



REPUBLIC OF MAURITIUS

CODE OF ETHICS FOR PUBLIC OFFICERS



CODE OF ETHICS

FOR PUBLIC OFFICERS



Contents

Page

Preface

1.	Purpose of the Code	1
2.	Values and Principles	2
3.	Personal and Professional Behaviour	4
4.	Adopting a Green Behaviour	6
5.	Obligations to the Government of the Day and Relationship with Ministers	9
6.	Good Practices during a Pre-Election Period	10
7.	Political impartiality	11
8.	Responsibility towards the Public	11
9.	Conflicts of Interest	12
10.	Outside Employment	13
11.	Disclosure of Information	14
12.	Use of Public Resources	15
13.	Acceptance of Gifts and Other Benefits	16



Preface

Dear Colleagues,

As you are aware, public trust in public office-holders has remained a central feature of contemporary debate. Propriety is indeed a cornerstone of public life and it is certainly the main driver in building public trust in our institutions. As public officers we need therefore to constantly renew and demonstrate our commitment to promote a value-based and ethical Public Service.

Ethical leadership is critical for the promotion of a value-based Public Service. Public service leaders should therefore continue to lead by example in matters of propriety and ethics and be excellent role models of integrity. They should also ensure that ethical behaviour cascades down the line such that it becomes a constant issue of concern and practice within the whole Public Service.

We must therefore constantly endeavour to identify and bridge any gap between public expectation of propriety in public office-holders and public perception of our actual behavior.

Good governance in the public service is not only important for increased effectiveness but it is also one of the main determinants of the country's competitiveness in the 21st century. There is a need therefore for the public service to maintain its efforts to promote a clean, high performing, more accountable and transparent administration at all levels. This can only be achieved by subscribing to a steadfast adherence to the fundamental values of the public service – the values of integrity, objectivity, impartiality and honesty that constitute its very foundation.

CODE OF ETHICS FOR PUBLIC OFFICERS

This revised “Code of Ethics” precisely provides some guidance on a few new issues and seeks to further consolidate the values that underpin our Public Service.

I rely on your continued collaboration in reinforcing our governance framework and creating a value-based and ethical Public Service.

A handwritten signature in black ink, appearing to read 'S. C. Seeballuck', written in a cursive style.

*(S. C. Seeballuck, GOSK)
Secretary to Cabinet and
Head of the Civil Service*

1. Purpose of the Code

This Code of Ethics sets out the standards of correct conduct expected of Public Officers. It emphasizes the importance of a responsible, responsive and caring Civil Service and is intended to promote effective administration and responsible behaviour.

The Code of Ethics complements existing legislation and rules and its guiding principles are designed to maintain and enhance values that inspire trust and confidence in the integrity of Public Officers.

The Code provides the direction - a self-imposed vigilance is required to achieve the highest standards of ethical conduct. Each Ministry may develop further specific standards of conduct which address its own special circumstances. However, such standards must be consistent with, and not derogate from, those listed in this Code of Ethics.

This Code applies to all **Public Officers** - permanent, part-time, casual, temporary and contractual employees of the Civil Service, the Local Government Service and the Rodrigues Regional Assembly - irrespective of gender, grade and rank.

Public Officers are also required to comply with the relevant legislation and procedures in force in the Service.

2. Values and Principles

The three guiding **principles** of the Code are as follows:-

- (1) Public Officers shall fulfill their lawful obligations to Government with professionalism, integrity and loyalty;
- (2) Public Officers shall perform their official duties honestly, faithfully and efficiently while respecting the rights of the public and their colleagues; and
- (3) Public Officers shall not bring the Civil Service into disrepute through their private activities.

Moreover, to inspire public confidence and trust, this code rests upon a number of **core values**, which require that Public Officers behave with:

- Integrity*** – Putting the obligations of the Civil Service above one's own personal interests.
- Selflessness*** – Avoid seeking personal gain or financial or other material benefits for one's family or friends through one's official position.
- Impartiality*** – Acting solely according to the merits of a case and serving the Government of the day, irrespective of one's own political affinity or preference.
- Objectivity*** – Favouring meritocracy and basing one's advice and decisions on rigorous analysis of evidence.

- Accountability* – Being responsible and accountable for one's decisions and actions.
- Openness* – Being as open as possible in one's decisions and providing justification for one's actions whenever required.
- Honesty* – Acting in good faith and being truthful.
- Justice* – Adhering to the principles of natural justice.

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3. Personal and Professional Behaviour

Public Officers, in the performance of their duties, shall demonstrate a high degree of professionalism and carry out their roles with dedication and commitment to the Civil Service and its core values. They shall comply with and uphold the law, and project a good, right and positive image of the Civil Service. They shall deal with the public fairly, efficiently, promptly, effectively and to the best of their abilities.

In the performance of their duties, Public Officers shall not act arbitrarily or to the detriment of any person, group or body and shall have due regard for the rights, duties and relevant interests of others. They are, in addition, required to respect the privacy of individuals when dealing with personal information.

Public Officers have the duty to always conduct themselves in such a way that confidence and trust of the public in the integrity, impartiality and effectiveness of the Civil Service are preserved and enhanced.

Public Officers also have a duty to treat the public and their colleagues with courtesy and respect. They shall therefore:-

- ▶ not cause embarrassment to colleagues or members of the public by their dress, speech or behaviour;
- ▶ not consume any alcoholic drink, not use and/or abuse illicit drugs or controlled substances; consuming alcoholic drinks in a public place, which also includes the workplace, is an offence liable to a fine not exceeding Rs 10,000 and imprisonment for a term not exceeding 12 months under the Public Health Act;

- ▶ not smoke any tobacco product while on duty or in any public place or any other indoor area which is open to the public or where the public is permitted to have access; smoking in a public place is an offence liable to fine and to imprisonment for a term not exceeding 12 months and a third or subsequent conviction.
- ▶ not engage in gambling by any means at the workplace;
- ▶ not cause distress to their colleagues, or otherwise contribute to disruption of the working atmosphere in the workplace;
- ▶ not discriminate against any person on ground of sex, marital status, colour, race, ethnic or national origin, age, disability, political opinion, occupation, status, sexual orientation, religious or ethical beliefs;
- ▶ not harass, bully or otherwise intimidate members of the public or colleagues;
- ▶ respect the privacy of individuals; and
- ▶ have due regard for the safety of the public and colleagues at the workplace.

4. Adopting a Green Behaviour

Public Officers, as responsible citizens, have a key role to play to ensure the sustainable development of Mauritius. A 'Green Government' requires the effort of one and all so as to achieve the 'Maurice Ile Durable' goal.

Both policies and day to day activities should be in line with best environmental and sustainable development practices. This implies making judicious use of limited resources to meet current development imperatives without jeopardizing the availability of these same scarce resources for future generations.

Public Officers should encourage 'green behaviour' at work and lead by example by developing a 'green mindedness' demonstrated by the following concrete measures, amongst others:

▶ Policy

- by taking into account the environmental aspect and sustainable development practices when adopting policies; and
- by mainstreaming environmental considerations whilst adopting policies;

▶ Saving Paper

- by reducing paper used;
- by re-utilizing used envelopes;
- by using both sides of a sheet;
- by limiting the number of photocopies;

- by thinking twice before pushing the ‘print’ command;
- by always asking “is the copy/print really required? Is the whole document needed or only a few pages?”;
- by sharing documents;
- by capitalizing on the use of IT – send more documents, especially bulky ones, by e-mail; and
- by using misprints as notepaper;

► **Saving Energy**

- by optimizing the energy settings for computers and other electrical devices;
- by switching off office lights in unutilized spaces and electrical appliances such as air conditioners, fans and computers when not in office and at the end of the working day;
- using natural lighting and ventilation as far as possible;
- by using air conditioners carefully as per set norms;
- by plugging in scanners and other devices that are used periodically only when in use;
- by cutting down on the use of the lift – using the stairs is so much better for the health!
- by walking short distances instead of using the car; and
- by promoting the use of renewable energy;

▶ **Saving water**

- by using water in a responsible way;
- by turning off taps when not in use;
- by ensuring proper maintenance of waterworks to avoid leakages; and
- by using water efficient devices, e.g. installing taps which shut off automatically after use;



▶ **Recycling**

- by sorting paper from other wastes; and
- by recycling paper and disposing of wastes in a responsible way;

▶ **Sustainable Choices**

- by always making sustainable choices;
- by purchasing products and services that are environmentally friendly; and
- by respecting ecosystems and the natural environment.



5. Obligations to the Government of the Day and Relationship with Ministers

In broad terms, the first priority of Public Officers is to carry out Government policy. They shall fulfill their lawful obligations to the Government with professionalism and integrity. In so doing, they are expected to act in a manner that will bear up against the closest public scrutiny.

Ministers bear political responsibility for government policies and Public Officers have a long-established role in assisting with the development as well as implementation of such policies. The relationship between Public Officers and Ministers shall be based on mutual trust and confidence. Public Officers shall work with their Ministers to the best of their abilities, with integrity, courtesy and respect.

Public Officers shall –

- ▶ provide Ministers with honest, impartial and comprehensive advice;
- ▶ not willfully supply incorrect or misleading information to Ministers;
- ▶ not withhold relevant information from Ministers;
- ▶ not obstruct or unduly delay any decision;
- ▶ not attempt to undermine or improperly influence any Government policy; and
- ▶ carry out decisions of Government efficiently, effectively and economically.

6. Good practices during a Pre-Election period

The pre-election period, starting as from the date of issue of writs for an election or dissolution of the National Assembly until the declaration of the election results, or in the event of a change of Government, until the new Government is appointed, is characterized by a period of reduced decision making. Care should be exercised when taking decisions, particularly with regards to expenditure. While routine government business should proceed as usual, Public Officers should, during such a period, exercise restraint in so far as the making of significant appointments or entering into major contracts or undertakings are concerned, where they may unduly limit the freedom of action of any incoming Government.

Public Officers should avoid becoming possibly the subject of complaints for having been used to further or foster partisan purposes. They should, in particular:

- ▶ not use government resources or their positions to support particular issues or parties during the election campaign;
- ▶ not become caught up in party political activities or be used for logistical support for political functions;
- ▶ not wear political badges or display political matter; and
- ▶ when scheduled to speak at public functions, avoid controversial issues and limit their statements to facts and matters of administration.

7. Political Impartiality

Whatever be their own political beliefs, Public Officers owe loyalty to the Government of the day. They should always serve the Government of the day. Public Officers should observe political neutrality in their day-to-day functions and avoid activities likely to impair, or seen to impair, their political impartiality or the political impartiality of the Civil Service. They should not, therefore, act in a way that is determined by party political considerations or use official resources for party purposes.

8. Responsibility towards the Public

Public employment carries with it a unique obligation to uphold the public interest and this demands that people working in the Civil Service attain standards of professional behaviour which will maintain public confidence and trust.

Public Officers shall in all circumstances be polite, courteous and respectful towards the public. They shall treat members of the public with fairness and equity.

Public Officers shall address the needs of any member of the public regardless of the status, religion or sex of the person.

Public Officers shall understand that, while discharging their duties, they are doing no favour to members of the public. They shall diligently, fairly and sympathetically attend to inquiries from members of the public.

It is the duty of Public Officers to give to the public any information required or advice and to provide reasonable assistance. Public Officers shall help the public to understand their rights and obligations.

When Public Officers exercise discretionary powers, they shall ensure that they take all facts relevant to the case into consideration.

Public Officers shall also respect the confidential nature of certain information disclosed to them by members of the public for procedural purposes.

9. Conflict of Interest

A conflict of interest may be defined as a situation where the private interests of a Public Officer compete or conflict with the interests of the Government or the Officer's public duties in such a manner as to influence the objective exercise of his official or public duties.

Conflicts of interest include pecuniary interests (*i.e. financial interests or other material benefits or costs*) or non-pecuniary interests (*i.e. favouritism, cronyism, nepotism, political, religious, family or other interests*). They can involve the interests of the Public Officer, members of his immediate family or relatives (*where these interests are known*), business partners or associates, or his friends.

Public Officers shall avoid situations in which their private interests conflict, or might reasonably be perceived to conflict, with the impartial fulfillment of their official duties and the public interest. Thus, they shall avoid having any financial or other interests or embark on any undertaking that could directly or indirectly compromise the performance of their duties.

In many circumstances, the conflict, or potential conflict, is known only to the Public Officer. Therefore, in case a conflict of interest arises, the onus is on the Public Officer to disclose promptly, fully

and appropriately any actual or potential conflict of interest, he may have in a matter that is the subject of a consideration.

Any Public Officer who fails to disclose his direct or indirect interest in a company, partnership or other undertaking with which the public body (*which employs the Public Officer*) proposes to deal, shall commit an offence under the Prevention of Corruption Act 2002.

10. Outside Employment

A Public Officer is engaged in outside employment when he works for one organisation and also does paid part-time or casual work for another organisation. It includes operating a business, maintaining a professional practice or providing consultancy services to another person or organisation.

Outside employment:-

- ▶ has the potential for creating conflict of interest situations;
- ▶ may lead to misuse of Government resources and information; and
- ▶ may result in use of Government assets for non-official purposes.

Public Officers shall not engage in any outside employment, for remuneration or otherwise, unless prior approval has been obtained from the Responsible Officer. Public Officers shall not accept employment or engage in activities which may conflict or interfere with the performance of their official duties as this may cast doubt on their own integrity and may adversely affect the image of the primary organisation for which they work and that of the Civil Service.

11. Disclosure of Information

In the course of their official duties, it is common for Public Officers to have access to confidential information or other secret documents. Public Officers shall not, in any case whatsoever, misuse such information for their private interests or for the interests of others who may be their close relatives or friends. Public Officers shall ensure that confidential information to which they may have access is kept secret and is not prematurely disclosed, owing to its impact on policies and influence on other Government decisions.

The Public Officer shall disclose such information only if required to do so by law or upon obtaining proper authority and approval concerning the nature and extent of information to be disclosed. In these cases, the information disclosed shall be factual and shall not be altered in any way that would cause prejudice to the public institution.

Public Officers reporting information shall not make any public comment or give their opinion on the information disclosed or on any official policy or practice. '*Public comment*' includes taking part in public speaking engagements, making comments on radio and television and expressing views in letters to the newspapers or in books, journals or notices or where it might be expected that the publication or circulation of the comment will spread to the community at large.

Public Officers shall be bound by, and shall continue to observe, their duties of confidentiality after they leave the service.

12. Use of Public Resources

Public Officers shall play a leading role in ensuring security over Government assets. Thus, as direct users, Public Officers shall ensure that assets and other facilities (*such as transport, stationery, telephones or secretarial services*) provided to them for official duties or functions, are used strictly for those duties and for no other purpose.

Public Officers shall be scrupulous in their use of public property and services and shall not permit their misuse by any other person or body. They shall manage Government assets and resources effectively and efficiently. They shall strive to obtain value for money and to avoid waste or extravagance in the use of public resources.

Public Officers shall exercise care over government equipment, vehicles or records in their possession or for which they are responsible. They shall avoid creating situations where it is perceived that Government assets are improperly used for their own or any other person's or body's private benefit.

13. Acceptance of Gifts and Other Benefits

Public Officers shall not abuse their official position for personal gain. They shall not solicit or accept gifts, rewards or benefits, which might compromise their integrity and that of their organisation and the Civil Service. Gifts or benefits include, but are not restricted to, free or less than market value accommodation, entertainment, hospitality and travel.

A Public Officer shall not demand or accept gifts, favours, hospitality or any other benefit for himself or his family, close relatives and friends, or persons or organisations with whom he has or has had business or political relations, which may influence or appear to influence the impartiality with which he carries out his duties or may be or appear to be a reward relating to his duties.

A Public Officer shall not offer or give any advantage in any way connected with his position, unless lawfully authorised to do so. A Public Officer shall not seek to influence for private purposes any person or body, including other Public Officers, by misusing his official position or by offering with personal advantages.

A Public Officer shall not allow himself to be put, or appear to be put, in a position of obligation to return a favour to any person or body. Nor should his conduct in his official capacity or in his private life make him susceptible to the improper influence of others.

Administrative Reforms Division 
Ministry of Civil Service and Administrative Reforms
Level 7, New Government Centre, Port Louis, Republic of Mauritius
Tel: (230) 201 1434, Fax: (230) 211 5047
email address: mcsa-arun@mail.gov.mu
Website: <http://civilservice.gov.mu>
Visit our Ethics Online Corner at <http://ethicscorner.gov.mu>