

CODE OF CONDUCT FOR MEMBERS OF DÁIL ÉIREANN OTHER THAN OFFICE HOLDERS¹

PREAMBLE

Members of Dáil Éireann other than office holders (referred to hereafter as “Members”) recognise that it is in their individual and collective interest to foster and sustain public confidence and trust in their integrity as individuals and in Dáil Éireann as an institution. To this end, Members should at all times be guided by the public good and ensure that their actions and decisions are taken in the best interests of the public.

Members are in the unique position of being responsible to the electorate which is the final arbiter of their conduct and has the right to dismiss them from office at regular elections. Accordingly, and as a matter of principle, individual Members are not answerable to their colleagues for their behaviour, except where it is alleged to breach the obligations to answer to them which have been placed on Members by law, by Standing Orders or by Codes of Conduct established by the House.

To this end and in exercise of the powers conferred by Article 15.10 of the Constitution, the Members have adopted this Code of Conduct, the purpose of which is to assist Members in the discharge of their obligations to the House, their constituents and the public at large, without, however, trespassing into areas where Members more properly submit themselves to the judgement of their electors rather than the jurisdiction of this House.

CODE

1. Members must, in good faith, strive to maintain the public trust placed in them, and exercise the influence gained from their membership of Dáil Éireann to advance the public interest.
2. Members must conduct themselves in accordance with the provisions and spirit of the Code of Conduct and ensure that their conduct does not bring the integrity of their office or the Dáil into serious disrepute.
3.
 - (i) Members have a particular obligation to behave in a manner which is consistent with their roles as public representatives and legislators, save where there is a legitimate and sustainable conscientious objection.
 - (ii) Members must interact with authorities involved with public administration and the enforcement of the law in a manner which is consistent with their roles as public representatives and legislators.
4.
 - (i) Members must base their conduct on a consideration of the public interest and are individually responsible for preventing conflicts of interest.
 - (ii) Members must endeavour to arrange their private financial affairs to prevent such conflicts of interest arising and must take all reasonable steps to resolve any such conflict quickly and in a manner which is in the best interests of the public.

¹ As circulated in December 2011 as Appendix 2 of “GUIDELINES FOR MEMBERS OF DÁIL ÉIREANN WHO ARE NOT OFFICE HOLDERS CONCERNING THE STEPS TO BE TAKEN BY THEM TO ENSURE COMPLIANCE WITH THE PROVISIONS OF THE ETHICS IN PUBLIC OFFICE ACTS 1995 AND 2001”

5.
 - (i) A conflict of interest exists where a Member participates in or makes a decision in the execution of his or her office knowing that it will improperly and dishonestly further his or her private financial interest or another person's private financial interest directly or indirectly.
 - (ii) A conflict of interest does not exist where the Member or other person benefits only as a member of the general public or a broad class of persons.
6. Members may not solicit, accept or receive any financial benefit or profit in exchange for promoting, or voting on, a Bill, a motion for a resolution or order or any question put to the Dáil or to any of its committees.
7. Members must fulfil conscientiously the requirements of the Dáil and of the law in respect of the registration and declaration of interests and, to assist them in so doing, should familiarise themselves with the relevant legislation and guidelines published from time to time by the Committee on Members' Interests and the Standards in Public Office Commission as appropriate.
8.
 - (i) Members must not accept a gift that may pose a conflict of interest or which might interfere with the honest and impartial exercise of their official duties.
 - (ii) Members may accept incidental gifts and customary hospitality.
9. In performing their official duties, Members must apply public resources prudently and only for the purposes for which they are intended.
10. Members must not use official information which is not in the public domain, or information obtained in confidence in the course of their official duties, for personal gain or the personal gain of others.
11. Members must co-operate with all Tribunals of Inquiry and other bodies inquiring into matters of public importance established by the Houses of the Oireachtas.