



PROCEDURE AND PRIVILEGES COMMITTEE

Report on a Code of Conduct for Members of the Legislative Assembly of Western Australia

Tabled by
Mrs Dianne Guise, Deputy Speaker of the Legislative Assembly
on Thursday, 27 February 2003

2003

Your Committee presents this report to the Legislative Assembly for its consideration and adoption. The report, while not all encompassing, provides the most relevant points that need to be considered by the Legislative Assembly. The previous Procedure and Privileges Committee in the 35th Parliament had already commenced consideration of this matter and your Committee took its work into consideration when drafting the report and the Code.

CONTENTS:

Recommendations	5
1. Code of Conduct – Introduction and background	9
2. What do Codes contain?	11
3. Objectives of a Code	11
4. Code of Ethics Adviser	12
5. Education of members	13
6. Proposed draft Codes of Conduct -	13
• Draft Code prepared for the previous Procedures and Privileges Committee	14
• Premier’s draft Code of Conduct for members of the Legislative Assembly	15
7. Recommended Code of Conduct	18

RECOMMENDATIONS

Your Committee recommends –

1. The Code be reinforced by including an obligation that members should not abuse their freedom of speech.
2. The Code be reinforced by including an obligation that members should not knowingly mislead the Parliament or the public.
3. That Standing Order No. 109 be used by members if they think there has been a breach of the Code.
4. The effectiveness of the Code be reviewed regularly by the Procedure and Privileges Committee and that, as part of that review process, the public may be invited to make written submissions and appear at public hearings.
5. After the adoption of the Code of Conduct by the Legislative Assembly, the Clerk as part of the seminars for new members of the Legislative Assembly at the commencement of each new Parliament, provide a briefing and specific material on the Code of Conduct
6. The following Code of Conduct be adopted by the Legislative Assembly –

“Code of Conduct

Preamble

Members of the Legislative Assembly recognise that they are in a unique position of being responsible to the electorate. The electorate is the final arbiter of the conduct of members of the Legislative Assembly and has the right to dismiss them from office at regular elections.

Members of the Legislative Assembly accordingly acknowledge their responsibility to maintain the public trust placed in them by performing their duties with honesty and integrity, respecting the law and the institution of Parliament, and using their influence to advance the common good of the people of Western Australia.

The Code

(1) Purpose of this Code

The purpose of the Code of Conduct is to assist members of the Legislative Assembly in the discharge of their obligations to the Legislative Assembly, their constituents and the public at large.

(2) Conduct

Members shall accept that their prime responsibilities are to -

- (a) Perform their public duty in an objective manner and without consideration of personal or financial interests, including a duty to declare any relevant private interests; and
- (b) Represent the interests of their own electorate and their constituents.

(3) Disclosure of conflict of interest -

- (a) A conflict of interest exists where a member participates in or makes a decision in the execution of their office knowing that it will improperly and dishonestly further the Member's private interest or another person's private interest directly or indirectly.
- (b) A conflict of interest also exists where the member executes, or fails to execute, any function or duty knowing that it will benefit their or another person's private interests directly or indirectly.
- (c) Members are individually responsible for preventing conflicts of interest and must carry out their official functions and duties and arrange their private affairs to the best of their endeavours to prevent such conflicts of interest arising.
- (d) Members of the Legislative Assembly must take all reasonable steps to declare any conflict of interest between their private financial interests and decisions in which they participate in the execution of their office.
- (e) This may be done through declaring their interests under the *Members of Parliament (Financial Interests) Act 1992* or any rule or order of the House that may so require through declaring their interest when speaking on the matter in the Legislative Assembly or a Committee, or in any other public and appropriate manner.
- (f) A conflict of interest does not exist where the member is only affected as a member of the public or a member of a broad class.

(4) Bribery

Members must not promote any matter, vote on any bill or resolution, or ask any question in the Legislative Assembly or its Committees, in return for payment or any other personal financial benefit.

(5) Gifts -

- (a) Members must declare all gifts and benefits received in connection with their official duties, in accordance with the requirements for the disclosure of pecuniary interests.
- (b) Members must not accept gifts that may pose a conflict of interest or which might give the appearance of an attempt to corruptly influence the member in the exercise of his or her duties.
- (c) Members may accept political contributions in accordance with Part VI of the *Electoral Act 1907*.

(6) Use of public resources

Members must apply the public resources to which they are granted access according to any guidelines or rules about the use of those resources.

(7) Use of confidential information

Members must not knowingly and improperly use official information which is not in the public domain, or information obtained in confidence in the course of their parliamentary duties, for the private benefit of themselves or others.

(8) Proper relations with Ministers and the public service -

- (a) Members should not approach Ministers, public servants or public bodies on a matter connected with a private interest without appropriate disclosure.
- (b) Members shall not use improperly their influence in order to obtain appointment, promotion, advancement, transfer or any other advantage within the public sector on behalf of themselves or another or to affect the proper outcome of any procedure established under legislation for the management of the public sector.

(9) Freedom of Speech

Members must be mindful of the privileges conferred when speaking in the Legislative Assembly and should consciously avoid causing undeserved harm to any individual who does not enjoy the same privileges.

(10) Misleading the Parliament or the Public

Members must not knowingly mislead the Parliament or the public in statements they make and are obliged to correct the parliamentary record as soon as possible when incorrect statements are made unintentionally.

(11) Participation in Political Parties

It is recognised that some members are non-aligned and others belong to political parties. Organised parties are a fundamental part of the democratic process and participation in their activities is within the legitimate activities of Members of Parliament.

Procedure for breaches of the Code

Alleged breaches of the Code of Conduct should, at the earliest opportunity, be raised under the procedures prescribed by Standing Order No. 109.”

1. CODE OF CONDUCT

Introduction and Background

1. Only three Australian State Parliaments presently have a “Code of Conduct”. The Northern Territory Legislative Assembly’s Standing Orders Committee is currently investigating the possibility of implementing a Code of Conduct and Ethical Standards for the Assembly’s members.

2. Victoria was the first. In the *Members of Parliament (Register of Interests) Act 1978* there is a statutory prescribed Code focusing on conflicts of interest; requirements for disclosure of interests (including any direct pecuniary interest), and a general statement that a member’s primary responsibility is one of public duty.

3. The Tasmanian House of Assembly amended its Standing Orders in 1996 to include a *Code of Ethical Conduct*. The Code contains a Statement of Commitment and Declaration of Principles. The Principles cover 9 areas, dealing with matters such as gifts, use of information, personal conduct, use of public resources and post employment. There is also a Code of Race Ethics.

4. New South Wales was the third Parliament to adopt a code. In 1998 both Houses finally adopted a Code, known as the “Premier’s Code” because it was introduced in the Legislative Assembly by the Premier as an amendment to the *Independent Commissioner Against Corruption Act*. This happened as a result of the two Houses failing to agree on a common Code and the content of the Code. The Code covers six topics; disclosure of conflict of interest, bribery, gifts, use of public resources, use of confidential information and duties of a member of Parliament.

5. In Western Australia, a “Code of Conduct” for members of Parliament has been in the melting pot for a long time. It was first considered in recent times by the Parliamentary Standards Committee (PSC) established by Premier Dowding in December 1988 and chaired by the Hon. K. Beazley Snr. Part of the Committee’s terms of reference included matters relating to Codes of Conduct for members of Parliament -

- The feasibility of a Code of Conduct to govern the parliamentary conduct of Western Australian Members of Parliament.
- The content of the Code of Conduct.
- The manner in which the Code of Conduct should be enforced.

6. The PSC’s 1989 report concluded that its terms of reference were in essence intended to focus attention on the behaviour of members in Parliament itself (there had also been concerns expressed regarding abuse of the privilege of freedom of speech within the Parliament). The PSC recommended a *Code of Conduct Covering Behaviour in the House*, and further recommended that Parliament give consideration to adopting the *Code of Conduct* for educational purposes and the guidance of Members generally. A Code was adopted by the Legislative Assembly for educational purposes on 5 May 1992 and was included with its Standing Orders as a statement of intent. The Legislative Council did not

take any action on this matter. The statement of intent will be superceded by the proposed Code of Conduct contained in this report once it is adopted by the Legislative Assembly.

7. A Code of Conduct was not further pursued in Western Australia until the establishment of the Commission on Government (COG) in 1994. The establishment of COG was in response to a recommendation by the Royal Commission into the Commercial Activities of Government and Other Matters. The Third Report of COG in April 1996 included Recommendation 159 which recommended a Code of Conduct be drafted for members of both Houses. COG's arguments in support of a Code of Conduct can be found in Chapter 7 of their third report.

8. The Parliament's Joint Standing Committee on the Commission on Government (JSC on COG), when considering COG's recommendations, supported recommendation 159 in its Eleventh Report presented to the Assembly on 24 October 1996.

9. An article in *The West Australian* on 4 November 1996, just prior to the State Election held in December that year, indicated the Court Government supported the establishment of a Code of Conduct for members of Parliament. The Leader of the Opposition, Mr McGinty, had also previously endorsed in its entirety COG's recommendation for a Code.

10. Premier Court on 31 October 1996 tabled in Parliament the Government's response (to the Commission on Government's recommendations) which included a response regarding the recommendation of a Code of Conduct for members of Parliament -

This recommendation relates directly to the powers and privileges of Parliament. The Government considers that it is not appropriate for the Executive to decide these matters and therefore proposes that each House establish procedures to consider this recommendation and implement any necessary reform as soon as the new Parliament commences after the next general election.

11. In 1997, a number of COG recommendations were referred by the Assembly to the Standing Orders and Procedure Committee (SOPC), including Code of Conduct recommendation 159. The SOPC presented its report to the Legislative Assembly in 1998 and recommended -

COG recommendations 159.1 and 159.3, relating to development and review of a code of conduct, be supported insofar as the House notes that the Standing Orders and Procedure Committee will proceed to consider a code for members and the related issues, noting that any such draft code should be available for public comment before adoption.

12. Further consideration of the issues relating to a Code was deferred during the 35th Parliament while the SOPC (renamed the Procedures and Privileges Committee (PPC) after adoption of the new Standing Orders) undertook the task of reviewing and modernising the Legislative Assembly's Standing Orders. The PPC actively commenced consideration of this matter prior to the dissolution of the Legislative Assembly in 2001.

13. The current PPC recommenced consideration of a Code based on the background paper prepared by the previous PPC in the last Parliament.

2. WHAT DO CODES CONTAIN?

14. The content of Codes varies widely and there are numerous issues that can be singled out in codes of conduct for members of Parliament. For instance, the New South Wales Code of Conduct contains six matters:

- Disclosure of conflict of interest
- Bribery
- Gifts
- Use of public resources
- Use of confidential information
- Duties as a member of Parliament.

15. Other matters regularly dealt with in Codes include:

- An obligation on members not to abuse their freedom of speech
- An obligation on members not to mislead the Parliament or the public
- Impartiality of members and relationships with lobbyists
- Disclosure of hospitality received in addition to gifts
- Personal or private conduct of members
- Matters relating to election campaigns
- Post Parliament employment restrictions
- Travel guidelines
- Additional responsibilities of parliamentary office holders.

16. The above lists are by no means exhaustive and other general principles included in Codes are -

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty and leadership
- Loyalty to the nation and regard for its laws
- Diligence and economy
- Respect for the dignity and privacy of others
- Primacy of the public interest.

17. While the above lists illustrate what a Code could contain, it is not suggested or practical to include all of them in a Code.

3. OBJECTIVES OF A CODE

18. Your Committee is aware the Code will not be the subject of strict legal interpretation and scrutiny and therefore it should not be a compendium of highly detailed regulations which prescribe every aspect of a member's parliamentary life. Rather, as with the New

South Wales Code of Conduct, the Code of Conduct should contain a statement of essential principles which are not prescriptive or compliance driven. The Code should provide guidance to members and not be a set of prescriptive rules that can trap members unwittingly.

19. A Code should include provisions which place obligations on members not to abuse their freedom of speech, and to not knowingly mislead the Legislative Assembly or the general community. The reasons put forward for the inclusion of these two provisions in a Code are self-evident. It is acknowledged that absolute freedom of speech is vital for members to effectively discharge their duties and that there is little evidence to suggest that members do not exercise their freedom of speech responsibly or deliberately abuse that privilege. While there is already a mechanism provided within the Legislative Assembly's Standing Orders, which allows the public to respond to adverse comment made by a member in the Legislative Assembly, it is important to have a clear statement of principle in the Code.

Recommendation

Your Committee recommends -

1. The Code be reinforced by including an obligation that members should not abuse their freedom of speech.

20. The deliberate misleading of the Legislative Assembly may be treated as a contempt and be dealt with accordingly. However, while members may unintentionally make incorrect statements in the Legislative Assembly and there are procedures which allow members to correct the parliamentary record by way of personal explanation or other means, it is important to have a statement of principle in this respect in the Code.

Recommendation

Your Committee recommends -

2. The Code be reinforced by including an obligation that members should not knowingly mislead the Parliament or the public.

4. CODE OF ETHICS ADVISER

21. Your Committee considered whether an ethics adviser should be appointed to provide general advice and recommend actions on breaches and enforcement of the Code, or should the matters listed in a Code of Conduct always be a matter for the House or one of its Committees. In Australia, only New South Wales provides for an Ethics Committee and an ethics adviser and generally the establishment of a Members' Conduct and Ethics Committee.

22. As Standing Order No. 109 already provides a mechanism that allows members to raise in the Legislative Assembly matters that are considered to be breaches of the Legislative Assembly's Standing Orders, its privileges or any contempts of Parliament, there is no need for an ethics adviser. Standing Order No. 109 allows, either the Speaker, the

Assembly or, if the House refers a matter to it, the Procedure and Privileges Committee to deal with these matters. It is open to any member to use this standing order if they think there has been a breach of the Code.

23. Your Committee agrees that the effectiveness of the Code should be regularly reviewed by the Procedure and Privileges Committee (at least once every Parliament if determined necessary by the Committee as constituted at that time). Your Committee also notes that under the Standing Orders the Procedure and Privileges Committee has the power to call for persons and papers and to hold public meetings if it is determined necessary to do so.

Recommendation

Your Committee recommends -

3. That Standing Order No. 109 be used by members if they think there have been breaches of the Code.
4. That the effectiveness of the Code be reviewed regularly by the Procedure and Privileges Committee and that, as part of that review process, the public may be invited to make written submissions and appear at public hearings.

5. EDUCATION OF MEMBERS

24. Your Committee proposes the Clerk of the House include in his briefings for new members specific information and material on the Code of Conduct as part of the seminars provided at the commencement of each new Parliament. Your Committee also considers the discussion leading up to the adoption of the Code will be sufficient background for all current members of the Legislative Assembly.

Recommendation

Your Committee recommends -

5. That after the adoption of the Code of Conduct by the Legislative Assembly, the Clerk as part of the seminars for new members of the Legislative Assembly at the commencement of each new Parliament, provide a briefing and specific material on the Code of Conduct.

6. PROPOSED DRAFT CODES OF CONDUCT

25. When deliberating on the Code your Committee took into consideration the following draft Code of Conduct prepared by the previous Procedure and Privileges Committee in the 35th Parliament -

“CODE OF CONDUCT:

PREAMBLE

- The Legislative Assembly has resolved to adopt a Code of Ethics which is to apply to all members of the Legislative Assembly.
- Members of the Legislative Assembly recognise that they are in a unique position of being responsible to the electorate. The electorate is the final arbiter of the conduct of members of the Legislative Assembly and has the right to dismiss them from office at regular elections.
- Members of the Legislative Assembly accordingly acknowledge their responsibility to maintain the public trust placed in them by performing their duties with honesty and integrity, respecting the law and the institution of Parliament, and using their influence to advance the common good of the people of Western Australia.

THE CODE

1. Disclosure of conflict of interest

- (a) Members of the Legislative Assembly must take all reasonable steps to declare any conflict of interest between their private financial interests and decisions in which they participate in the execution of their office.
- (b) This may be done through declaring their interests under the *Members of Parliament (Financial Interests) Act 1992*, or through declaring their interest when speaking on the matter in the Legislative Assembly or a Committee, or in any other public and appropriate manner.
- (c) A conflict of interest does not exist where the member is only affected as a member of the public or a member of a broad class.

2. Bribery

Members must not promote any matter, vote on any bill or resolution, or ask any question in the Legislative Assembly or Committees, in return for payment or any other personal financial benefit.

3. Gifts

- (a) Members must declare all gifts and benefits received in connection with their official duties, in accordance with the requirements for disclosure of pecuniary interests.
- (b) Members must not accept gifts that pose a conflict of interest or which might give the appearance of an attempt to corruptly influence the member in the exercise of his or her duties.

- (c) Members may accept political contributions in accordance with Part VI of the *Electoral Act 1907*.

4. Use of public resources

Members must apply the public resources to which they are granted access according to any guidelines or rules about the use of those resources.

5. Use of confidential information

Members must not knowingly and improperly use official information which is not in the public domain, or information obtained in confidence in the course of their parliamentary duties, for the private benefit of themselves or others.

6. Freedom of Speech

Members must be mindful of the privileges conferred when speaking in the Legislative Assembly and should consciously avoid causing undeserved harm to any individual who does not enjoy the same privileges.

7. Misleading the Parliament or the Public

Members must not knowingly mislead the Parliament or the public in statements they make and are obliged to correct the parliamentary record as soon as possible when incorrect statements are made unintentionally.

8. Duties as a member of Parliament

It is recognised that some members are non-aligned and others belong to political parties. Organised parties are a fundamental part of the democratic process and participation in their activities is within the legitimate activities of members of Parliament. ”.

26. The Hon. Dr Geoff Gallop, MLA Premier of Western Australia also forwarded on 5 March 2002 to the Procedure and Privileges Committee for its consideration the following proposed Code of Conduct for Members of Parliament. This has been generally based on a copy of the draft Code of Conduct prepared by the previous Procedure and Privileges Committee.

27. The Premier’s draft included additional sections on –

Purpose of the Code;

Disclosure of Conflict of Interest section – 3 additional subsections which define Conflict of Interest; and

Proper relations with Ministers and the Public Service.

“

PREAMBLE

Members of the Legislative Assembly recognise that they are in a unique position of being responsible to the electorate. The electorate is the final arbiter of the conduct of members of the Legislative Assembly and has the right to dismiss them from office at regular elections.

Members of the Legislative Assembly accordingly acknowledge their responsibility to maintain the public trust placed in them by performing their duties with honesty and integrity, respecting the law and the institution of Parliament, and using their influence to advance the common good of the people of Western Australia.

THE CODE

1. Purpose of this Code

The purpose of this Code of Conduct is to assist members of the Legislative Assembly in the discharge of their obligations to the Legislative Assembly, their constituents and the public at large.

2. Conduct

- (a) Members shall accept that their prime responsibility is to the performance of their public duty, in an objective manner and without consideration of personal or financial interests, including a duty to declare any relevant private interests.
- (b) In accepting their responsibilities, members have a duty at all times to act honestly and in good conscience, strive to maintain the public trust in them, and exercise the influence gained from their public office to advance the public interest.

3. Disclosure of conflict of interest

- (a) A conflict of interest exists where a member participates in or makes a decision in the execution of their office knowing that it will improperly and dishonestly further the Member's private interest or another person's private interest directly or indirectly.
- (b) A conflict of interest also exists where the member executes, or fails to execute, any function or duty knowing that it will benefit their or another person's private interests directly or indirectly.
- (c) Members are individually responsible for preventing conflicts of interest and must carry out their official functions and duties and arrange their private affairs to the best of their endeavours to prevent such conflicts of interest arising.
- (d) Members of the Legislative Assembly must take all reasonable steps to declare any conflict of interest between their private financial interests and decisions in which they participate in the execution of their office.

- (e) This may be done through declaring their interests under the *Members of Parliament (Financial Interests) Act 1992* or any rule or order of the House that may so require through declaring their interest when speaking on the matter in the Legislative Assembly or a Committee, or in any other public and appropriate manner.
- (f) A conflict of interest does not exist where the member is only affected as a member of the public or a member of a broad class.

4. Bribery

Members must not promote any matter, vote on any bill or resolution, or ask any question in the Legislative Assembly or its Committees, in return for payment or any other personal financial benefit.

5. Gifts

- (a) Members must declare all gifts and benefits received in connection with their official duties, in accordance with the requirements for the disclosure of pecuniary interests.
- (b) Members must not accept gifts that may pose a conflict of interest or which might give the appearance of an attempt to corruptly influence the member in the exercise of his or her duties.
- (c) Members may accept political contributions in accordance with Part VI of the *Electoral Act 1907*.

6. Use of public resources

Members must apply the public resources to which they are granted access according to any guidelines or rules about the use of those resources.

7. Use of confidential information

Members must not knowingly and improperly use official information which is not in the public domain, or information obtained in confidence in the course of their parliamentary duties, for the private benefit of themselves or others.

8. Proper relations with Ministers and the public service

- (a) Members should not approach Ministers, public servants or public bodies on a matter connected with a private interest without appropriate disclosure.
- (b) Members shall not use improperly their influence in order to obtain appointment, promotion, advancement, transfer or any other advantage within the public sector on behalf of themselves or another or to affect the proper outcome of any procedure established under legislation for the management of the public sector.

9. Freedom of Speech

Members must be mindful of the privileges conferred when speaking in the Legislative Assembly and should consciously avoid causing undeserved harm to any individual who does not enjoy the same privileges.

10. Misleading the Parliament or the Public

Members must not knowingly mislead the Parliament or the public in statements they make and are obliged to correct the parliamentary record as soon as possible when incorrect statements are made unintentionally.

11. Duties as a Member of Parliament

It is recognised that some members are non-aligned and others belong to political parties. Organised parties are a fundamental part of the democratic process and participation in their activities is within the legitimate activities of Members of Parliament.

6 March 2000 ”.

7. RECOMMENDED CODE OF CONDUCT

28. Following consideration of the above draft Codes and in accordance with the above recommendations contained in this report, your Committee recommends the following Code of Conduct be adopted for the reasons set out above.

Recommendation

Your Committee recommends -

6. The following Code of Conduct be adopted by the Legislative Assembly -

“Code of Conduct

Preamble

Members of the Legislative Assembly recognise that they are in a unique position of being responsible to the electorate. The electorate is the final arbiter of the conduct of members of the Legislative Assembly and has the right to dismiss them from office at regular elections.

Members of the Legislative Assembly accordingly acknowledge their responsibility to maintain the public trust placed in them by performing their duties with honesty and integrity, respecting the law and the institution of Parliament, and using their influence to advance the common good of the people of Western Australia.

The Code

(1) Purpose of this Code

The purpose of the Code of Conduct is to assist members of the Legislative Assembly in the discharge of their obligations to the Legislative Assembly, their constituents and the public at large.

(2) Conduct

Members shall accept that their prime responsibilities are to -

- (a) Perform their public duty in an objective manner and without consideration of personal or financial interests, including a duty to declare any relevant private interests; and
- (b) Represent the interests of their own electorate and their constituents.

(3) Disclosure of conflict of interest -

- (a) A conflict of interest exists where a member participates in or makes a decision in the execution of their office knowing that it will improperly and dishonestly further the Member's private interest or another person's private interest directly or indirectly.
- (b) A conflict of interest also exists where the member executes, or fails to execute, any function or duty knowing that it will benefit their or another person's private interests directly or indirectly.
- (c) Members are individually responsible for preventing conflicts of interest and must carry out their official functions and duties and arrange their private affairs to the best of their endeavours to prevent such conflicts of interest arising.
- (d) Members of the Legislative Assembly must take all reasonable steps to declare any conflict of interest between their private financial interests and decisions in which they participate in the execution of their office.
- (e) This may be done through declaring their interests under the *Members of Parliament (Financial Interests) Act 1992* or any rule or order of the House that may so require through declaring their interest when speaking on the matter in the Legislative Assembly or a Committee, or in any other public and appropriate manner.
- (f) A conflict of interest does not exist where the member is only affected as a member of the public or a member of a broad class.

(4) Bribery

Members must not promote any matter, vote on any bill or resolution, or ask any question in the Legislative Assembly or its Committees, in return for payment or any other personal financial benefit.

(5) Gifts -

- (a) Members must declare all gifts and benefits received in connection with their official duties, in accordance with the requirements for the disclosure of pecuniary interests.
- (b) Members must not accept gifts that may pose a conflict of interest or which might give the appearance of an attempt to corruptly influence the member in the exercise of his or her duties.
- (c) Members may accept political contributions in accordance with Part VI of the *Electoral Act 1907*.

(6) Use of public resources

Members must apply the public resources to which they are granted access according to any guidelines or rules about the use of those resources.

(7) Use of confidential information

Members must not knowingly and improperly use official information which is not in the public domain, or information obtained in confidence in the course of their parliamentary duties, for the private benefit of themselves or others.

(8) Proper relations with Ministers and the public service -

- (a) Members should not approach Ministers, public servants or public bodies on a matter connected with a private interest without appropriate disclosure.
- (b) Members shall not use improperly their influence in order to obtain appointment, promotion, advancement, transfer or any other advantage within the public sector on behalf of themselves or another or to affect the proper outcome of any procedure established under legislation for the management of the public sector.

(9) Freedom of Speech

Members must be mindful of the privileges conferred when speaking in the Legislative Assembly and should consciously avoid causing undeserved harm to any individual who does not enjoy the same privileges.

(10) Misleading the Parliament or the Public

Members must not knowingly mislead the Parliament or the public in statements they make and are obliged to correct the Parliamentary record as soon as possible when incorrect statements are made unintentionally.

(11) Participation in Political Parties

It is recognised that some members are non-aligned and others belong to political parties. Organised parties are a fundamental part of the democratic process and participation in their activities is within the legitimate activities of Members of Parliament.

Procedure for breaches of the Code

Alleged breaches of the Code of Conduct should, at the earliest opportunity, be raised under the procedures prescribed by Standing Order No. 109.”