



Pacific Association of Supreme Audit Institutions (PASAI)

# Code of Conduct

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## Access to information

PASAI members, Donors, International and Regional Partners

## PASAI Reference Number

PP\_2\_COC\_2016

## Issued and effective

11 February, 2016

## Review

February 2018 and every two years

## Content

Code of conduct for PASAI office holders and staff

- Duties and responsibilities
- Accountability
- Conflicts of Interest
- Integrity
- Relations with the public
- Uses of resources and fraud
- Corporate gifts and hospitality (including Appendix)
- Staff behavior
- Confidentiality of information
- Provision on Intellectual Property

## Applicable to

All PASAI office holders and staff, and all use of PASAI funds

## Issuer

Chief Executive of PASAI

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## SECTION I – PURPOSE

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1. This document sets out a Code of Conduct for the Pacific Association of Supreme Audit Institutions (PASAI).

## SECTION II – SCOPE AND APPLICATION

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2. This policy applies to:
  - a) PASAI's office holders (including the Chairperson, members of the Governing Board, the Secretary-General, and their delegates); and
  - b) PASAI's staff (including the Chief Executive, employees, consultants, and contractors).

## SECTION III – CODE

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### Duties and responsibilities

3. All office holders and staff should familiarise themselves with the contents of the Code and should act in accordance with the principles set out in it.
4. Office holders and staff have a duty to:
  - a) discharge their functions reasonably and according with New Zealand law and the law of any other jurisdiction where an activity occurs; and
  - b) act in accordance with the ethical standards of their own profession.

### Accountability

5. Office holders and the Chief Executive are responsible to the Governing Board, and other staff are responsible to the Chief Executive, for their observance of the Code. Breaches of the Code by staff may be subject to disciplinary action.

### Integrity

6. Office holders and staff should conduct themselves with integrity, impartiality and honesty. They should not deceive or knowingly mislead the Chief Executive, Secretary-General or the Governing Board.
7. Office holders and staff should not use their official position to receive, agree to accept or attempt to obtain any payment or other consideration for doing, or not doing, anything or showing favour, or disfavour, to any person. They should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement and integrity. Office holders and staff may be required to prove that the receipt of payment or other consideration from someone seeking to obtain a contract is honest and in good faith.

## Staff behaviour

8. Staff behaviour should be above reproach. Non-constructive criticism and harassment at work will not be permitted. Staff must comply with all office policies dealing with staff behaviour, including (but not limited to) the Child Protection Policy and the Health and Safety Policy.

## Relations and communications with SAIs, development partners, and citizens

9. Office holders and staff who interact with SAIs (including SAI Heads and other personnel), development partners, and citizens should do so with the highest standards of conduct, sympathetically, efficiently, promptly and without bias or maladministration.
10. PASAI encourages the use of social media for its official communications with citizens, but also recognises the dangers of misguided or inappropriate use of social media. Staff are expected to observe the highest standards of conduct and service when using social media for official purposes, and must comply with any guidelines issued by the Chief Executive on social media use whether in a professional or a personal capacity.

## Use of resources and prevention of fraud

11. Staff should endeavour to ensure the proper, economical, effective and efficient use of resources, and comply with PASAI's policies in relation to financial and asset management and the prevention and detection of fraud.

## Conflicts of interest

12. The integrity of PASAI office holders and staff must be beyond suspicion. No one should misuse their official position, or information acquired in their official duties, to further their private interests or those of others.
13. Office holders and staff must act in accordance with PASAI's policy on conflicts of interest, including taking steps to identify and disclose voluntarily any interest that might amount to a conflict of interest and complying with any requirements to address a conflict.

## Corporate gifts, hospitality, and entertainment

14. Gifts, hospitality, and entertainment can be an appropriate part of doing business in the Pacific. However, their receipt can raise significant issues of integrity and perception, and reflect badly on the integrity and independence of PASAI and its member SAIs. In a region as diverse as the Pacific, this requires a transparent and principled approach together with cultural awareness and, on occasions, the exercise of professional judgment.
15. Office holders and staff must comply at all times with the conduct requirements in respect of gifts, hospitality, and entertainment, including the need to seek advice and guidance (even from afar). Those requirements are detailed in the Appendix to this Code, which explains when it may be appropriate to accept a gift or receive hospitality and entertainment, and when they are prohibited.

16. Gifts become the property of PASAI and may not be retained, except as permitted by the conduct requirements. Any receipt of a gift, hospitality, or entertainment must be reported to the Office Coordinator and recorded in PASAI's gifts register.
17. Staff must comply with any PASAI policy relating to the use of travel points and other travel benefits.

## Confidential information

18. Office holders and staff owe a general duty of confidentiality to PASAI. They are therefore required to protect PASAI's information at all times, and to disclose information only in the course of discharging their official responsibilities or performing their duties.

## Provisions on intellectual property

19. The respective ownership rights of PASAI and its staff in relation to intellectual property have to be clearly stated to manage the intellectual property created by staff within PASAI.
  - a) Intellectual property, created as a result of work conducted under an agreement between an external sponsor and PASAI which specifies the ownership of such intellectual property, shall be owned as specified in said agreement. The Chief Executive is to inform the staff member whose intellectual property rights are constrained by intellectual property provisions before the commencement of work. Such notice is to be in writing.
  - b) When PASAI provides funds or facilities for a particular project, it may also choose to designate itself as sponsor and the owner of intellectual property resulting from said work. In such cases PASAI must specify in advance the nature of any intellectual property rights arising from the project.
  - c) Intellectual property which is the subject of a specific agreement between PASAI and the creator(s) thereof shall be owned as provided in said agreement.
  - d) Intellectual property created by staff who were employed or engaged specifically to produce a particular intellectual property shall be owned by PASAI if said intellectual property was created within the normal scope of their employment or engagement.
  - e) Work done by PASAI staff as consultants to outside firms is presumed not to involve substantial use of PASAI facilities, and the rights to intellectual property created under consulting agreements are retained by the outside firms or the individual as specified by the terms of the consulting agreement.

## SECTION IV – EFFECTIVE DATE

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The Code is effective as of 11 February, 2016.

## SECTION V – REVIEW DATE

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The Code was reviewed in February 2018 and is to be reviewed after two years from last review date.

## SECTION VI – ISSUER

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The Issuer of this Code is the Chief Executive of PASAI, under the approval of the Governing Board.

## SECTION VII – CONTACT AND ACCESS

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1. **Contact.** For questions relating to this Code of Conduct, please contact PASAI Secretariat at [secretariat@pasai.org](mailto:secretariat@pasai.org).
2. **Access.** The Policy can also be accessed at <http://www.pasai.org>.

## SECTION VIII – RELATED DOCUMENTS

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Staff and office holders should be familiar with the following documents, which contain provisions relevant to conduct and integrity and giving effect to this Code:

1. PASAI Charter
2. PASAI Code
3. PASAI Financial and Asset Management Policy
4. PASAI Fraud Policy
5. PASAI Child Protection Policy
6. PASAI Health and Safety Policy
7. PASAI Governance and Operational Policy
8. PASAI Conflict of Interest Policy
9. PASAI Human Resource Policy
10. PASAI Communication strategy
11. PASAI Gender strategy
12. Financial delegation instruments

## Appendix:

### Conduct requirements for receiving offers of gifts, hospitality and entertainment

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These requirements should be read as part of the Code of Conduct. They are binding on all office holders and staff (including consultants and contractors) of PASAI, when acting in that capacity.

#### Fundamental principle

1. Gifts, hospitality, and entertainment can be an appropriate part of doing business in the Pacific. However, their receipt can raise significant issues of integrity and perception, and reflect badly on the integrity and independence of PASAI and its member SAIs. In a region as diverse as the Pacific, this may require the exercise of professional judgment and also cultural awareness.
2. Offers could come from the recipients of your services (for example, at the end of a meeting or training session or after a conference presentation), on a ceremonial occasion (for example, on the occasion of a visit to a SAI or a major stakeholder organization) or from a provider of goods or services.
3. The Code of Conduct requires a transparent, principled approach which takes due account of practical realities and cultural norms. You must therefore carefully consider whether to accept any offer of gifts, hospitality, or entertainment, and fully disclose any offer you do accept.
4. Office holders and staff are expected at all times to act with integrity and professionalism, and in the interests of PASAI and its member SAIs. If in doubt, seek advice. PASAI takes this area of conduct seriously. Either the Chief Executive or the Secretary-General (or another Governing Board member) will always be willing to help if called upon, even from afar.

#### What you should not accept

5. You must not accept any gift, hospitality, or entertainment if:
  - a. acceptance may compromise, or be seen to compromise, your integrity and independence, or that of PASAI or its member SAIs;
  - b. there is an explicit or implicit expectation of a favour in return, for example the gift, hospitality, or entertainment being in substitution for legitimate payment or remuneration to which you or PASAI are entitled; or
  - c. the value or nature of the offer is inappropriate or excessive to the occasion or the reason for which it is given.
6. You must not accept any gift of money, except where the gift is made to PASAI as a cultural token.
7. You must not solicit (i.e., actively seek) gifts, hospitality, rewards, or other benefits.
8. You must not accept any gifts, hospitality, rewards, or other benefits from a supplier or potential supplier of goods or services to PASAI at any point leading up to, or during, any procurement, negotiation, or contract renewal process. Any offers must be reported to the Chief Executive.

## What gifts you may accept

9. You may accept a gift (other than money) without approval if:
  - a. the estimated value is less than NZ\$50 or equivalent; and
  - b. there is a justifiable business reason to do so.
10. Staff of the Secretariat need the approval of the Chief Executive before accepting gifts where the estimated value is between NZ\$50 and \$100 or equivalent. Where the estimated value is more than NZ\$100, you need the approval of the Secretary-General before accepting.
11. Governing Board members or SAI personnel, acting in their capacity as members of the Governing Board or as official representatives of PASAI (not their own SAI), need the approval of the Secretary-General before accepting gifts as an office-holder or representative of PASAI where the estimated value is more than NZ\$100 or equivalent.

## Following acceptance of a gift – actions to be taken

12. All gifts must be notified to the Chief Executive and become the property of PASAI.
13. Where a gift is a non-perishable item and is reasonably able to be returned to the PASAI office in Auckland, the recipient must provide it to the Chief Executive for retention as property of PASAI. If the gift is received outside of the Auckland area and where the recipient must undertake air travel to return to Auckland and the gift is of such a size or weight that makes return to the PASAI office difficult, the recipient must use their judgment to determine what to do with the gift and notify the Chief Executive of their actions.
14. Where the gift is a perishable item, such as food or wine, and the recipient must undertake air travel to return to Auckland, the recipient must use their judgment to determine what to do with the gift and notify the Chief Executive of their actions.

## Hospitality or entertainment

15. You may accept hospitality or entertainment if:
  - a. you are representing PASAI at an event (such as a conference) or on a mission (for example, to undertake fieldwork on a co-operative audit or project), and the hospitality or entertainment is offered by the host (for example, the Head of the SAI in the country you are visiting) or an official you are visiting (for example, the Chairperson of a Public Accounts Committee); and
  - b. the hospitality or entertainment is a natural recognition of your contribution to the event or visit to the country; and
  - c. the nature of the hospitality or entertainment (for example, a dinner at the expense of the host at the start or finish of your mission) is appropriate to the nature of the occasion (including in the country or cultural context) and to the integrity and independence of PASAI.
16. In considering the appropriateness of any hospitality (for example a dinner paid for by someone else), you should take account of its value (applying the same estimated monetary values as for gifts) and its nature (for example, you may consider it appropriate to accept kava in a country where that is the practice, but to pay personally for any alcohol offered when being entertained at a bar).



## Cultural or other exceptions

17. The only exceptions to these standards are where non-acceptance of a gift, hospitality, or entertainment could offend the giver, for example, being publicly thanked or entertained after giving a speech at a conference, or where cultural protocol or norms would be breached by refusing.
18. In such instances, you should accept in the name of PASAI and report it to the Chief Executive or Secretary-General (as required). A decision can then be made, based on your assessment of the estimated value of the gift and a description of the nature (and, if quantifiable, the value) of the hospitality or entertainment.