

# Appendix A – Code of Conduct for Ministerial Staff

The importance of the role of Ministerial staff in providing advice and assistance to Ministers in the performance of their functions is well recognised and accepted. Their closeness to the most significant decisions of government is a privilege that carries with it an obligation to act at all times with integrity and awareness of the expectation of the Australian community that the highest standards of conduct will be observed.

The Code of Conduct for Ministerial Staff sets out the standards that Ministerial staff are expected to meet in the performance of their duties.

Ministerial staff and consultants and Ministers' electorate officers employed under the *Members of Parliament (Staff) Act 1984* (MOP(S) Act) must:

1. Behave honestly and with integrity in the course of their employment.
2. Act with care and diligence in the performance of their duties.
3. Disclose, and take reasonable steps to avoid, any conflict of interests (real or apparent) in connection with their employment, noting that staff are required to provide their employer with a statement of private interests.
4. Divest themselves, or relinquish control, of interests in any private company or business and/or direct interest in any public company involved in the area of their Ministers' portfolio responsibilities.
5. Declare to their employing Minister in writing, within a reasonable time, all hospitality, gifts and sponsored travel received in association with their employment.
6. Have no involvement in outside employment or in the daily work of any business, or retain a directorship of a company, without the written agreement of their Minister.
7. Treat with respect and courtesy all those with whom they have contact in the course of their employment.
8. Make themselves aware of the Values and Code of Conduct which bind Australian Public Service (APS) and Parliamentary Service employees.
9. When travelling overseas on official business, behave in a manner consistent with the APS Values and Code of Conduct, to the extent they apply to officials on duty overseas.
10. Not 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.
11. Acknowledge that ministerial staff do not have the power to direct APS employees in their own right and that APS employees are not subject to their direction.
12. Recognise that executive decisions are the preserve of Ministers and public servants and not ministerial staff acting in their own right.
13. Facilitate direct and effective communication between their Minister's department and their Minister.
14. Use Commonwealth resources for the effective conduct of public business in a proper manner. Commonwealth resources are not to be subject to wasteful or extravagant use, and due economy is to be observed at all times. Ministerial staff must be scrupulous in ensuring the legitimacy and accuracy of any claim for entitlements.

15. Maintain appropriate confidentiality about their dealings with their Minister, other Ministers, other Ministerial staff, and APS and Parliamentary Service employees.
16. Not knowingly or intentionally provide false or misleading information in response to a request for information that is made for official purposes in connection with their employment.
17. Not make improper use of their position or access to information to gain or seek to gain a benefit or advantage for themselves or any other person.
18. Comply with any authorised and reasonable direction received in the course of their employment.
19. Comply with all applicable Australian laws.
20. Comply with all applicable codes of conduct, including the Lobbying Code of Conduct.
21. Familiarise themselves with this code of conduct upon the commencement of their employment.

**NOTES:**

- i. References to Ministers and Ministerial staff include Parliamentary Secretaries and their staff
- ii. Electorate officers for Ministers are covered by the Ministerial Staff Code of Conduct in recognition of the role they play assisting Ministers to perform their duties
- iii. For the purposes of this Code, “Australian laws” means any Act, including the MOP(S) Act, or any instrument made under an Act, or any law of a State or Territory, including any instrument made under such a law
- iv. Implementation of this Code is the responsibility of the Prime Minister’s Office and the Government Staffing Committee
- v. Any sanctions imposed under this Code will be determined after consultation with the relevant Minister by the Chief of Staff of the Prime Minister, acting on advice from the Government Staffing Committee