

LEADERSHIP CODE

Table of Contents

	<i>Page</i>
<i>Principal</i>	
Leadership Code Act 2016	
Table of Provisions	943
Table of Amendments	947
Leadership Code Act 2016	949

Leadership Code Act 2016

TABLE OF PROVISIONS

Section

Title

PART 1 — PRELIMINARY

- 1 Short title
- 2 Commencement
- 3 Objectives

PART 2 — INTERPRETATION

- 4 Interpretation
- 5 Meaning of ‘benefit’
- 6 Meaning of ‘conflict of interest’
- 7 Meaning of ‘interest’
- 8 Meaning of Leader
- 9 Property or benefit outside the Republic
- 10 Custom
- 11 Offences by other persons

PART 3 — PRINCIPLES OF GOOD GOVERNANCE AND THE CODE OF ETHICAL CONDUCT

- 12 Breach of this Part
- 13 Principles of Good Governance
- 14 Code of Ethical Conduct
- 15 Appointments to be made on merit
- 16 Loans, etc.
- 17 Undue influence
- 18 Bribery
- 19 Insider information
- 20 Multiple office holding
- 21 Misuse of public assets, resources and funds
- 22 Abuse of defamation laws
- 23 Abuse of ex-gratia payments
- 24 Disclosure of conflict of interest
- 25 Divesting of interests
- 26 Government contracts
- 27 Customary gifts or benefits in kind
- 28 Counselling
- 29 Attempts
- 30 Liability of a Leader

*Section**Title***PART 4 — OFFICE OF THE OMBUDSMAN**

31	Establishment of the office of the Ombudsman
32	Functions of the Ombudsman
33	Appointment and removal of the Ombudsman
34	Terms and conditions of appointment of the Ombudsman
35	Oath of Office
36	Qualifications of the Ombudsman
37	Independence of the Ombudsman
38	Decisions of the Ombudsman
39	Appointment and employment of other staff of the Office of the Ombudsman
40	Ombudsman to provide annual report
41	Funding of the Office of the Ombudsman
42	Rulings by Ombudsman
43	Advice and clearance by Ombudsman
44	Relevant factors when considering a clearance
45	Revocation of clearance

**PART 5 — SUPPLEMENTARY PROVISIONS APPLICABLE TO
MINISTERS OF GOVERNMENT**

46	Relationship between this Part and the Constitution
47	Cabinet Minister's responsibility

PART 6 — FINANCIAL DISCLOSURES

48	Register of Leaders Interests
49	Lodging of annual statement of interest
50	Contents of annual statement
51	Unaccounted income or property of a Leader
52	Secrecy and confidentiality
53	Failure to lodge statement
54	Extension of time
55	Names of Leaders published annually

PART 7 — INVESTIGATION OF BREACHES

56	Investigation of complaints
57	Mode of Complaint
58	Commissioner of Police requested to investigate
59	Principles of natural justice
60	Anonymity and protection of informants
61	Rejecting trivial complaints
62	Conduct of proceedings — evidence
63	Completed report
64	Penalties for misconduct
65	Factors in determining whether misconduct is serious
66	Appeals from decisions of the Ombudsman
67	Powers of the Supreme Court

Section

Title

PART 8 — PROSECUTION OF BREACHES

68	Criminal related allegations
69	Prosecution by the Director of Public Prosecutions
70	Forfeiture of gains
71	Effect of forfeiture order
72	Hardship factor
73	Suspension from office
74	Defence to prosecution

PART 9 — MISCELLANEOUS

75	Regulations
76	Privileges of Parliament
77	Amendment of this Act
78	Offence of false allegation
79	Payments and remuneration
80	Derogation from other laws

SCHEDULE 1 — OATH OF OFFICE OF OMBUDSMAN

SCHEDULE 2 — OATH/AFFIRMATION OF SECRECY OF OMBUDSMAN AND STAFF