



TASMANIA

Members of Parliament Code of Conduct

With reference to the Interim Report of the Joint Sessional Committee on Workplace Culture Oversight (Paper No. 26), That for the current Parliament, unless otherwise ordered, the Legislative Council and the House of Assembly adopt a Code of Conduct for all Members of the Parliament of Tasmania in the following terms –

PART I PRINCIPLES AND SCOPE

1. Preamble

- 1.1. This Code sets out the ethical and behavioural standard of conduct expected of Members of Parliament elected by the people of Tasmania. The actions of Members of Parliament have an impact on the lives of all Tasmanian people through the legislation they enact, and the public confidence in parliament through the behaviours they model.
- 1.2. Members respect the rule of law and separation of powers.
- 1.3. Members commit to acting with respect, integrity, honesty, openness, accessibility, objectivity, selflessness, leadership, and accountability.
- 1.4. Members acknowledge Tasmanian Aboriginal people as Tasmania's first people and continuing custodians of Tasmanian lands and waters. Members respect the deep history of Tasmanian Aboriginal peoples' connection to Land, Waterways, Sea and Sky Country. Members respect Elders, past and present, and acknowledge their contribution and cultural knowledge.
- 1.5. Members ensure that bullying, harassment, sexual harassment or assault, discrimination or victimisation in any form is not tolerated, condoned or ignored in the parliamentary workplace. Members encourage the reporting of such behaviour and the importance of considering the welfare of those affected.
- 1.6. Members respect the roles, obligation to be impartial, rights and responsibilities of parliamentary staff, public servants and other staff who do not work at the direction of Members.
- 1.7. Members respect staff who work at their direction and support the rights and responsibilities of those staff while encouraging their adherence to the highest professional and ethical standards when acting on the Members' behalf.
- 1.8. Members are entitled to be safe and respected in the workplace.

- 1.9. Members commit to the highest standards of respect and safety for all, especially children and vulnerable people.
- 1.10. Members protect confidential and official information in their possession or knowledge.
- 1.11. Members acknowledge that people have different cultural beliefs and customs, different religious beliefs, and diversity of identity. Differences of opinion and belief are part of political discourse, but should be expressed respectfully.

2. Scope

- 2.1. This Code applies at all times to Members of both Houses, including Presiding Officers and Ministers, in their capacity as Members of Parliament. A former Member may be held to account for a breach of this Code, for an act or omission committed when they were a Member.
- 2.2. While Members enjoy freedom of speech in the official proceedings of parliament, they should be mindful of the principles in this Code, in particular respect for others and the right to a safe workplace for all, including other Members.

PART II ENFORCEABLE STANDARDS

This part of the Code of Conduct is enforceable. Failure to comply with any of the standards may give rise to a formal complaint and a finding that the Member has breached the Code.

3. Affirmation

- 3.1. Each Member shall publicly affirm, in their respective House, their commitment to the enforceable standards in this Code within the first two sitting weeks of being elected.

4. General conduct in public office

- 4.1. Members shall comply with all relevant rules regarding employment and engagement of staff, including disclosure of any potential or perceived conflict of interest where there is a personal relationship outside of a professional context.
- 4.2. Members shall comply with all relevant rules regarding lobbying and shall not engage in paid advice or paid advocacy in any way that relates to their parliamentary work.
- 4.3. Members shall comply with all relevant rules, laws, and policies regarding the use of public resources.

5. Financial and other interests

- 5.1. Members shall not undertake any activity as a Member in return for the provision, promise or expectation of any improper benefit to the Member or to another person, and not accept any inappropriate benefit in connection with their activity as a Member.
- 5.2. Members shall not provide any form of significant financial or other benefit to another Member, which could reasonably be perceived as being motivated by gaining a political advantage or outcome.
- 5.3. Members shall comply with the *Parliamentary (Disclosure of Interests) Act 1996*.
- 5.4. Members shall take all reasonable steps to avoid a conflict of interest with the performance of their duties. Members shall disclose any direct financial or non-financial interest in proceedings of the Council and Committees which would give rise to a conflict of interest.

6. Commitment to a safe and respectful workplace

- 6.1 Members shall uphold the letter and spirit of workplace laws and will not behave in the parliamentary workplace in a manner that constitutes –
- discrimination;
 - bullying;
 - harassment;
 - sexual harassment and sexual assault; or
 - victimisation
- as defined by, and consistent with, the application of all relevant laws.
- 6.2 Members shall take appropriate steps to protect the health and safety of their staff if they observe or receive a report of unacceptable workplace behaviour towards them.
- 6.3 Members shall act on allegations of unacceptable workplace behaviour made about their staff.

7. Online behaviour

- 7.1. Members shall be open, honest and transparent in their use of social media and any other online activities including artificial intelligence (AI).
- 7.2. Members shall not use social media, messaging services, email or any other online activity in breach of the *Commitment to a safe and respectful workplace* section of this Code.
- 7.3. Members will not use AI in any way that breaches their obligation to maintain confidentiality.
- 7.4. Members shall be accountable for the use of social media and other online platforms by their staff when authorised by the Member to act on the Member's behalf.

8. Information Management

- 8.1. Members shall not use any information received in confidence in the course of their parliamentary duties unless strictly in connection with those duties. Such information must never be used for the purpose of financial gain or any personal benefit, or for the benefit or advantage of others.
- 8.2. Members shall keep confidential any information about individual constituents that comes into their possession, unless there is a valid reason to use the information in the proceedings of parliament, or with the consent of the individual, or unless required by law.

9. Mandatory induction and training

- 9.1. All Members shall participate in induction and training in relation to this Code and its enforcement, and in relation to workplace health and safety, provided by the Parliament within the first 12 months of the resolution of this Code and thereafter within 6 months of the election of new and returning Members.
- 9.2. The Clerks shall maintain a record of Members' participation in induction and training.

10. Members' responsibilities as complainants

- 10.1 A Member shall not make a complaint alleging a breach of this Code by another Member unless they have reasonable grounds to suspect non-compliance.

- 10.2 A Member shall not make a complaint of non-compliance against another Member that is frivolous or vexatious.

PART III GOVERNANCE

11. Ethics and integrity advice

- 11.1. Members should seek advice whenever required for the purposes of complying with this Code and for the purposes of deciding a course of action where ethical choices exist or this Code is silent on a matter.

12. Induction and Training – resourcing and awareness

- 12.1. The Clerks will be provided with reasonable financial resources to ensure that Members receive appropriate induction and ongoing training.
- 12.2. Members should assist staff working at their direction to be familiar with the workplace rights, obligations and policies applicable to those staff.
- 12.3. Members should ensure that their staff are aware of the Member's obligations under this Code.

13. Complaints and investigations

- 13.1 An independent complaints, investigations and reporting process will be established by the Houses and resourced to provide the necessary level of service.

14. Findings, remedies, and sanctions

- 14.1 Investigations and reports of alleged breaches of this Code will be based on evidence, findings, remedies, and sanctions that are consistent with the principles of justice, proportionate, and not based on political advantage.
- 14.2 Members convicted of a breach of the criminal law or workplace law, may also be subject to a sanction or remedy if found to have breached this Code.

15. Review

- 15.1 This Code and any related procedures shall be reviewed not less than once every parliamentary term.
- 15.2 The review is to be conducted by the relevant Committee which shall consult with other relevant office holders who have responsibility for advice, oversight and enforcement of this Code.
- 15.3 A report of each review is to be tabled in both Houses regardless of whether any amendments are recommended.

16. Guidelines

- 16.1 The Presiding Officers, acting jointly, may publish guidelines for this Code. The Presiding Officers will consult with relevant committees, the Independent Complaints Commissioner, and external agencies when reviewing the guidelines.
- 16.2 Such guidelines are only for the purpose of assisting Members to understand and interpret this Code and are not enforceable provisions.