

CODE OF CONDUCT FOR THE MEMBERS OF PARLIAMENT OF THE REPUBLIC OF GHANA

INTRODUCTION

The Members of the Sixth Parliament of the Fourth Republic of Ghana resolved on the 4th day of July 2013 to consummate the concerns and efforts of earlier Parliaments of the Republic to formally codify the rules of ethics and code of conduct for Members of Parliament of the Republic. Consequently, an ad-hoc Committee was established to submit a draft Code of Conduct for the consideration of the House. This Code is the outcome of the work of the Committee.

The Committee looked at the Codes of Conduct of various institutions in Ghana, and relevant laws of Ghana. The views of Members and some concerned citizens that the existing rules of ethics and conduct in Ghana's Parliament are too general in character, lacked clarity and scattered in numerous documents were also taken into consideration.

The Committee reviewed the literature on the subject and the codes of conduct of several Parliaments in the World. The Committee's work was also informed by international conventions, guidelines, working papers of the World Bank Institute and writings of experts on the subject.

A common characteristic of all these Codes is the emphasis on the principle that Members must at all times, conduct themselves in a manner that will tend to maintain and strengthen the public's trust and confidence in the integrity of Parliament and never undertake any action which would bring Parliament and its Members into disrepute.

The Code of Conduct for the Parliament of Ghana reflects the 'Nolan Principles' as revised - selflessness, integrity, objectivity, accountability, openness, honesty and leadership and further stresses the principles of loyalty to the State and the Constitution of the Republic.

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In drafting the Code, the Committee considered that while we should keep as close as possible to international standards, the political and ethical contexts of our Country and the House should also be reflected in the Code.

This Code is therefore a bold attempt at capturing in a summary form, all the rules of ethics and conduct in a formal document. For the purposes of Members of Parliament and drawing from the experience of other Parliaments, the Code is in simple language, easy to read, understand, commit to memory and practice.

The Code sets out the limits of what can and cannot be done. It can be considered both as a sword and a shield to Members of Parliament. This is a sword that can be raised as an empowering tool for Members to act, and a shield to protect Members from attacks.

The Code will assist Members of Parliament in complying with their duty to promote and maintain high standards of conduct and provide leadership in good governance for the people of Ghana.

Details and guidelines to the Code are to be compiled in a Manual which will clarify the principles in the Code and serve as a useful tool and reference point for the interpretation of the Code.

The experience and expertise of Professor Samuel N. Woode and Mr. Vitus Azeem were handy and helpful. The Committee appreciates and acknowledges with gratitude the invaluable contribution they made to the development of this Code. It is the hope of Committee Members that this Code will serve as a useful tool to the conduct of Honourable Members of the august House.

PREAMBLE

We the Members of the 6th Parliament of the Fourth Republic of Ghana,

RECALLING the oath or affirmation of a Member of Parliament to bear true faith and allegiance to the Republic of Ghana: uphold, preserve, protect and defend the Constitution of Ghana: and faithfully and conscientiously discharge the duties of a Member of Parliament:

CONSCIOUS as elected representatives of the people of Ghana that we are to render selfless service to the people and not convert this privileged position to serve our private or personal interest:

CLEAR in our minds that the trust and confidence of the people in Parliament and Parliamentarians depend on the integrity and honesty of the Members of Parliament and Parliament as an institution:

HAVING a common understanding of the ethical standards and code of conduct that Members of Parliament must uphold and abide:

COMPLYING with the provisions of Chapter Twenty-Four of the 1992 Constitution, and the various enabling laws and guidelines on Code of Conduct for Public Officials in Ghana:

BELIEVING that good and smart governance rests on the pillars of trust, competence and accountability of political leaders:

AND IN SOLEMN declaration and affirmation of our commitment to multi-party democracy, human rights, the rule of law, good and smart governance and the equitable development of Ghana:

DO HEREBY ADOPT AND GIVE TO OURSELVES THIS CODE OF CONDUCT

THE CODE

PURSUANT TO THE RESOLUTION OF PARLIAMENT DATED 4TH JULY, 2013

1.0 PURPOSE OF THE CODE

The purpose of this Code of Conduct is to assist all Members in the discharge of their obligations to the State, the House, their constituents and the public at large by:

- (a) establishing the standards and principles of conduct expected of all Members in undertaking their duties;
- (b) setting the rules of conduct which underpin these standards and principles and to which all Members must adhere; and in so doing;
- (c) ensuring public confidence and trust in the standards expected of all Members and in the commitment of the House to upholding these rules.

2.0 SCOPE OF THE CODE

- (a) The Code applies to a Member's conduct which relates in any way to his/her membership of the House. The Code does not seek to regulate the conduct of Members in their purely private and personal lives or in the conduct of their wider public lives unless such conduct significantly damages the reputation and integrity of the House as a whole or of its Members generally.
- (b) The obligations set out in this Code are complementary to those which apply to all Members by virtue of the procedural and other rules of the House and rulings of the Chair, and to those which apply to Members falling within the scope of the Ministerial Code.

3.0 GENERAL PRINCIPLES OF CONDUCT

Public office is a public trust. In carrying out Parliamentary and Public duties, Members of Parliament will be expected to observe the following general principles of conduct - the 'Nolan Principles' as revised: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, and Leadership. These principles will be taken into account when considering the investigation and determination of any allegations of breaches of the rules of conduct outlined in this Code.

3.1 Selflessness

Members of Parliament should act solely in terms of the public interest.

3.2 Integrity

Members of Parliament must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interest and relationships.

3.3 Objectivity

Members of Parliament must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

3.4 Accountability

Members of Parliament are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

3.5 Openness

Members of Parliament should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

3.6 Honesty

Members of Parliament should be truthful.

3.7 Leadership

Members of Parliament should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

4.0 RULES OF CONDUCT

4.1 FAITHFULNESS AND LOYALTY TO GHANA

A Member of Parliament shall be faithful and loyal to the Republic of Ghana.

4.2 THE CONSTITUTION AND THE LAWS OF THE REPUBLIC

A Member of Parliament shall protect the Constitution, respect the spirit and the letter of the laws of the Republic of Ghana and adhere to the rules of the House contained in the Standing Orders and other documents of the House.

4.3 CONFLICT OF INTEREST

A Member of Parliament shall protect the public interest and the common good of the Republic and avoid placing him/herself in a position where his/her personal interest will make it impossible for him/her to protect the public interest or promote the common good.

4.4 GIFTS

A Member of Parliament shall not accept gifts which might reasonably be considered as given with the intention of influencing the Member's ability to perform his/her duties conscientiously.

4.5 PERFORMANCE OF OFFICIAL DUTIES AND OUTSIDE ACTIVITIES

A Member of Parliament shall devote his/her full time and attention to the performance of his/her Parliamentary duties. Except as provided by Article 98 (2) of the Constitution, and Order 173 (2) (a) and (b) of the Standing Orders of Parliament, a Member of Parliament shall not engage in any business or professional activity or paid employment which might conflict with the conscientious performance of his/her Parliamentary duties.

4.6 PRIVATE GAIN

A Member of Parliament shall not use his/her position for private gain or the advancement of the interests of his/her business associates, friends or relatives.

4.7 USE OF CONFIDENTIAL INFORMATION

A Member shall not use information acquired in the performance of a Parliamentary duty as a means for making money for him/herself or for that of a business associate, friend or family Member.

4.8 USE OF PUBLIC RESOURCES

A Member of Parliament shall ensure that public resources entrusted to his/her care are used for the intended purpose and expose corruption whenever discovered.

4.9 HONOUR AND DIGNITY OF PARLIAMENT AND THE PARLIAMENTARIAN

A Member of Parliament shall conduct him/herself in a manner that reflects creditably on the dignity of the House and not to conduct him/herself in a manner which could reasonably be regarded as bringing his/her position or the House into disrepute.

4.10 OPENNESS AND ACCOUNTABILITY

In addition to complying with the constitutional and legal requirements with regards to the declaration of assets and interests, a Member shall further declare his/her business, financial, pecuniary, proprietary or other monetary interest in the Register of Financial Interests as part of the official records of the House.

5.0 UPHOLDING THE CODE

The application of this Code shall be a matter for the House, and particularly for the Committee on Standards/Ethics Committee. The Committee may investigate a specific matter relating to a Member's adherence or otherwise to the rules of conduct under the Code and submit its report together with its recommendations and conclusions to the House. The House may impose a sanction on the Member where it considers necessary.

Members shall cooperate, at all stages with any such investigation by or under the authority of the House. No Member shall lobby a Member of the Committee in a manner calculated or intended to influence its considerations of an alleged breach of this Code.