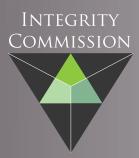
### SUMMARY REPORT

## CODES OF CONDUCT

For Members of Parliament, Ministers and Ministerial Staff in Tasmania

JUNE 2011



Codes of Conduct for Members of Parliament, Ministers and Ministerial Staff in Tasmania ........

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Summary Report

The report and model codes have been developed with the assistance of the Parliamentary Standards Commissioner, Prof. Rev. Michael Tate.

This document is a summary of the full report, Codes of Conduct for Members of Parliament, Ministerial and Staff in Tasmania, which can be downloaded from www.integrity.tas.gov.au.

INTEGRITY COMMISSION

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### **OVERVIEW**

"...the most significant and comprehensive review conducted in Tasmania for relevant codes of conduct."

The Codes of Conduct for Members of Parliament, Ministers and Ministerial Staff in Tasmania project is the most significant and comprehensive review conducted in Tasmania for codes of conduct relevant to all State Members of Parliament, Ministers and ministerial staff. It includes the first complete comparative analysis of all existing Australian codes of conduct for members of parliament and government ministers.

Adoption of the resulting recommendations and model codes of conduct will ensure that Tasmania's framework for ethical conduct in Parliament and Government meets a high standard that reflects best practice nationally and internationally.

Tasmania's situation is similar to many other Australian jurisdictions, where codes of conduct have by necessity been reviewed and updated in recent years to reflect changes in standards and expectations.

While the existing Code of Conduct for the House of Assembly has been subject to amendment, it has not been fully reviewed for more than 15 years. The current version of the Government Members Code of Conduct has been in place since 2006. At the same time, there have been no code of conduct provisions for non-Government members of the Legislative Council and none specific to Ministers or their staff.

The Integrity Commission's comprehensive review, recommendations and three associated model draft Codes of Conduct for Members of Parliament, Ministers and ministerial staff will help to ensure that an understanding of what constitutes the public interest is clearly established, and expectations of ethical, accountable behaviour are properly addressed across both houses of Tasmanian Parliament, as well as the executive level of Government and ministerial staff.

The three model draft codes provide a strong platform for greater awareness of expectations on the part of Parliamentarians, Ministers, ministerial staff and the public, as well as for the development and delivery of training in standards, ethical conduct and relevant codes of conduct.

The Commission is publishing this report in the anticipation that Parliament and Government will accept and implement the recommendations made. The Commission will provide any support, expertise and resources necessary to achieve this.

### BACKGROUND

'This project has an important purpose in meeting expectations of the Tasmanian community.'

Tasmania's Integrity Commission began operating on 1 October 2010. It was established to educate about integrity, prevent misconduct, and deal with public sector misconduct by State and local government. Shortly after it opened, the Commission received a request from the Premier to provide feedback on the Government Members Code of Conduct and a draft Code of Conduct for Ministerial Staff.

The resulting research and recommendations align with the Commission's legislative responsibility to provide advice to Parliament and Government regarding codes of conduct, to facilitate the provision of best practice advice and to develop codes of conduct for Tasmanian public authorities.

The Commission also considers this project to have an important purpose in meeting expectations on the part of members of the Tasmanian community regarding the standards of conduct and accountability of elected members, ministers and their staff.

### THE APPROACH

The Commission has conducted extensive research to identify national and international best practice for parliamentary codes of conduct. Details of the research, including a comprehensive comparative analysis of codes and a consideration of other documents relating to ethical conduct by members of parliament, ministers and their staff in all Australian jurisdictions, the United Kingdom, Canada and New Zealand, are outlined in the full project report, *Codes of Conduct for Members of Parliament, Ministers and Ministerial Staff in Tasmania.* 

A review of best practice national and international literature on codes of conduct was also undertaken.

# WHY HAVE CODES OF CONDUCT?

The Commission identified that well-developed codes of conduct motivate elected members and public officers to act ethically because codes provide guidance as to what constitutes ethical behaviour, and on the consequences of failing to act appropriately.

The Commission concluded that codes of conduct play a valuable role in defining and communicating acceptable standards of conduct in an organisation or parliament, provide guidance to individuals, and motivate them to demonstrate appropriate behaviour.

The Commission has also recognised that standards of parliamentary and ministerial ethical conduct are of great interest and importance to Tasmanians.

Its research and resulting conclusions and recommendations provide information to the Tasmanian community about the standards of conduct that should be expected of public officers, enhancing community confidence and trust in the accountability of parliamentarians.

### **KEY FINDINGS**

'Codes of conduct should reflect changing expectations of standards of behaviour.'

The Commission's study found that, while aspects of existing codes of conduct relevant to some Tasmanian Members of Parliament and to Ministers were basically sound, it was necessary to ensure that codes of conduct applied to all Members of Parliament, Ministers and their staff and reflected changing expectations of standards of behaviour. It has therefore provided greater clarity on specific areas of ethical conduct and enabled the development of model codes that are more prescriptive and readily interpreted.

The Commission's primary conclusions were that:

- some Members of Parliament are currently not subject to any code of conduct and this should be addressed;
- aspects of current codes of conduct applying to some Tasmanian Members of Parliament, Ministers and ministerial staff do not meet current best practice, and this should be addressed. For example,
  - i. some areas of ethical complexity are not currently addressed separately, such as outside employment, misleading statements and duties as a member of Parliament;
  - ii. no guidance is provided to assist Members of Parliament in complying with a code's requirements;
  - iii. there is insufficient attention to the concept of 'public interest' within the current House of Assembly code; and
  - iv. many provisions require greater clarification. For example, within provisions relating to disclosure of interests, it is not stated that members must comply with their obligations to disclose interests pursuant to the *Parliamentary (Disclosure of Interests) Act 1996*, and it is not clear in provisions relating to improper advantage that members must not use their influence improperly in order to obtain appointment, promotion, advancement, transfer or any other advantage or benefit on behalf of themselves or another person or persons; and
- it is essential to draw upon best practice demonstrated by codes of conduct in other jurisdictions to develop strong codes of conduct for members of parliament, ministers and ministerial staff.

### **KEY RECOMMENDATIONS**

In addressing the conclusions, the Commission makes the following key recommendations:

The House of Assembly and Legislative Council adopt a code of conduct for the members of each chamber of Parliament.

This report be referred to the Joint Standing Committee on Integrity for timely consideration and reporting.

The House of Assembly retains but reviews the current Code of Race Ethics. The Legislative Council gives consideration to adopting a reviewed Code of Race Ethics.

State Government adopts codes provided for Ministers and for ministerial staff, and that such codes be tabled in Parliament.

Government considers the revision of Receipt and Giving of Gifts and Benefits Guidelines for Government Members of Parliament provided at Appendix Five, and that these constitute new guidelines for Ministers.

Further, that Parliament adopts similar guidelines for all Members of Parliament.

A breach of the Parliamentary Code of Conduct should be considered and dealt with by Parliament itself.

Current procedures and penalties for dealing with contempt of Parliament should be reviewed, with consideration given to implementing a range of actions to deal with a breach, including remedial actions. The operation of a code of conduct for Members of Parliament should be reviewed by the Parliamentary Joint Standing Committee on Integrity on a regular basis, such as every three to four years.

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The operation of codes of conduct for Ministers and ministerial staff should be reviewed by Government on a regular basis, such as every three to four years. 10

The codes of conduct for Members of Parliament, Ministers and ministerial staff should be made available on Government and Parliament websites.

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Members of Parliament, Ministers and ministerial staff should receive information about the relevant code and training in ethical conduct through induction processes or through other training.

### MODEL DRAFT CODES OF CONDUCT

The three model draft codes of conduct are as follows. For the full versions, see *Codes of Conduct for Members of Parliament, Ministers and Ministerial Staff in Tasmania,* which can be downloaded from www.integrity.tas.gov.au

# Code of Conduct for Members of Parliament

#### Preamble

Members of Parliament should recognise that their actions have a profound impact on the lives of all Tasmanian people. Fulfilling their obligations and discharging their duties responsibly requires a commitment to the highest ethical standards to maintain and strengthen the democratic traditions of the State and its Institutions.

Merely avoiding breaking the law will not always be enough to guarantee an acceptable standard of conduct. Members of Parliament must act not only lawfully but also in a manner that will withstand the closest public scrutiny. Neither the law nor this Code is designed to be exhaustive, and there will be occasions on which Members will find it necessary to adopt more stringent norms of conduct in order to protect the public interest and to enhance public confidence and trust. In making choices about conduct Members should have regard to prevailing community values and standards. They should also, where possible, avoid giving unnecessary offence to groups in the community whose beliefs and views differ from the mainstream.

As Members of Parliament should promote and support this Code by leadership and example.

Members may seek confidential advice from the Parliamentary Standards Commissioner as to any matter arising under this Code.

A breach of this Code will also constitute a breach of Standing Orders able to be dealt with by the Chamber concerned.

#### **Statement of Commitment**

To the people of this State, we owe the responsible execution of our official duties, in order to promote human, social and environmental welfare. To the people of this State, we owe honesty, accessibility, accountability, fairness, transparency, courtesy, respect and understanding.

To our fellow Members of Parliament, we owe loyalty to shared principles, respect for differences, and fairness in political dealings.

We believe that the fundamental objective of public office is to act solely in terms of the public interest: to serve our fellow citizens with integrity in order to improve the economic and social conditions of all Tasmanian people.

We reject political corruption and will refuse to participate in unethical political practices which tend to undermine the democratic traditions of our State and its Institutions.

This Code has been developed for the guidance of all Members of Parliament. It sets out principles to assist Members in observing the expected standards of conduct in public office and to act as a benchmark against which that conduct can be measured.

#### THE CODE

#### **Conflict of Interest**

So as to protect and uphold the public interest, Members must take reasonable steps to avoid, resolve or disclose any conflict of interest, financial or non-financial, that arises or is likely to arise between their personal interests and their official duties.

Members are individually responsible for preventing conflicts of interest.

A conflict of interest does not exist where the Member, their spouse or domestic partner, relative or associate is affected only as a member of the public or of a broad class of persons.

#### Declaration of Personal Interests

Members are personally responsible for disclosing their financial and other interests in accordance with their obligations under the *Parliamentary (Disclosure of Interests) Act 1996.* 

Members who have a material interest in a matter being considered as part of their official duties must not vote or participate in discussions on that matter unless they have first declared their interest to Parliament, or in any other public and appropriate manner.

#### Improper Advantage

Members, during and after leaving public office, must not use their influence improperly in order to obtain appointment, promotion, advancement, transfer or any other advantage or benefit on behalf of themselves or another person or persons.

Members, during and after leaving public office, must not use official information which is not in the public domain, or information obtained in confidence in the course of their official duties or position, for the advantage or benefit of themselves or another person or persons.

Members must not appoint their spouse, domestic partner or close relative to a position in their own office.

Members must not receive any fee, payment, retainer or reward, nor shall he or she permit any compensation to accrue to his or her beneficial interest for or on account of, or as a result of, his or her position as a Member, other than compensation to which they are entitled as Members of Parliament.

#### Improper Use of Public Resources

Members must not use public resources, or allow such resources to be used by others, for personal advantage or benefit.

Members must use and manage public resources in accordance with any rules and guidelines regarding the use of those resources.

Members must be scrupulous in ensuring the legitimacy and accuracy of any claim they make on the public purse.

#### Gifts and Benefits

Members must not solicit, encourage or accept gifts, benefits or favours which may give the appearance of an attempt to improperly influence the Member in the exercise of his or her duties, except for incidental gifts or customary hospitality of nominal value.

Members must declare gifts and benefits received in connection with their official duties as required by the *Parliamentary* (*Disclosure of Interests*) Act 1996.

#### Misleading Statements

Members must not intentionally or unintentionally mislead Parliament or the public in statements they make and Members are obliged to correct the Parliamentary or the public record in a manner that is appropriate to the circumstances as soon as possible after any incorrect statement is made.

#### Outside Employment

Members must not engage in any outside employment that involves a substantial commitment of time and effort such as to interfere with their duties as Members of Parliament.

#### Duties as a Member of Parliament

Members observe proper standards of parliamentary conduct and must take particular care to consider the rights and reputations of others before making use of the unique protection available under parliamentary privilege. This privilege should never be used recklessly or without due regard for accuracy.

#### PROCEDURE

This Code was adopted by Parliament on XX MONTH 2011 and is operational from this date. This Code will be reviewed every four years by the Parliamentary Joint Standing Committee on Integrity. It will next be reviewed on XX MONTH 2015.

### Code of Conduct for Ministers

#### Preamble

Ministers are expected to behave according to the highest ethical standards in the performance of their duties as they hold a position of trust, and have a great deal of discretionary power which can have a significant impact on citizens of Tasmania. Therefore Ministers must commit themselves to the highest ethical standards to maintain and strengthen the democratic traditions of our State and its Institutions.

Merely avoiding breaking the law will not always be enough to guarantee an acceptable standard of conduct. Ministers must act not only lawfully but also in a manner which withstands the closest public scrutiny. Neither the law nor this Code is designed to be exhaustive, and there will be occasions on which Ministers will find it necessary to adopt more stringent norms of conduct in order to protect the public interest and to enhance public confidence and trust. In making choices about conduct, Ministers should have regard to prevailing community values and standards. They should also, where possible, avoid giving unnecessary offence to groups in the community whose beliefs and views differ from the mainstream.

If a Minister engages in conduct which constitutes a breach of this Code, the Premier shall decide, in his or her discretion, upon an appropriate course of action. A Minister may, among other things, be asked to apologise, required to take remedial action, counselled, reprimanded or asked to resign or stand aside. Before making a decision, the Premier may refer the matter to an appropriate independent authority for investigation and/or advice.

Ministers are obliged to report any Code non-compliance by themselves or by another Minister to the Premier, or in the case of the Premier to Cabinet.

Ministers may seek confidential advice from the Parliamentary Standards Commissioner as to any matter arising under this Code.

#### Statement of commitment

To the people of this State, we owe the responsible execution of our official duties, in order to promote human and environmental welfare.

To the people of this State, we owe honesty, accessibility, accountability, fairness, transparency, courtesy, respect and understanding.

We believe that the fundamental objective of public office is to act solely in terms of the public interest: to serve our fellow citizens with integrity in order to improve the economic and social conditions of all Tasmanian people. We reject political corruption and will refuse to participate in unethical political practices which tend to undermine the democratic traditions of our State and its Institutions.

This Code has been developed for the guidance of all Ministers. It sets out principles to assist Ministers in observing the expected standards of conduct in public office and to act as a benchmark against which that conduct can be measured.

#### THE CODE

#### **Conflicts of Interest**

So as to protect and uphold the public interest, Ministers must take reasonable steps to avoid, resolve or disclose any conflict of interest, financial or non-financial, that arises or is likely to arise, between their personal interests and their official duties.

Ministers must declare any such conflict of interest in writing to the Premier as soon possible after becoming aware of the conflict.

Ministers are individually responsible for preventing conflicts of interest.

A conflict of interest does not exist where the Minister, their spouse or domestic partner, relative or associate is affected only as a member of the public or of a broad class of persons.

#### Declaration and Divestment of Personal Interests

Ministers are personally responsible for making adequate disclosure to the Premier of all financial and other interests in accordance with their obligations under the *Parliamentary* (*Disclosure of Interests*) Act 1996.

A Minister, upon assuming office as a Minister, must take transparent steps to deal with the financial and other interests of themselves, their spouse, domestic partner or dependent persons, which could create the impression of a material conflict with the Minister's public duties.

#### Improper Advantage

Ministers must undertake, upon assuming office, not to use their position improperly to gain a direct or indirect personal advantage for themselves or any other person or entity not enjoyed by the general public.

Ministers must maintain the appropriate confidentiality of information received in the official course of their duties, in Cabinet or otherwise, during their appointment and upon resignation, retirement or dismissal from office.

Ministers must undertake, upon assuming office, not to use any information obtained in the course of their official duties so as to gain a direct or indirect personal advantage for themselves or any other person or entity not enjoyed by the general public.

Ministers must not appoint their spouse, domestic partner or close relative to a position in their Ministerial or electoral office.

#### Improper Use of Public Resources

Ministers must not use public resources, or allow such resources to be used by others, for personal advantage or benefit.

Ministers must use and manage public resources in accordance with any rules and guidelines regarding the use of those resources.

Ministers must be scrupulous in ensuring the legitimacy and accuracy of any claim for the payment of any Ministerial, parliamentary or other allowance.

Ministers must regard the skills and abilities of public servants as a public resource to be utilised appropriately.

#### Gifts and Benefits

Ministers must not solicit, encourage or accept gifts, benefits or favours either for themselves or for another person in connection with performing or not performing their official duties as a Minister.

The offering of any such gifts, benefits or favours, made directly or indirectly, must be reported to the Premier at the first opportunity.

Ministers may accept all customary official gifts, hospitality, tokens of appreciation, and similar formal gestures in accordance with the relevant guidelines.

Ministers may, in a purely personal capacity, accept gifts from a relative, friend or acquaintance which do not give rise to or create the appearance of a conflict of interest.

#### Directorships and other forms of Employment

Except with the express approval of the Premier, Ministers will resign or decline directorships of public or private companies and businesses on taking up office as a Minister. Approval to retain a directorship of a private company or business will be granted only if the Premier is satisfied that no conflict of interest is likely to arise.

Ministers will resign from all positions held in business (or professional) associations or trade unions on taking up office as a Minister. Individual membership of such business or professional association and of a trade union does not constitute a 'position'.

Ministers shall not act as a consultant or adviser to any company, business, or other interest, whether paid or unpaid, or provide assistance to any such body, except as may be appropriate in their official capacity as Minister.

A Minister may hold a directorship in a private company operating a family farm, business or investment with the express approval of the Premier.

#### Shareholdings

Ministers, upon assuming office, must relinquish control of all shareholdings and other interests in partnerships and trusts, public and private, where a conflict of interest with their portfolio responsibilities exists, or could be reasonably be expected to exist.

It is not an acceptable form of divestment to transfer interests to a partner, family member or to a nominee or private trust.

#### Post-Ministerial Employment

Ministers must undertake that upon leaving office and for a period of two years thereafter, they will not take up any employment with, accept a directorship of, or act as a consultant to any company, business or organisation with which they have had official dealings as a Minister in their last 12 months in office.

Ministers must undertake that upon leaving office they will not use official information which is not in the public domain, or information obtained in confidence in the course of their official duties, for the private advantage or benefit of themselves or another person or persons.

#### Misleading Statements

Ministers must not intentionally or unintentionally mislead Parliament or the public in statements they make and are obliged to correct the Parliamentary or the public record in a manner that is appropriate to the circumstances as soon as possible after any incorrect statement is made.

#### Respect for Persons

Ministers must take all reasonable steps to observe relevant standards of procedural fairness in decisions made by them. Such decisions are to be unaffected by bias or irrelevant considerations.

Ministers are to treat everyone with respect, courtesy and in a fair and equitable manner without harassment, victimisation or discrimination.

#### Lobbyists

Ministers must handle any dealings with lobbyists in accordance with the Tasmanian Lobbyist Code of Conduct to avoid giving rise to a conflict of interest between their public duty and personal interests.

#### **Public Officials**

Ministers must not by their decisions, directions or conduct in office encourage or induce public officials to break the law, or to fail to comply with a code of ethical conduct applicable to such public officials.

#### PROCEDURE

This Code was adopted by Parliament on XX MONTH 2011 and is operational from this date. This Code will be reviewed every four years by the Parliamentary Joint Standing Committee on Integrity. It will next be reviewed on XX MONTH 2015.

### Code of Conduct for Ministerial Staff

#### Preamble

Ministerial staff recognise that they play an important role in providing advice and support to Ministers in the performance of their duties. Their proximity to the most significant decisions of government is a privilege that carries with it an obligation to act with honesty and integrity, to promote the public interest, and to ensure that their conduct meets the highest ethical standards at all times.

The term 'ministerial staff' includes advisers in specific portfolio or policy areas, administrative support staff and electorate staff. It also includes permanent State Servants who have been seconded to a ministerial office via a secondment arrangement made under Section 46(1)(b) of the State Service Act 2000. For the period of their secondment these employees are employed outside of the State Service. Any reference to 'ministerial staff' in this Code shall be read as including all the categories listed above.

Ministerial staff are not subject to the State Service Act 2000 as they are appointed by an instrument of appointment. Ministerial staff are bound by their instrument of appointment to observe the provisions of this Code.

Merely avoiding breaking the law will not always be enough to guarantee an acceptable standard of conduct. Ministerial staff must not only act lawfully but also in a manner which withstands the closest public scrutiny. Neither the law nor this Code is designed to be exhaustive, and there will be occasions on which ministerial staff will find it necessary to adopt more stringent norms of conduct in order to protect the public interest and to enhance public confidence and trust. In making choices about conduct ministerial staff should have regard to prevailing community values and standards. They should also avoid giving unnecessary offence to groups in the community whose beliefs and views differ from the mainstream.

Ministerial staff may seek advice from the Chief of Staff, Premier's Office, as to any matter arising under this Code.

The responsibility for the management and conduct of ministerial staff, including discipline, rests with the Chief of Staff, Premier's Office. A breach of this Code may result in disciplinary action being taken against a member of ministerial staff, including but not limited to, counselling, a written reprimand, repayment of expenses via deductions from salary, reduction in salary, reassignment of duties and termination of employment.

Ministerial staff are obliged to report any non-compliance with this Code by themselves or by other ministerial staff to the Chief of Staff, Premier's Office.

#### STATEMENT OF PRINCIPLES

Ministerial staff must recognise the importance of transparent and open government, and acknowledge that they are expected to behave according to the highest standards of personal conduct in the performance of their duties to maintain and strengthen the democratic traditions of our State and its Institutions.

Ministerial staff must agree to act in the public interest and abide by the following ethical principles:

- to have respect for law;
- to respect our system of government;
- to behave honestly and with integrity in the course of their employment;
- to be frank, timely, transparent and impartial in official dealings;
- to act with care, attention and due diligence in the performance of their duties; and
- to use public resources in a proper manner with due economy, and not subject those resources to wasteful or extravagant use.

#### THE CODE

#### Conflict of Interest

Ministerial staff must take reasonable steps to avoid any actual, potential or perceived conflicts of interest, financial or nonfinancial, in connection with their employment.

Ministerial Staff are personally responsible for preventing any such conflicts of interest.

Ministerial staff must take care to ensure that their private activities and involvement in political and community organisations do not give rise to any actual or perceived conflicts of interest.

All conflicts of interest are to be resolved promptly in favour of the public interest.

#### Declaration of Interests

Ministerial staff must annually, and on a continuing ad hoc basis, declare their private interests to the Chief of Staff, Premier's Office.

#### Improper Advantage

Ministerial staff must not use their status, power or authority gained from their employment improperly in order obtain appointment, promotion, advancement, transfer or any other advantage or benefit on behalf of themselves or another person or persons.

Ministerial staff, during and after leaving office, must not use official information which is not in the public domain, or information obtained in confidence in the course of their official duties or positions, for the advantage or benefit of themselves or another person or persons.

Ministerial staff must not use their status, power or authority gained from their employment in order to gain, or seek to gain, a gift, benefit or advantage for themselves or for any other person.

Ministerial staff are not to misuse information or material acquired in or in connection with the performance of their official duties.

#### Improper Use of Public Resources

Ministerial staff must not use public resources, or allow such resources to be used by others, for personal advantage or benefit.

Ministerial staff must use and manage public resources in accordance with any rules and guidelines regarding the use of those resources.

Ministerial staff must be scrupulous in ensuring the legitimacy and accuracy of any claims they make on the public purse.

#### Gifts and Benefits

Ministerial staff must not solicit, encourage or accept gifts, benefits or favours which may give the appearance of an attempt to improperly influence the ministerial staff in the exercise of his or her duties.

Ministerial staff must declare all gifts and benefits, including hospitality, received in connection with official duties, in accordance with relevant policies.

#### Outside Employment

Ministerial staff must not engage in any outside employment, retain directorship of a company or be involved in the daily work of any business with-out written approval of the Chief of Staff of the Premier's Office.

#### Post Ministerial Staff Employment

Ministerial staff must undertake, upon leaving office, that for a period of 18 months after ceasing to be a ministerial staff member, they will not have business meetings with public officials with whom they had official dealings as a ministerial staff member in their last 18 months in office.

Ministerial staff must undertake, upon leaving office, that for a period of two years after ceasing to be a ministerial staff member, they will not engage in lobbying activities relating to any matter in relation to which they had official dealings in their last two years in office.

#### Misleading Statements

Ministerial staff must not knowingly provide false or misleading information in response to a request for information that is made for official purposes in connection with their employment. Ministerial staff must response in a timely manner to such requests.

#### Dealing with Departments

Ministerial staff are 'not to knowingly or intentionally encourage or induce a public official by their decisions, directions or conduct to breach the law or parliamentary obligations or fail to comply with an applicable code of ethical conduct'<sup>1</sup>.

Ministerial staff must acknowledge that they do not have the power to direct public service employees in their own right and that those public service employees are not subject to their direction.

#### Respect for Persons

Ministerial staff are to treat everyone with respect, courtesy and in a fair and equitable manner without harassment, victimisation or discrimination.

#### PROCEDURE

This Code was adopted by the Government on XX MONTH 2011 and is operational from this date. This Code will be reviewed every four years. It will next be reviewed on XX MONTH 2015.

<sup>1.</sup>Taken directly from Dot point 10, *Code of Conduct for Ministerial Staff (C'Wlth)*, 2008, Commonwealth.

#### **INTEGRITY** COMMISSION

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