



Appendix 5 – Draft Code of Conduct for Members of the House of Representatives

Purpose of the Code

The purpose of the code is to provide a framework of reference for Members in the discharge of their responsibilities. It outlines the standards of behaviour which the Australian people can expect of their elected representatives. It refers to the key ethical principles which should guide the consideration of Members.

It is by adherence to these standards that Members can maintain and strengthen the public's trust and confidence in the integrity of the parliamentary institution and not undertake any action which would bring the House of Representatives, or its Members generally, into disrepute.

Scope of the Code

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.

The Code complements the obligations on Members to abide by the standing orders and the rulings of the Chair.

Members who are Ministers have other obligations relating to the Ministerial Code of Conduct.

Members who hold a Parliamentary Office must have particular regard for the proper exercise of influence and use of information gained from their duties as

office holders. They must also be accountable for their administrative actions and for their conduct related to these duties.

Key Principles

1. Loyalty to the Nation and Regard for its Laws

Members must be loyal to Australia and its people. They must uphold the laws of Australia and ensure that their conduct does not breach or evade those laws.

2. Diligence and Economy

Members must exercise due diligence in performing their official duties to the best of their ability. They must apply public resources, including the use of their entitlements, economically and only for the purposes for which they are intended.

3. Respect for the Dignity and Privacy of Others

Members must have due regard for the rights and obligations of all Australians. They must respect the privacy of others and safeguard information obtained in confidence in the course of their duties. They must avoid unjustifiable or illegal discrimination against others and exercise responsibly their rights and privileges as Members.

4. Integrity

Members must at all times act honestly, strive to maintain the public trust placed in them, and advance the common good of the people of Australia.

5. Primacy of the Public Interest

Members must base their conduct on a consideration of the public interest, avoid conflict between personal interests and the requirements of public duty, and resolve any conflict, real or apparent, quickly and in favour of the public interest.

Members must exercise the influence gained from their public office only to advance the public interest. They must not obtain improperly any property or benefit, whether for themselves or another. They also must not seek to affect improperly any process undertaken by officials or members of the public.

6. Personal Conduct

Members must ensure that their personal conduct is consistent with the dignity of the Parliament. They should act at all times in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the Parliament and its Members.

Registration of interests

Members shall meet the requirements of the House in respect of the registration of their interests in the Register of Members' Interests. Members also should draw attention to any relevant interests relating to votes of the House (SO 134) or the inquiries of committees (SO 271).

Duties in relation to the Parliamentary Integrity Commissioner

The application of this Code will be a matter for the House of Representatives, the Committee of Privileges, Ethics and Members' Interests and the Parliamentary Integrity Commissioner in accordance with the relevant standing orders and resolutions of the House.

Members shall cooperate at all stages with any investigation into their conduct by, or under the authority of, the House.

Additional Guidance

In individually considering these principles, Members should also have regard to:

- sections 44 and 45 of the Constitution;
- provisions of the *Parliamentary Entitlements Act 1990*;
- standing and sessional orders and resolutions of the House of Representatives.

These matters are covered in the attached note on provisions relating to the conduct of Members.

