

**Jenelle Moore - Fwd: Privileges Committee - Code of Conduct.**

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**From:** Velia Mignacca  
**To:** Lynn Lovelock  
**Date:** 10/05/2006 4:19:51 pm  
**Subject:** Fwd: Privileges Committee - Code of Conduct.  
**CC:** Jenelle Moore

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>>> peter alcock <peter.alcock@parliament.tas.gov.au> 05/10/06 3:31 pm >>>  
Hello Jenny,

The Speaker has asked me to respond to the correspondence from the Chair of the Privileges Committee of 19 April regarding the Members' Code of Conduct.

The Tasmanian House of Assembly has a Code of Ethical Conduct and a Code of Race Ethics contained in its Standing Orders (SO 2A and 2B attached). When Members are being sworn in after their election to the House they are also required to state that they have read and subscribed to both Codes.

There are also Standing Orders which require Members not to vote on matters before the House if they have a direct Pecuniary Interest (SO 203, 204 & 205 attached).

There is also the Parliamentary (Disclosure of Interests Act) 1996 which requires Members to make returns annually regarding such interests (This can be accessed at <http://www.thelaw.tas.gov.au/index.w3p>

In addition, the Tasmanian Criminal Code refers to bribery and Members of Parliament in Chapter VII - Crimes against the Executive and Legislative power (Sections 69 to 72). This can be accessed at the same Website as above.

These are provided in order that the Committee may make comparisons with the Tasmanian House of Assembly's requirements and if there is any further information desired regarding this information please let me know.

Regards,

Peter Alcock.

Codes:-

PART 2

PROCEEDINGS ON THE MEETING OF A NEW PARLIAMENT

Proceedings on the meeting of a new Parliament.

2. On the first day of the meeting of a new Parliament, the House having met at the time and place appointed -

- (a) The Governor's Proclamation shall be read by the Clerk of the House;
- (b) The Writ of Election of each Member, with the Return endorsed thereon, shall be produced by the Clerk of the House, and laid upon the Table;

- (c) Members shall then be sworn or make affirmation as prescribed by law;
- (d) Members will then subscribe to the Code of Ethical Conduct contained in Standing Order No. 2A;
- (e) Members will then subscribe to the Code of Race Ethics contained in Standing Order No. 2B;
- (f) The House shall then proceed to the election of a Speaker;
- (g) Prior to such election the Clerk shall act as Chair to the House.

2A.

CODE OF ETHICAL CONDUCT  
FOR MEMBERS OF THE HOUSE OF ASSEMBLY

PREAMBLE

As Members of the House of Assembly we recognise that our actions have a profound impact on the lives of all Tasmanian people. Fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards.

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 our constituents, we owe honesty, accessibility, accountability, courtesy and understanding.

To our colleagues in this Assembly, 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 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.

DECLARATION OF PRINCIPLES

Members of this Assembly must carry out their official duties and arrange their private financial affairs in a manner that protects the public interest and enhances public confidence and trust in government and in high standards of ethical conduct in public office.

Members of this Assembly 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.

Every Member is individually responsible for preventing potential and actual conflicts of interest, and must arrange private financial affairs in a manner that prevents such conflicts from arising including declaration of pecuniary interest in any matter being considered as part of their official duties as a Parliamentarian.

Members of the Assembly must carry out their official duties

objectively and without consideration of personal or financial interests.

Members of the Assembly must not accept gifts, benefits or favours except for incidental gifts or customary hospitality of nominal value.

Members of the Assembly must not take personal advantage of or private benefit from information that is obtained in the course of or as a result of their official duties or positions and that is not in the public domain.

Members of the Assembly must not engage in personal conduct that exploits for private reasons their positions or authorities or that would tend to bring discredit to their offices.

Members of the Assembly must not use, or allow the use of, public property or services for personal gain.

Members of the Assembly, when leaving public office and when they have left public office, must not take improper advantage of their former office.

2B.

#### CODE OF RACE ETHICS FOR MEMBERS OF THE HOUSE OF ASSEMBLY

As Members of the Tasmanian Parliament we agree:-

- (1) To act in a manner which upholds the honour of public office and the Parliament.
- (2) To respect the religious and cultural beliefs of all groups living within Australia in accordance with the Universal Declaration of Human rights.
- (3) To uphold principles of justice and tolerance within our multicultural society making efforts to generate understanding of all minority groups.
- (4) To recognise and value diversity as an integral part of Australia's social and economic future.
- (5) To help without discrimination all persons seeking assistance.
- (6) To speak and write in a manner which provides factual commentary on a foundation of truth about all issues being debated in the community and the Parliament.
- (7) To encourage the partnership of government and non-government organisations in leading constructive and informed debate in the community.
- (8) To promote reconciliation with indigenous Australians.

Pecuniary Interest:-

No Members to vote if pecuniarily interested.

203. Members shall not be entitled to vote upon any Question in which they have direct pecuniary interest, such interest being of an immediate and personal, and not merely of a general or remote description; and the vote of any Member so interested shall be disallowed; but any such Member shall not be precluded from proposing any Motion or Amendment relating to such Question.

Direct pecuniary interest, how vote of Member dealt with.

204. The Vote of any Member who is supposed to have a direct pecuniary interest in a matter under the consideration of the House may be taken notice of by a Motion that the vote be disallowed, and after the Member

whose vote has been challenged has been heard, the vote may be allowed or disallowed by the House.

Rule to apply to Committees.

205. The Rule of this House relating to the vote upon any Question in the House, of a Member having an interest in the matter upon which the vote is given, shall apply likewise to any vote of a Member so interested, in a Committee.

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