

CODE OF CONDUCT FOR MINISTERS

*PAPER LAID BEFORE PARLIAMENT BY COMMAND OF
THE PRESIDENT OF THE REPUBLIC OF SINGAPORE*

A Code of Conduct for Ministers has been in force since 1954 detailing how Ministers should act and arrange their personal affairs. It has been amended from time to time. The Code of Conduct for Ministers is now reissued. It contains all the changes made to date and includes additional rules concerning the acceptance of gifts.

The position of a Government Minister is one of trust. It is vital that Ministers do not by their conduct undermine public confidence in themselves or bring discredit to the Government. Therefore, all Ministers are expected to act at all times according to the highest standards of probity, accountability, honesty, integrity and diligence in the exercise of their public duties. This Code of Conduct for Ministers sets out the “rules of obligation” that all Ministers are to abide by in order to uphold these standards. Breach of any of these “rules of obligation” may expose the Minister to removal from office.

Ministers are personally responsible for complying with this Code of Conduct and are expected to make their own decisions on how best to conduct themselves as required by this Code.

(1) Disclosure of private interests

1.1 To counter potential allegations of corruption and unexplained wealth, and to avoid potential conflicts between private interests and public responsibilities, every Minister must, upon his appointment to office, disclose to the President (through the Prime Minister) in confidence –

- (a) his sources of income (other than his salary as a Minister and as a Member of Parliament);
- (b) his assets, including all financial assets, real property, interests in any company or professional practice, and any other substantial personal assets; and
- (c) his financial liabilities, including mortgages and borrowings.

(2) Directorships, partnerships and appointments

2.1 A Minister who is a partner in any professional firm or in other business must, immediately on taking office, cease to practise for remuneration or to play any part in the day-to-day management of the firm’s affairs. A Minister may, however, take such steps as are necessary to prevent his professional certification or registration from lapsing.

2.2 Except as provided in paragraph 2.3 or 2.4 below —

- (a) A Minister may not be associated in a formal or advisory capacity with any commercial undertaking or receive any form of payment from it; and
- (b) A Minister may not hold any directorship, whether paid or unpaid, in any public or private company.

2.3 A Minister may hold a directorship in a company, and may participate in or be associated with any activity of a commercial undertaking, with the permission of the Prime Minister if he considers it to be in the national interest for the Minister to do so. The Prime Minister's permission must be published in the Gazette.

2.4 A Minister may also accept directorships or other positions (honorary or otherwise) —

- (a) in any philanthropic undertaking; or
- (b) in a private company established to hold private family assets or for personal tax amelioration or in furtherance of prudent estate planning,

provided that there is no conflict of duty and interest.

(3) *Financial interests*

3.1 A Minister must scrupulously avoid any actual or apparent conflict of interest between his office and his private financial interests. Such a conflict, or a perception of conflict, can arise —

- (a) from the exercise of powers or influence in a way that benefits or may be seen to benefit private interests held; or
- (b) from using special knowledge acquired in the course of his activities as Minister to bring benefit or avoid loss (or could arouse reasonable suspicion of this) in relation to his private financial interests.

3.2 A Minister therefore must never enter into any transactions whereby his private financial interest might, even conceivably, come into conflict with his public duty.

3.3 A Minister must also not use his official influence in support of any enterprise, project or scheme in which he has a private interest, other than an interest permitted under paragraph 2.3.

3.4 A Minister must not accept any favour of any kind from persons who are in negotiation with or seeking to obtain any licence or enter into any contractual relations with the Government.

3.5 A Minister must not in any circumstance use official information that comes to him as a Minister for his own private profit or the profit of any family member or associate.

3.6 A Minister must scrupulously avoid speculative investments in which, by virtue of his position and special means of early or confidential information, he has or may have an advantage over other investors.

3.7 In circumstances where private interests and public duty conflict, the Minister must dispose of the financial interest giving rise to the conflict. Where there is a doubt, he should relinquish or dispose of the financial interest giving rise to the actual or perceived conflict.

(4) Relations with civil servants

4.1 A Minister must not use his influence to support the candidature of any person for admission to or promotion within the Singapore Civil Service. However, a Minister may give a person known personally to him a written testimonial for first appointment to the Singapore Civil Service.

4.2 Where a Minister is familiar with the work of a civil servant and his opinion is sought by the Public Service Commission or Public Service Division for the purposes of appraising the civil servant's performance, the Minister may render his opinion on the matter.

4.3 A Minister must not direct or request a civil servant to do anything or perform any function that may conflict with the Singapore Civil Service's core values of incorruptibility, impartiality, integrity and honesty. He should respect the duty of civil servants to remain neutral in all political matters and matters of public controversy.

(5) Journalism

A Minister must not engage in any form of journalism that is incompatible with his responsibilities and duties as a member of the Government or contravenes the principle of collective Ministerial responsibility.

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(6) Acceptance of gifts and services

6.1 Ministers are more than ordinarily open to undue pressures from persons who would like the Minister to use his position to gain some undue advantage for themselves. A Minister must reject any such attempts, especially where accompanied by gifts of any kind (including any intangible benefits, hospitality, tickets, concessions or free or undervalued services).

6.2 No Minister should accept gifts from anyone, which would, or might appear to, place the Minister under an obligation that conflicts with his public duty.

6.3 A Minister must also ensure that his spouse, children and other dependants who normally live with him do not accept gifts from any person in circumstances that would, or might appear to, place the Minister under an obligation that conflicts with his public duty.

6.4 For the avoidance of doubt, this Code shall not prevent Ministers or members of their families from accepting —

- (a) gifts from family or personal friends in a genuinely personal capacity;
- (b) gifts clearly unconnected with the ministerial office; or
- (c) gifts which would not normally be regarded as influencing or tending to influence the Minister in the performance of his duties, such as occasional and inexpensive gifts like calendars and office diaries, and conventional hospitality on a modest scale that is normal in the circumstances.

Notes on the acceptances of gifts and services are annexed to this Code for the guidance of Ministers.

This Code of Conduct for Ministers is not exhaustive. Hence, a Minister should carefully avoid all transactions that can give the impression that he may be doing anything which this Code of Conduct forbids. Ministers are expected to exercise prudence and discretion in their affairs.

This Code of Conduct for Ministers applies equally to Ministers of State and Parliamentary Secretaries as it applies to Ministers. This Code does not have the force of law and therefore any issue concerning the compliance or non-compliance with it is not subject to review by any court or tribunal.

This Code takes effect from 4th July 2005 and supersedes the Code of Conduct for Ministers (Cmnd. 2/1979) dated 8th January 1979 (as amended by Cmnd. 4/1989 and Cmnd. 3/1997).

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Dated this 4th day of July 2005.

By Command of the President,

LAU WAH MING
Secretary to the Cabinet.

ANNEX

Paragraph 6

NOTES ON ACCEPTANCE OF GIFTS & SERVICES

Ministers may find the following specific rules useful within the context of paragraphs 6.1 to 6.3 of the Code of Conduct for Ministers:

1. Regarding gifts from members of the public —
 - (a) all gifts should be refused and returned to the donor without delay together with a personal explanation that while the recipient appreciates the gift, its acceptance would be a breach of this Code;
 - (b) however, if the return of the gift will cause offence, or it is impracticable to return the gift, then hand the gift over to the Permanent Secretary of the Minister's Ministry for disposal, except that —
 - (i) where the recipient wants to retain the gift, he may purchase the gift from the Government at its cash value after an official valuation thereof or, where the value of the gift is less than S\$50, the recipient may be allowed to retain the gift without any payment; or
 - (ii) where the Permanent Secretary thinks that the gift would be of interest, the gift may instead be displayed or officially used in the premises occupied by the Ministry (with or without prior official valuation thereof).
2. The exchange of gifts during official visits or from foreign governments is an accepted practice. So, while a Minister, his spouse or child should not accept gifts from anyone, which would, or might appear to, place the Minister under an obligation that conflicts with his public duty; there may be difficulty in refusing a gift during official visits or from a foreign government, without the risk of apparent discourtesy. The recipient may be expected to use or display the gift on some future occasion as a mark of politeness. Such gifts tend also more to be in the nature of gifts to the Minister's office rather than the incumbent. Hence, all such gifts received by a Minister, or by his spouse or child, during official visits or from foreign governments should be handed over to the Permanent Secretary of the Minister's Ministry, and the following rules apply:
 - (a) where the recipient wants to retain the gift, he may purchase the gift from the Government at its cash value after an official valuation thereof or, where the value of the gift is less than S\$50, the recipient may be allowed to retain the gift without any payment;
 - (b) where the Permanent Secretary thinks that the gift would be of interest, the gift may be displayed or officially used in the premises used by the Ministry (with or without prior official valuation thereof);

(c) where the Minister wishes to reciprocate with a gift, that gift shall be purchased at the Government's expense.

3. The official valuation of gifts will be carried out by a valuer appointed by a Permanent Secretary to the Ministry of Finance. The valuation of gifts for the purposes of this Code shall be the same as that for gifts to civil servants.

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