

CODE OF ETHICS FOR PARLIAMENTARIANS INCLUDING MINISTERS

1. In any debate or proceeding of a House or its committees, or in any transactions, or communications which a Member may have with other Members or with Ministers or servants of the Crown, he shall disclose any relevant pecuniary interest or benefit of whatever nature, whether direct or indirect, that he may have had, may have or may be expecting to have.

2. A declaration of interest should be made at the earliest opportunity when speaking in debate or taking part in committee proceedings.

3. Such declarations should be automatically recorded as part of the official record and indexed in *Hansard* for convenience of reference.

4. A parliamentarian (i.e. all members, including Ministers) should perform the duties of his office impartially, uninfluenced by fear or favour.

5. A parliamentarian should be frank and honest in official dealings with colleagues.

6. A parliamentarian should avoid situations in which his private interest, whether pecuniary or otherwise, conflicts or might reasonably be thought to conflict with his public duty.

7. When a parliamentarian possesses, directly or indirectly, an interest which conflicts or might reasonably be thought to conflict with his public duty, or improperly to influence his conduct in the discharge of his responsibilities in respect of some matter with which he is concerned, he should disclose that interest in accordance with prescribed procedures. Should circumstances change after an initial disclosure was made, so that new or additional facts become material, the parliamentarian should disclose the further information.

8. When the interests of members of his immediate family are involved, the parliamentarian should disclose those interests, to the extent that they are known to him. Members of the immediate family will ordinarily comprise only the parliamentarian's spouse and dependent children, but may include other members of his household or family when their interests are closely connected with his.

9. A parliamentarian should not use information obtained in the course of official duties to gain directly or indirectly a pecuniary advantage for himself or for any other person. In particular, a parliamentarian should scrupulously avoid investments or other transactions about which he has, or might reasonably be thought to have, early or confidential information which might confer on him an unfair or improper advantage over other persons.

10. A parliamentarian should not:

- (1) solicit or accept from any person any remuneration or benefit for the discharge of the duties of his office over and above the official remuneration;
- (2) solicit or accept any benefit, advantage or promise of future advantage whether for himself, his immediate family or any business concern or trust with which he is associated from persons who are in, or seek to be in, any contractual or special relationship with government;
- (3) except as may be permitted under the rules applicable to his office, accept any gift, hospitality or concession travel offered in connection with the discharge of the duties of his office.

11. A parliamentarian should be scrupulous in his use of public (official) property and services and should not permit their misuse by other persons.

12. A parliamentarian should not allow the pursuit of his private interests to interfere with the proper discharge of his public duties.

13. (a) There should be established in each House of Parliament a Standing Ethics Committee empowered to:

- (1) report to the House from time to time on any changes in the Code of Ethics that it deemed desirable; and
- (2) receive, investigate and report upon any complaints or departures by Members from the Code of Ethics, and in particular, upon allegations involving conflict of interests; and

(b) determine the procedures for the operation of the Committee and the extent of its powers.

Additional Code of Ethics for Ministers

14. (a) At meetings of the Cabinet and its committees, a Minister should disclose to his colleagues when he has an interest which does, or might reasonably be thought likely to, conflict with his public duty as a Minister;

(b) his declaration should be noted in the Cabinet records, and

(c) the Minister should then either indicate that he will not take part in the discussion in question or else secure the explicit authorisation of his colleagues for taking part.

15. (a) When directing the business of the department which he administers a Minister should inform the Prime Minister of any real or apparent conflict of interest that arises;

(b) the Prime Minister, unless he asks the Minister to divest himself of the interest, should either arrange for another Minister to deal with the matter or else give explicit authorisation to the original Minister to proceed with it; and

(c) in any event, the Prime Minister should have the matter recorded.

16. (a) A Code of Ethics concerning gifts received by Ministers should be established; and

(b) guidelines concerning acceptance of sponsored overseas travel be drawn up.

17. (a) The returns of Ministers' disclosures of interests should be kept, on a confidential basis, by the Secretary to Cabinet; and

(b) consideration should be given to determining whether a small committee of senior Ministers, appointed by the Prime Minister or by Cabinet, should be established to have immediate responsibility for the register of Ministers' interests, but with ultimate responsibility for the register remaining with the Prime Minister.

18. Ministers should disclose in their register of interests the following additional information:

(a) the beneficial interest of the Minister, or a member of his immediate family, under any trust, and in any nominee company, with a statement of the nature of operations of the trust or company;

(b) any trust of which the Minister is a trustee, with a statement of the beneficiaries and the nature of the operations of the trust;

(c) partnership and joint venture interests with a statement of the nature of their operations;

(d) liabilities; and

(e) shareholdings, under procedures which will disclose the ultimate interest in circumstances where private companies are used as a screen to mask holdings directly or indirectly in other companies.

19. When the Prime Minister or the Cabinet authorises a Minister to continue to carry out his Cabinet or ministerial duties in relation to a matter in which he has declared an interest, a record of that authorisation should be made,

20. (a) Ministers should resign directorships in public companies, but they may retain directorships in private companies provided that:

(i) they make a full disclosure under the rules relating to registration of interests concerning the assets, liabilities and activities of such companies,

(ii) such companies operate family farms, pastoral holdings or investments,-

(b) they should cease to engage in professional practice; and

(c) they should cease to be involved in the daily routine work of any business.

21. A Minister should divest his shares and similar interests in any company business involved with his department.

22. It should be unacceptable for a Minister who is required to divest to transfer his interests to certain other persons or bodies, for example to his spouse, to another member of his family, or to a nominee company or trust.

23. It should be an undesirable and unacceptable practice that a Minister should, whether orally or in writing, request another Minister to use his office to provide employment for anyone, whether or not a supporter of a political party.

CODE OF ETHICS FOR MINISTERS CONCERNING THE RECEIPT OF GIFTS

(a) A Minister is required to promptly report in writing in Cabinet or in a committee thereof the receipt by him in the course of his official duties of any gift from any foreign government, any corporate or unincorporated body engaged in business, or individual.

(b) Gifts above the value of \$100.00 shall be deemed the property of the State.

(c) There shall be maintained by the Cabinet Secretariat a register in which shall be recorded the receipt of all gifts to Ministers.

(d) The Secretary to the Cabinet shall cause a list of such registered gifts to be published in the Gazette not later than the 30th day of April in each year.

(e) Appropriate arrangements shall be made by the Cabinet for the proper custody of all gifts, deemed to be the property of the State.