s47F

Kind regards

Breanna

**Breanna Rosman** | Executive Assistant to Duncan Challen, Executive Director  
Industry Development, Skills & Economic Development  
NSW Department of Industry  
Level 43 | 19 Martin Place | Sydney NSW 2000  
T: [REDACTED] s47F  
E: [REDACTED]  
W: [www.industry.nsw.gov.au](http://www.industry.nsw.gov.au)

On Tue, Oct 24, 2017 at 11:21 AM, <[Mary.Goh@data61.csiro.au](mailto:Mary.Goh@data61.csiro.au)> [REDACTED] s47F wrote:

Hi Breanna,

Thank you for the lovely invitation to Adrian, he is delighted to accept and looking forward to seeing Duncan again.

The dates that would work for Adrian and Alison (his wife) are as follows:

Saturday 4<sup>th</sup> November at 8pm

Saturday 11<sup>th</sup> November at 2pm or 8pm

[REDACTED] s47F

Kind regards

**Mary Goh**

Executive Assistant to Adrian Turner, CEO

**DATA61 | CSIRO**

E: [REDACTED] s47F

Street Address: Australian Technology Park, Level 5, 13 Garden Street, Eveleigh NSW 2015

Postal Address: Locked Bag 9013, Alexandria NSW 1435

[www.data61.csiro.au](http://www.data61.csiro.au)

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**From:** Breanna Rosman [REDACTED] s47F  
**Sent:** Thursday, 19 October 2017 10:05 AM  
**To:** Goh, Mary (Data61, Eveleigh ATP) [REDACTED] s47F  
**Subject:** Invitation - Beautiful: The Carol King Musical

Hi Mary

Duncan Challen (Executive Director, Industry Development) has asked me to get in touch with you in regards to Adrian's availability for tickets for attendance at 'Beautiful: The Carol King Musical'. We have received tickets for distribution to key stakeholders for the musical and Duncan would like to invite Adrian and a guest to attend.

I am currently in the middle of lining up a few stakeholders for the same night. Would you be able to let me know Adrian's availability against the below dates:

The availability at this stage for the tickets is:

- Friday 3 November 8:00pm
- Saturday 4 November 2:00pm or 8:00pm
- Sunday 5 November 3:00pm
- Friday 10 November 8:00pm
- Saturday 11 November 2:00pm or 8:00pm
- Sunday 12 November 3:00pm

I look forward to hearing from you.

Kind regards

Breanna

**Breanna Rosman** | Executive Assistant to Duncan Challen, Executive Director  
Industry Development, Skills & Economic Development  
NSW Department of Industry  
Level 43 | 19 Martin Place | Sydney NSW 2000  
T: [REDACTED] s47F  
E: [REDACTED]  
W: [www.industry.nsw.gov.au](http://www.industry.nsw.gov.au)

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s22

-----Original Message-----

From: Marshall, Larry (Executive, Black Mountain)

Sent: Tuesday, 14 November 2017 7:03 AM

To: Eggerton, Philippa (Executive, Black Mountain)

s47F

Subject: Present

---

**From:** Lella Gardner [REDACTED] s47F  
**Sent:** Wednesday, 15 November 2017 10:51 AM  
**Subject:** Beautiful: The Carol King Musical  
**Attachments:** Meeting location map.docx

Dear All,

Duncan Challen and Julie lockyer look forward to seeing you on Sunday 26 November for Beautiful: The Carole King Musical.

Please see further details below:

**Performance time:** 3pm

**Location:** Sydney Lyric Theatre, 55 Pirrama Rd, Pyrmont

**Meeting place:** 2.15pm, Latitude Bar, Level 1, Casino, 80 Pyrmont Street, Pyrmont. Please see map attached. Refreshments will be available to purchase here before the musical.

**Tickets:** Duncan and Julie will hand you your tickets on arrival.

Any problems on the day, please call Duncan on Mob: [REDACTED] s47F or Julie on Mob: [REDACTED] s47F

Any questions in the meantime, please let me know.

I hope you enjoy the show!

Lella

--

**Lella Gardner | Senior Project Officer**  
NSW Department of Industry | Industry Development  
Skills and Economic Development Division  
Level 43, MLC Building, 19 Martin Place |  
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Find out more, visit [www.nsw.gov.au/making-it-happen](http://www.nsw.gov.au/making-it-happen)

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s22

**From:** Heldt, Trevor (HR, Black Mountain)  
**Sent:** Monday, 11 December 2017 6:31 PM  
**To:** Smith, Clint (HR, Parkville)  
**Subject:** RE: Gift from Employment Services Provider

Thanks Clint.  
Agree with your last Para.

**From:** Smith, Clint (HR, Parkville)  
**Sent:** Monday, 11 December 2017 1:31 PM  
**To:** Heldt, Trevor (HR, Black Mountain) s47F  
**Subject:** FW: Gift from Employment Services Provider

Hi Trevor

Matthew received a Christmas hamper from an Employment Services Provider (worth \$30 approx.)

I have advised that approval for keeping gifts is with Rank 5, which in this case means yourself.

As you can see below, I have highlighted the reasons we do this and Matthew has also indicated he is happy to provide it to the social club if there are any concerns around conflicts.

We could recognise Matthew's work in other ways also in the event he donates this and I can discuss with Dympna a non-cash reward perhaps instead?

Regards  
Clint

**From:** Ford, Matthew (HR, Black Mountain)  
**Sent:** Monday, 11 December 2017 1:09 PM  
**To:** Smith, Clint (HR, Parkville) s47F  
**Subject:** RE: Gift from Employment Services Provider

Hi Clint,

I am happy for you to pass on my email to Trevor.

As MatchWorks do provide candidates for our traineeships, I was worried that it could appear as though I had offered favourable treatment to one of their candidates in the event that one is appointed to a future traineeship role. I believe that it is a gift due to the nature of our work with the services provider, and the box does have the business card of one of their consultants attached. So, I'm happy to donate it to the social club.

Kind regards,

Matt

**Matthew Ford**  
Recruitment Consultant  
Human Resources  
CSIRO

s47F

PO Box 225, Canberra ACT 2602

[www.csiro.au](http://www.csiro.au)

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*Please consider the environment before printing this email.*

**From:** Smith, Clint (HR, Parkville)

**Sent:** Monday, 11 December 2017 12:57 PM

**To:** Ford, Matthew (HR, Black Mountain)

s47F

**Subject:** RE: Gift from Employment Services Provider

Hi Matthew

Thank you for checking in with me about this. This is something that Trevor would need to approve as the Delegations require a Rank 5 Delegate to approve it.

Would you be comfortable with me passing on your email to him?

The reason we have rules around this sort of thing and even when it's a small amount of money, the issue that needs to be considered is the potential for conflicts of interest. Receiving a gift from a supplier could create a perception of preferable consideration in future transactions with that supplier. As a Commonwealth employer we are held to high standards as you know with respect to procurement and we are accountable in Senate Estimates and the media. Often it's useful to consider, if this became public, what would the Canberra Times say about it / Senate Estimates? There is also the other issue of this gift being received by a particular person/position and equity amongst colleagues in similar roles.

I tend to be fairly conservative around this sort of thing but Trevor might be comfortable with it.

So, there are options and that includes having Trevor approve for you to keep it. I assume this was a gift due to the nature of our work with the services provider and it wasn't one given to you personally?

Other options could be returning it or donating it to the social club so they can raffle it as part of the Christmas social party events?

I'm happy to check with Trevor on this for you if you would like to keep it.



Regards  
Clint

**From:** Ford, Matthew (HR, Black Mountain)  
**Sent:** Friday, 8 December 2017 4:01 PM  
**To:** Smith, Clint (HR, Parkville) - s47F  
**Subject:** Gift from Employment Services Provider

Hi Clint,

I am writing regarding a gift I received earlier today from an employment services provider (MatchWorks/Employment Services Group). The gift is a Christmas hamper and contains sauces and jams, and I would estimate the value to be somewhere around \$30. I was wondering what the process is in terms of declaring this and whether it has to be returned?

Hope you have a good weekend.

Kind regards,

Matt

**Matthew Ford**  
Recruitment Consultant  
**Human Resources**  
CSIRO

s47F

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*Please consider the environment before printing this email.*

s22

**From:** Xavier Duggan [s47F]  
**Sent:** Wednesday, 13 December 2017 11:08 AM  
**To:** Lander, Staci (HR, Black Mountain) [s47F]  
**Subject:** Re: Cliffhanger Book

I'm very glad!

Hope you get some good use out of the books - perhaps in the new year we can come out and show you a demonstration of our HR Technology!

**Xavier Duggan**

Business Development

**Phone****Mobile****Email****Address**

Level 10, 91 William Street  
Melbourne VIC 3000 Australia

**Website**

[pageuppeople.com](http://pageuppeople.com)

**Follow**

On 13 December 2017 at 11:03, [s47F] wrote:

Hello Xavier, the books arrived today, many thanks for follow up for Trevor.

Kind Regards,

Staci

Staci Lander

Executive Assistant to Trevor Heldt – Director of Human Resources

s47F

From: Xavier Duggan s47F

Sent: Tuesday, 5 December 2017 8:46 AM

s47F

To: Lander, Staci (HR, Black Mountain)

Subject: Re: Cliffhanger Book

Hi Staci,

Apologies again for the delayed response, unfortunately I was still unwell yesterday as have only just returned to the office this morning.

I will follow that up for you today and give you a ring once I have an answer for you!

Kind regards,

**Xavier Duggan**

Business Development

Phone

Mobile

Email

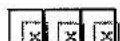
Address

Website

Follow

s47F

Level 10, 91 William Street  
Melbourne VIC 3000 Australia  
[pageuppeople.com](http://pageuppeople.com)



On 1 December 2017 at 12:40, [REDACTED] s47F wrote:

Thanks so much Xavier, and I do hope you feel better soon.

Many Thanks,

Staci

Staci Lander

Executive Assistant to Trevor Heldt – Director of Human Resources

[REDACTED] s47F

From: Xavier Duggan

[REDACTED] s47F

Sent: Friday, 1 December 2017 11:38 AM

To: Lander, Staci (HR, Black Mountain)

[REDACTED] s47F

[REDACTED] s47F

Subject: Re: Cliffhanger Book

Hi Staci,

I will double check with you ASAP! I know our Sydney office was running low on books so the Melbourne office had to send some up. I am actually at home sick today so first thing Monday morning I will be able to figure that out for you and will give you a ring!

Hope you have a nice weekend!

**Xavier Duggan**

Business Development

Phone

Mobile

Email

Address

Website

Follow

[REDACTED] s47F

Level 10, 91 William Street  
Melbourne VIC 3000 Australia  
[pageuppeople.com](http://pageuppeople.com)







On 1 December 2017 at 11:09, [REDACTED] s47F wrote:

Hello Xavier,

We are still awaiting the hard copies of the Cliffhanger Books, do you happen to know the approximate eta? Our HR team require them for some professional development work that needs to be finalised by the end of this month.

Many Thanks,

Staci

**Staci Lander**

Executive Assistant to Trevor Heldt – Director of Human Resources

[REDACTED] s47F

**From:** Lander, Staci (HR, Black Mountain)

**Sent:** Friday, 17 November 2017 11:03 AM

**To:** 'Xavier Duggan' [REDACTED] s47F

**Subject:** RE: Cliffhanger Book

Hello Xavier, we haven't received the hard copies of the Cliffhanger Books as yet, do you happen to know when they were sent to us?

Many Thanks,

Staci

Staci Lander

Executive Assistant to Trevor Heldt – Director of Human Resources

s47F

From: Xavier Duggan

s47F

Sent: Wednesday, 1 November 2017 4:06 PM

To: Lander, Staci (HR, Black Mountain)

s47F

Subject: Cliffhanger Book

Hi Staci,

Venkat has passed on your details to me. I just wanted to touch base with you to give you some information about how you can go about purchasing the cliffhanger book.

Below is a link to amazon where you will be able to purchase both the Kindle and iBook version of the book:

[https://www.amazon.com/dp/B06XR8RPDT/ref=sr\\_1\\_1?ie=UTF8&qid=1490042422&sr=8-1&keywords=cliffhanger+hr](https://www.amazon.com/dp/B06XR8RPDT/ref=sr_1_1?ie=UTF8&qid=1490042422&sr=8-1&keywords=cliffhanger+hr)

If you have any other questions please do not hesitate to call!

Hope you're having a nice day!

**Xavier Duggan**

Business Development

Phone

Mobile

Email

Address

Website

Follow

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Level 10, 91 William Street  
Melbourne VIC 3000 Australia

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s22

**From:** Wilson, Greg (Energy, Newcastle)  
**Sent:** Friday, 20 March 2015 1:51 PM  
**To:** Mayfield, Peter (Energy, Newcastle) s47F Smitham, Jim (Energy, Newcastle)  
s47F  
**Cc:** Digby, Cindy (Finance, Newcastle) s47F Rugala, Yvette (HR, Newcastle)  
s47F Dowling, Greg (HR, Newcastle) s47F  
**Subject:** Delegate Approval for Redeployment of iPad Gifted to CSIRO

Hi Peter and Jim,

Further to discussion with Jeff McCulloch (see attached), Cindy Digby and Yvette Rugala I seek your decision on an Gift received in 2014.

I seek delegate approval for an iPad mobile device (approx. value \$700) received as a gift to be redeployed to Greg Dowling (dow17g). I have spoken with Greg's line manager, Yvette, who supports this approach as there is currently an open request to procure a similar device.

The gift was received from Laser and Science Technologies (Sydney) on behalf of Universal Laser Systems (USA) in mid-2014 following the capital equipment purchase of a laser machining system for our photovoltaics laboratory in December 2013. At the time the USA company, through its Australian retailer, was running a promotion offering the iPad as a bonus with the system. Although I declined the offer, the gift was received by personal courier from the Sydney-based firm addressed to me. I reported and recorded the gift with finance (Cindy Digby) immediately and the item has been in storage since.

There will be no cost for the item to be deployed to the staff member where essentially the item is already CSIRO property, received as part of equipment procurement.

IM&T have been contacted and have confirmed the item, with delegate approval, is then CSIRO property and can be provisioned accordingly.

I look forward to your reply.

Regards,

Greg

**Dr Gregory J. Wilson** PhD MRACI CChem  
Research Team Leader | Solar Materials  
Senior Research Scientist | Next Generation Photovoltaics  
Energy Flagship  
CSIRO

s47F