

The Code of Conduct for Members of Parliament

Prepared pursuant to the Speaker of the House commitment in 2021

I. Purpose of the Code

1. The purpose of this Code of Conduct is to assist all Members in the execution of their functions and the discharge of their obligations to the House, their constituents and the public at large by:

- a) establishing the standards and principles of conduct expected of all Members in undertaking their duties;
- b) setting the rules of conduct which underpin these standards and principles and to which all Members must adhere; and in so doing
- c) ensuring public confidence in the standards expected of all Members and in the commitment of the House to upholding these rules.
- d) holding members accountable for their inappropriate actions, unacceptable behavior and their misconduct.

II. Scope of the Code

2. The Code applies to Members in all aspects of their public life. It does not seek to regulate what Members do in their purely private and personal lives.

3. The obligations set out in this Code are complementary to those which apply to all Members by virtue of the procedural and other rules of the House and the rulings of the Chair.

III. Duties of Members

4. Members have a duty to uphold the law, including the general law against discrimination.

5. Members have a general duty to act in the interests of the nation as a whole; and a special duty to their constituents.

6. Members should act on all occasions in accordance with the public trust placed in them. They should always behave with probity and integrity, including in their use of public resources.

IV. General Principles of Conduct

7. In carrying out their parliamentary and public duties, Members will be expected to observe the following general principles of conduct identified by provisions in the Standards in Public Life Law. These principles will be taken into account when considering the investigation and determination of any allegations of breaches of the rules of conduct in Part V of the Code.

“Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.”

Parliamentary Behaviour Code

8. Members are also expected to observe the principles in relation to professionalism, understanding others’ perspectives, courtesy, and acceptance of responsibility.

V. Rules of Conduct

9. Members are expected to observe the following rules and associated Resolutions of the House.

10. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.

11. No Member shall act as a paid advocate in any proceeding of the House, pursuant to Standing Orders 82.

12. The acceptance by a Member of a bribe to influence his or her conduct as a Member, including any fee, compensation or reward in connection with the promotion of, or opposition to, any Bill, Motion, or other matter submitted, or intended to be submitted to the House, or to any Committee of the House, is contrary to the law of Parliament.

13. Members shall fulfil conscientiously the requirements of the House in respect of the registration of interests. They shall always be open and frank in drawing attention to any relevant interest in any proceeding of the House or its Committees, and in any communications with Ministers, Members, public officials or public office holders.

14. Information which Members receive in confidence in the course of their parliamentary duties should be used only in connection with those duties. Such information must never be used for the purpose of financial gain.

15. Members are personally responsible and accountable for ensuring that their use of any expenses, allowances, facilities and services provided from the public

purse is in accordance with the rules laid down on these matters. Members shall ensure that their use of public resources is always in support of their parliamentary duties. It should not confer any undue personal or financial benefit on themselves or anyone else, or confer undue advantage on a political organisation.

16. Members shall never undertake any action which would cause significant damage to the reputation and integrity of the House of Parliament as a whole, or of its Members generally.

Respect

17. A Member must treat their staff and all those visiting or working for or with Parliament with dignity, courtesy and respect.

VI. Upholding the Code

18. The application of this Code shall be a matter for the House of Parliament (HoP) and Parliamentary Management Commission (Council) by virtue of the Parliamentary Management Commission Act.

19. The HoP may statutorily establish an entity or appoint a person with the requisite competence and the appropriate authority who may investigate a specific matter relating to a Member's adherence to the rules of conduct under the Code. Members shall cooperate, at all stages, with any such investigation by or under the authority of the House. No Member shall lobby a member of the Committee in a manner calculated or intended to influence its consideration of an alleged breach of this Code.

20. The Council will consider any report from the investigating entity charged with the investigation (Investigator/Commissioner) to it and report its conclusions and recommendations to the PMC (House). The House may impose a sanction on the Member where it considers it necessary.