

# CODE OF CONDUCT

## FOR MEMBERS OF

# COAL INNOVATION NSW

**This Code of Conduct applies to Coal Innovation NSW (CINSW) members in relation to any activities undertaken by them in pursuit of their functions as members of CINSW. This includes board meetings, official board visits and at events where individuals represent the board.**

The functions of CINSW are set out in section 11 of the *Coal Innovation Administration Act 2008*:

- (1) The functions of CINSW are as follows:
  - (a) to give advice and make recommendations to the Minister concerning the funding from the Fund of projects and other activities for the purposes of the Fund, including advice about priorities for funding and recommendations concerning applications for funding,
  - (b) to advise the Minister on policies to encourage the development and implementation of low emissions coal technologies,
  - (c) to make recommendations to the Minister concerning opportunities for involvement by private and public sector entities in interstate, national and international research projects involving low emissions coal technologies,
  - (d) to advise the Minister on such other matters concerning low emissions coal technologies as the Minister may refer to CINSW,
  - (e) such other functions with respect to low emissions coal technologies as the Minister may from time to time direct.
- (2) CINSW may give its advice and make its recommendations either at the request of the Minister or without any such request.
- (3) CINSW has such other functions as are conferred or imposed on it by or under this or any other Act.

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The purposes of the Fund identified in section 11 are set out in section 5 of the Act. They are:

- (a) to provide funding for research into, and development of, low emissions coal technologies,
- (b) to provide funding to demonstrate low emissions coal technologies,
- (c) to provide funding to increase public awareness and acceptance of the importance of reducing greenhouse gas emissions through the use of low emissions coal technologies,
- (d) to provide funding for the commercialisation of low emissions coal technologies.

CINSW Board members are required to acknowledge and agree to uphold the principles and practices described in this Code of Conduct. This Code does not stand alone. Board members are to familiarise themselves with their rights and responsibilities under the *Government Sector Employment Act 2013*, *Independent Commission Against Corruption Act 1988* and the *Public Interest Disclosures Act 1994*. In exercising these functions members of CINSW will ensure that their conduct is consistent with the best-practice governance principles applicable to an organization of this type, including the *NSW Government Boards and Committees Guidelines (2013)*. A key element of this is ensuring that advice provided to the Minister is both considered and independent. The applicable principles are set out below.

### Interpretation

In this document:

- **Conflict of interest** means circumstances where it is likely that a member could be influenced by a personal or business interest to engage in partial decision-making or corrupt conduct.
- **Corrupt conduct** has the meaning given to it in Part 3 of the *Independent Commission Against Corruption Act 1988* and includes the dishonest or partial exercise of public official functions.
- **Official information** means information contained in a record made, received or held by CINSW, and includes information within the knowledge of a CINSW Board member that was acquired in the course of his or her official capacity.

### Principles of Conduct

#### **Personal and Professional behaviour** – CINSW Board members will:

- act ethically and with integrity, honesty, and conscientiousness in the public interest;
- be familiar with and act consistently with the CINSW Board's Charter and the *Coal Innovation Administration Act 2008*;
- act in the interests of the Board according to the legislative requirements, policies and ethical codes that apply and not serve the interests of any constituency;
- make decisions independently, fairly, impartially and promptly, considering all available relevant information, legislation, policies and procedures;
- exercise their best possible technical or professional judgment;
- serve the government of the day diligently within the relevant statutory framework;
- not engage in conduct likely to bring discredit upon CINSW or take improper advantage of their position;
- treat members of the public and colleagues with respect, courtesy, honesty and fairness, and have proper regard for their interests rights, safety and welfare;
- not harass, bully or discriminate against colleagues, members of the public and employees;
- contribute to a harmonious, safe and productive work environment by our work habits, and professional workplace relationships. □

#### **Communication and official information** – CINSW Board members will:

- not disclose official information or documents acquired through CINSW work, other than as required by law or where proper authorisation is given;
- not use official information for personal gain;
- not use or disclose official information for personal or commercial gain by a third party;
- adhere to legal requirements, policies and all other lawful directives regarding communication with Parliament, ministers, ministerial staff, lobbyists, members of the media and members of the public generally; and
- respect the confidentiality and privacy of all information.

#### **Fraudulent and corrupt behaviour** – CINSW Board members will:

- not engage in fraud or corruption;
- familiarise themselves with their rights and responsibilities under the *Independent Commission Against Corruption Act 1988* and the *Public Interest Disclosures Act 1994*;
- report any fraudulent or corrupt behaviour;
- report any breaches of the code of conduct; and
- understand and apply the accountability requirements applicable to CINSW.

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### **Conflicts of interest** – CINSW Board members will:

- ensure personal or financial interests do not conflict with their ability to perform their official duties in an impartial manner;
- ensure the completion of a declaration of any conflict between their personal and public duty
- ensure that any declarations of a conflict of interest are kept up to date by reviewing them at least once annually; and
- where conflicts of interest do arise, ensure they are managed in the public interest.

### **Gifts** – CINSW Board members will:

- not seek, offer or receive money or gifts in order to obtain a benefit or favour;
- not accept gifts or benefits that could place them under an actual or perceived financial or moral obligation to another organisation or individual;
- record any unsolicited gifts received and the source of the gift.

### **Use of public resources** – CINSW Board members will:

- be accountable for official expenditure under their control and comply with all legal and administrative financial reporting requirements;
- use publicly-funded resources responsibly and efficiently. These include office facilities and equipment, vehicles, and any credit facility if made available;
- not use departmental time or resources for party political work or for personal gain, financial or otherwise; adhere to policies and guidelines in the use of computing and communication facilities, and use these resources in a responsible and practical manner; and
- be careful to ensure that any travel for official purposes is both necessary and for *bona fide* purposes connected with the functions of CINSW.

### **Record keeping and use of information** – CINSW Board members will:

- ensure the secure storage of sensitive or confidential information under their control that has been obtained as a result of their participation in CINSW;
- ensure sufficient records are kept so as to satisfy legal and administrative reporting obligations, including the *Government Information (Public Access) Act 2009* and *State Records Act 1998*.