

ABBHEY THEATRE

CODE OF BUSINESS CONDUCT FOR BOARD MEMBERS AND EMPLOYEES OF ABBHEY THEATRE AMHARCLANN NA MAINISTREACH

1. INTRODUCTION

- 1.1 The Code of Practice for the Governance of State Bodies, issued by the Government in 2016, requires all State bodies to have written Codes of Business Conduct for Board Members and employees. As a means of ensuring adherence to best practice, the Board of Abbey Theatre Amharclann na Mainistreach has formally adopted the contents of the Code of Practice for the Governance of State Bodies.
- 1.2 This document contains the basic rules and policies governing the business practice of Abbey Theatre Amharclann na Mainistreach (hereinafter called “the Abbey Theatre”). It supports the Abbey Theatre’s commitment to the highest standards of business conduct and has been prepared to assist Board Members and employees in understanding their rights, duties and obligations as persons connected with the Abbey Theatre. This code is binding and requires that each Board Member and member of staff be familiar with it.
- 1.3 The Code of Business Conduct is essentially a description of proper attitudes that should govern the behaviour of Board Members and employees. It is important not to view the code as a comprehensive list of “do’s” and don’ts” but rather as a tool to assist people in being mindful of the requirement for integrity, loyalty, lawfulness/compliance, professionalism, confidentiality and fairness in all aspects of the Abbey Theatre’s business.
- 1.4 The main objectives of the Code are as follows:
 - To establish a set of ethical principles for all Board Members and employees;
 - To promote and maintain confidence and trust in the Abbey Theatre;
 - To prevent the development, continuance or acceptance of unethical practices;
 - To ensure that the Abbey Theatre’s business is transacted with fairness and integrity.
- 1.5 In general, Board Members and employees are expected both personally and professionally to behave in a fashion which reflects positively on their association with the Abbey Theatre. The Abbey Theatre will not accept discrimination of any form including sex, marital status, family status, age, sexual orientation, disability, race and creed. All persons connected with the Abbey Theatre must avoid any practice or conduct in the workplace which amounts to racist, religious or sexual discrimination or harrassment of any kind.
- 1.6 This Code sets out the basic principles of integrity, confidentiality, professionalism, loyalty and lawfulness/compliance required from Board Members and employees.

2 INTEGRITY

- 2.1 The principle of integrity is that each Board Member and employee should be open, truthful and honest in all his/her dealings with the Abbey Theatre and in all business dealings or transactions on behalf of the Abbey Theatre. In practice, the most important requirement under this heading is that there should be no conflict of interest between the work of the Board Member or employee in the Abbey Theatre and any outside personal interest.
- 2.2 The following are examples of factors or circumstances which might give rise to the existence of such a conflict of interest when a transaction is being considered by the Abbey Theatre with an outside company or firm:
 - If the Board Member/employee carries on business with that company or firm;

- If the Board Member/employee holds shares or other ownership or proprietary interest in that company or firm;
- If the Board Member/employee is either a debtor or creditor of that company or firm;
- If the Board Member/employee holds any office, whether as a Board Member, employee, advisor or otherwise of such company, whether for remuneration or not;
- If the Board Member/employee is conducting, or has conducted, transactions with that company or firm.

2.3 Integrity means the inherent knowledge of right and wrong and the adherence to generally accepted moral principles. It includes the following:

- Disclosure by Board Members and employees of outside business interests in conflict or potential conflict with the business of the Abbey Theatre;
- Avoidance by Board Members and employees of outside business interests in conflict or potential conflict with the business of the Abbey Theatre and disclosure should it occur;
- Maintenance of the confidentiality and security of any restricted or confidential information or not using such information for personal gain or abuse of one's position in any way;
- Drawing only official remuneration in respect of official activities; refraining from giving or receiving corporate gifts, hospitality, preferential treatment or benefits which might affect or appear to affect the ability of the donor or the recipient to make independent judgment on business transactions. **See Appendix 1 - Procedure for Accepting Corporate Gifts.**
- Refraining from using the Abbey Theatre's reputation or resources for personal gain and avoiding outside influences which conflict with or impair work performance in any way;
- Commitment to act in the best interests of the Abbey Theatre in all dealings with external agencies, but also ethically and honestly;
- Purchasing goods/services in accordance with best practice.

Board Members and employees are required to file a declaration of interests with the Secretary and to ensure that this declaration is updated as necessary. **See Appendix 2 - Employee Declaration of Interests (Designated Positions of Employment) and Appendix 3 - Directors' Declaration of Interests (Designated Directorships).**

Note: Please contact the Company Secretary for clarification on any of the appendices referred to above.

3 CONFIDENTIALITY

3.1 In the course of employment or term of office as Board Member, at whatever level, information in relation to the Abbey Theatre becomes available to all Board Members and employees. Most of this information is confidential to the Abbey Theatre. Such information should never be used for personal benefit. Confidential information on the Abbey Theatre should not be disclosed to third parties, including media. Board Members and employees should respect the confidentiality of information received from those with whom the Abbey Theatre does business and should ensure that no improper use of such information is made.

3.2 Every effort is taken by the company to ensure that customer information is treated with absolute confidentiality and the following provisions are to be noted in particular:

- Employees and Board Members are expected to keep all information concerning the organisation, its customers, third parties, and any other connected organisation with whom they are involved as an employee or Board Member of the company, absolutely confidential. Any deliberate breach of confidence shall be regarded as a very serious matter. This requirement for confidentiality extends beyond the period of employment or term in office as Board Member.

- Employees and Board Members should deliver to the Company or destroy (whichever is most appropriate), on termination of employment or term in office as Board Member, or at any time it may so request, all documents, notes, records, manuals, programmes or any other materials or property belonging to the Company or any organisations associated with or connected to the Abbey Theatre or relating to customers and/or third parties, which the employee or Board Member may then possess or have under his/her control. Copies may not be kept without the Abbey Theatre's consent.
- 3.3 Employees or Board Members may not remove from the Abbey Theatre's premises at any time, without proper advance authorisation, any document or other property which belongs to the organisation or contains or refers to any confidential information relating to the organisation, its customers, third parties or any organisations associated with or connected to the Abbey Theatre. The employee or Board Member must return to the organisation, post termination of employment or term in office as Board Member, any documents or other organisation property that subsequently comes into his/her possession in the future.
- 3.4 It is the Abbey Theatre's policy to comply with the requirements of the Data Protection Acts 1998 and 2003.
- 3.5 In summary, confidentiality means respecting and protecting the privacy of the Abbey Theatre's affairs and activities and includes the following:
- Non-disclosure of any restricted or confidential information
 - Safeguarding sensitive information held by the Abbey Theatre in confidence
 - Exercising care in the storage of mail, documents and the disposal of records either electronic or paper
 - Seeking approval from the Chief Executive(s)¹ prior to publishing information to the media, and also seeking approval from the Chief Executive(s) for lectures, letters or books relating to or potentially relating to the affairs of the Abbey Theatre
 - Complying with relevant statutory provisions including, where applicable, the Data Protection Acts 1998 and 2003 and Ethics in Public Office Acts 1995 and 2001.

4 PROFESSIONALISM

- 4.1 Professionalism can be defined as striving for excellence in all dealings on behalf of the Abbey Theatre. The standard of the services which the Abbey Theatre provides rely heavily on the contribution of each individual in their capacity as a Board Member or member of staff.

Professionalism embraces the following:

- Respecting the dignity of customers and colleagues alike
- Being courteous at all times
- Endeavouring to give regular and committed attendance to your post
- Attending all meetings and committees on which you serve
- Avoiding unfair treatment of customers and colleagues
- Compliance with technical and professional standards pertaining to the position held and best practice generally

¹ Referred to as Artistic Directors

5 LOYALTY

5.1 All Board Members and employees owe loyalty and commitment to the Abbey Theatre in all its business activities. Board Members and employees should ensure that any of their outside activities do not in any way impair their ability to give regular, punctual and satisfactory service to the Abbey Theatre. In practice, a Board Member or employee should avoid circumstances where his/her loyalty to the Abbey Theatre is, or might be, capable of being interpreted as being compromised.

5.2 Board Members and employees are not permitted to give or receive gifts, favours, hospitality services, payments, privileges or preferential treatment of any kind or nature whatsoever to or from any individual, enterprise or organization which conducts or seeks to conduct business with the Abbey Theatre unless:

- To do so would not affect or appear to affect the employee's ability to make independent judgment on business transactions
- To do so would be consistent with good business practice within the industry
- Public disclosure of the transaction would not embarrass the Abbey Theatre
- To do so would impose no obligations on the Board Member, employee or the Abbey Theatre

5.3 All personal gifts should be notified to the recipient's immediate line manager and no personal gifts of money should be accepted.

5.4 In summary, loyalty means being faithful to the Abbey Theatre and includes:

- Protecting the good name of the Abbey Theatre
- Being committed in all Abbey Theatre's business transactions
- Acknowledging the duty of all to conform to the highest standards of business ethics

6 LAWFULNESS/COMPLIANCE

6.1 It is the Abbey Theatre's policy to comply with all relevant statutory and regulatory requirements. It is the Abbey Theatre's policy at all times to adhere to best business practice in all its operations. In accordance with this policy each Board Member and employee should:

- Comply with all Health & Safety Regulations and the Abbey Theatre's Safety Statement in their day to day activities
- Comply with all internal regulations and procedures designed to prevent fraud or injury to persons, the property of the Abbey Theatre, or the interests of the Abbey Theatre generally
- Complying with tendering and purchasing procedures
- Ensuring insofar as is possible, that any business venture or transaction which is at variance with legal or regulatory requirements or which might be associated or regarded as supportive of illegal or criminal activities, are not entered into on behalf of the Abbey Theatre.

6.2 The statutes and regulations to which the Abbey Theatre must comply with includes:

- Equality Act 1998
- Copyright and Related Rights Act 2000
- Data Protection Act 1998 and Data Protection (Amendment) Act 2003
- Ethics in Public Office Acts 1995 and 2001
- Health, Safety and Welfare at Work Act 2005
- Consumer Protection Acts 2007

- Charities Act 2009
- Companies Act 2014
- Protected Disclosures Act 2014
- Regulation of Lobbying Act 2015
- Employment Acts
- Code of Practice for the Governance of State Bodies 2016
- Public Procurement Guidelines
- Licensing Acts
- Finance Acts (Taxation)-

7 PUBLIC INTEREST DISCLOSURE (Whistle-Blowing)

7.1 The Abbey Theatre acknowledges its duty to conduct its affairs in accordance with high standards of integrity, propriety, accountability and openness. To this end, the Abbey Theatre encourages members of staff to raise genuine and serious concerns about malpractice in the workplace at the earliest practicable stage.

7.2 The Abbey Theatre's Public Interest Disclosure (Whistle-Blowing) Policy sets out a process whereby employees who have concerns about malpractice may, in good faith, raise those concerns at a high level in the Abbey Theatre, outside of normal line management, and without fear of detriment.

8 CODE REVIEW

8.1 This code will be reviewed every three years, or more frequently, if required, to ensure that it remains relevant and appropriate to the needs of the Abbey Theatre.

This code should be read in conjunction with the following policies:

- Bullying & Harassment Policy
- Diversity Policy
- Child Protection Policy
- Recruitment Policy
- Communications Policy
- Social Media Governance Policy
- Whistle-blowing Policy

Version History

Version	Reviewed by Audit Committee	Approved by Board	Next Review Date
Code of Business Conduct V1.0 2014	17/07/2014	22/09/2014	22/09/2017
Code of Business Conduct V2.0 (20171127)	13/11/2017	27/11/2017	27/11/2020

Appendix 1

Procedure for Accepting Corporate Gifts

Gifts up to €50.00 should be notified to and approved by your Manager

Gifts of between €51.00 and €100.00 should be notified to the Senior Management Team member responsible for your department

Gifts in excess of €100.00 should be accepted only after being approved by the Chief Executive

Appendix 2

Ethics in Public Office Acts 1995 and 2001

- Designated Positions of Employment -

**Statement of Interests for the purposes of Section 18 of the
Ethics in Public Office Act 1995**

Please complete in **BLOCK CAPITALS**

Name:	
Designated Position of Employment Held:	
Public Body:	
Date of Appointment:	
Period comprehended by this Statement (i.e. 1 January to 31 December or part thereof):	
Address for Correspondence:	

In relation to each of the following registrable interests, you should state any interest held **by you** and any interests held, to your actual knowledge, **by your spouse, a child of yours, or a child of your spouse**, which could materially influence¹ you in or in relation to the performance of your official functions. **The amount or monetary value of the interests need not be specified.** Explanatory notes on certain of the required statements are attached.

1. OCCUPATIONAL INCOME , ETC.

Details of any remunerated trade, profession, employment, vocation or other occupation (other than the position of employment described on the first page of this form), the remuneration from which exceeded €2,600, during the period comprehended by this statement, should be listed here.

Description of Occupation	Business Address
<u>Self:</u>	
<u>Spouse or Child (name):</u>	

2. SHARES ETC.

Details of any holding of shares in, or bonds or debentures of, or other like investments in, a particular company or other enterprise or undertaking, where the aggregate value of the holding exceeded €13,000 at any time during the period comprehended by this statement, should be listed here².

Type of Holding	Where held	Nature of Business
<u>Self:</u>		
<u>Spouse or Child (name):</u>		

3. DIRECTORSHIPS

Details of any directorship or shadow directorship of any company held during the period comprehended by this statement should be listed here³.

Type of Directorship	Name & Address of Business	Nature of Business
<u>Self:</u>		
<u>Spouse or Child (name):</u>		

4. LAND (EXCLUDING PRIVATE HOME⁴)

Details of any interest in land where the value of such interest exceeded €13,000 at any time during the period comprehended by this statement should be listed here, including -

- (i) any contract entered into for the purchase of land, whether or not a deposit or part payment has been made under the contract; and
- (ii) any option held to purchase land, whether or not any consideration has been paid in respect thereof, or land in respect of which such an option has been exercised but has not yet been conveyed.

Property Address	Purpose for which used
<u>Self:</u>	
<u>Spouse or Child (name):</u>	

5. TRAVEL, ACCOMMODATION, MEALS, ETC.

Details of travel facilities, living accommodation, meals or entertainment supplied during the period comprehended by this statement, free of charge or at a price that was less than the commercial price or prices, should be listed here⁵.

Full Description	Name and Address of Supplier
<u>Self:</u>	

<u>Spouse or Child (name):</u>	

6. OTHER REMUNERATED POSITIONS

Details of any remunerated positions held as a political or public affairs lobbyist, consultant or adviser during the period comprehended by this statement, should be listed here.

Full Description of Position	Name and Address of Person / Company / Organisation
<u>Self:</u>	
<u>Spouse or Child (name):</u>	

7. PUBLIC SERVICE CONTRACTS

Details of any contract to which the person concerned was a party, or was in any other way, directly or indirectly interested, for the supply of goods or services to a Minister of the Government, or a public body during the period comprehended by this statement, if the value of the

goods or services supplied exceeded €6,500 or, in case other goods or services were supplied under such a contract if the aggregate of their value and the value aforesaid exceeded €6,500, should be listed here.

Description of Contract and Interest	Name and Address of Contractor	Minister / Public Body Concerned
<u>Self:</u>		
<u>Spouse or Child (name):</u>		

8. GIFTS, PROPERTY & SERVICES

Details of:

- (i) any gift given during the period comprehended by this statement⁶;
- (ii) property supplied or lent, or a service supplied to the person, once or more than once by the same person, during the period comprehended by this statement, for a consideration or considerations, or at a price or prices less than the commercial consideration or considerations, or the commercial price or prices, by more than €650; and
- (iii) property lent, or a service supplied to the person, once or more than once by the same person, during the period comprehended by this statement, free of charge if the commercial consideration or considerations, or the commercial price or prices was, or were more than €650⁷;

should be listed here⁸.

Full Description of Gift, Property and/or Service	Name and Address of Benefactor, Supplier and/or Lender
<u>Self:</u>	
<u>Spouse or Child (name):</u>	

9. OTHER INTERESTS

In line with the provisions of Section 30 of the Ethics in Public Office Act 1995, voluntary statements in respect of any interests not specified in the Second Schedule to that Act (i.e., other than those specified at 1. to 8. above), and which are held by **you or your spouse, or a child of yours or your spouse**, may be listed here if it is considered that such interests could materially influence you in or in relation to the performance of your official duties.

<u>Self:</u>
<u>Spouse or Child (name):</u>

Signed: _____ **Date:** _____

NOTES

¹ which could materially influence you in or in relation to the performance of the functions of the position of employment by reason of the fact that such performance could so affect those interests as to confer on or withhold from you or your spouse or child of yours or child of your spouse a substantial benefit.

² "holding" does not include money in a current, deposit or other similar account with a financial institution.

³ "shadow directorship" means the position held by a person who is a shadow director within the meaning of the Companies Acts 1963 to 1990, or, in the case of a public body that is not a company (within the meaning of the Companies Act 1963) and is specified in subparagraph (8), (9), (10), (11), or (12), or stands prescribed for the purposes of subparagraph (13), of paragraph 1 of the First Schedule to the Ethics in Public Office Act 1995, the position held by the person in accordance with whose instructions or directions, the members of the body, or the members of the board or other body that controls manages or administers that body, are accustomed to act.

⁴ i.e. excluding any interest in land consisting of any private home of the person or of his or her spouse, that is to say, a building or part of a building that is occupied by the person, or his or her spouse, or a child of the person, or of the spouse, as a separate dwelling and any garden or other land usually occupied with the dwelling, being land that is subsidiary or ancillary to it, is required for its amenity or convenience and is not being used or developed primarily for commercial purposes.

⁵ but excluding:

(a) travel facilities, living accommodation, meals or entertainment provided

(i) within the State, or

(ii) in the course and for the purpose of:

- the performance of the functions of the person as an occupier of a designated position of employment, or
- the trade, profession, employment, vocation or other occupation of the person (other than current position);

(b) travel facilities, living accommodation, meals or entertainment supplied to the person by a relative or friend of the person, or of his or her spouse, or of a child of the person or of his or her spouse, where such supply was in the nature of a gift to the person and for personal reasons only, unless the acceptance of such facilities, accommodation, meals or entertainment might reasonably be seen to have been capable of influencing him or her in the performance of his or her functions as an occupier of a designated position of employment;

(c) travel facilities, living accommodation, meals or entertainment supplied to the person, once or more than once by the same person during the period comprehended by this statement, free of charge if the commercial price, or the aggregate of the commercial prices, of the facilities, accommodation, meals or entertainment did not exceed €650; or

(d) travel facilities, living accommodation, meals or entertainment supplied to the person, once or more than once by the same person during the period comprehended by this statement, at a price or prices less than the commercial price or prices by not more than €650.

6 but excluding:

(i) a gift to the person by a relative or friend of the person or of his or her spouse, or of a child of the person or of his or her spouse, for purely personal reasons only, unless the acceptance of the gift by the person could have materially influenced him or her in the performance of his

or her functions as an occupier of a designated position of employment; and

(ii) a gift given to the person, or gifts given to the person by the same person, during the period comprehended by the statement, as respects which the value, or the aggregate value, of the property the subject of the gift or gifts did not exceed €650 at any time during the period comprehended by the statement.

⁷ other than property supplied or lent, or a service supplied to a person by a relative or friend of the person, or of his or her spouse, or of a child of the person or of his or her spouse, where such supply or loan was in the nature of a gift to the person and for personal reasons only, unless the acceptance of the property or loan or the service by the person could have materially influenced him or her in the performance of his or her functions as an occupier of a designated position of employment.

⁸ insofar as services in (ii) and (iii) relate to legal or medical services (including psychiatric or psychological services), it is only necessary to state that such services were supplied to you or to a person (who need not be identified) in respect of whom you are required to make a statement.

ETHICS IN PUBLIC OFFICE ACT 1995 SECTION 18

Designated positions of employment.

18.—(1) In this section "relevant authority", in relation to a person who occupies or occupied a designated position in a public body, means such person or persons as may stand determined for the time being by the Minister in relation to the position.

(2) A person who occupies or occupied a designated position in a public body—

(a) shall, subject to *section 20 (3)*, in each year during any part of which he or she occupies or occupied the position, prepare and furnish to the relevant authority for the position a statement in writing of—

- (i) the interests of the person, and
- (ii) the interests of which he or she has actual knowledge of his or her spouse or a child of the person or of his or her spouse,

during the appropriate period specified in *section 20 (1)* which could materially influence the person in or in relation to the performance of the functions of the position by reason of the fact that such performance could so affect those interests as to confer on or withhold from the person or the spouse or child a substantial benefit, and
(*b*) in any case where such a function falls to be performed and he or she has actual knowledge that he or she or a connected person has a material interest in a matter to which the function relates—
(i) shall, as soon as may be, prepare and furnish to the relevant authority a statement in writing of those facts,
(ii) shall not perform the function unless there are compelling reasons requiring him or her to do so, and
(iii) shall, if he or she proposes to perform the function, prepare and furnish to the relevant authority, before or, if that is not reasonably practicable, as soon as may be after such performance, a statement in writing of the compelling reasons aforesaid.

(3) (*a*) A person who, during any period, holds or held or occupies or occupied an office or position specified in *paragraph (b)* shall be deemed for the purposes of this Act to be a person who, during that period, occupies or occupied a designated position in a public body.

(*b*) The offices and positions referred to in *paragraph (a)* are—

- (i) the office of Comptroller and Auditor General,
 - (ii) the office of Ombudsman,
 - (iii) the office of Data Protection Commissioner,
 - (iv) the office of Director of Consumer Affairs,
- and
- (v) such other (if any) offices or positions (other than the office of judge of any court) established by or under statute as may (if, but only if, the Minister considers it necessary in the public interest to do so) be prescribed.

(*c*) *Subsection (4)* shall not apply to a person who holds or held an office specified in *subparagraphs (i) to (iv) of paragraph (b)*.

(4) There shall be deemed to be included in the terms of the employment of a person in a designated position referred to in *subsection (2)* a term that the person shall comply with that subsection.

Appendix 3 **Ethics in Public Office Acts 1995 and 2001**

- Designated Directorships -

**Statement of Interests for the purposes of Section 17 of the
Ethics in Public Office Act 1995**

Please complete in **BLOCK CAPITALS**

Name:	
Title of Designated Directorship held (e.g. board member, etc.):	
Public Body:	
Date of Appointment:	
Period comprehended by this Statement (i.e. 1 January to 31 December or part thereof):	
Address for Correspondence:	

--	--

In relation to each of the following registrable interests, you should state any interest, held **by you** and any interests, to your actual knowledge, held **by your spouse, a child of yours, or a child of your spouse**, which could materially influence¹ you in or in relation to the performance of your official functions. **The amount or monetary value of the interests need not be specified.** Explanatory notes on certain of the required statements are attached.

1. OCCUPATIONAL INCOME , ETC.

Details of any remunerated trade, profession, employment, vocation or other occupation (other than the directorship described on the first page of this form), the remuneration from which exceeded €2,600, during the period comprehended by this statement, should be listed here.

Description of Occupation	Business Address
<u>Self:</u>	
<u>Spouse or Child (name):</u>	

2. SHARES ETC.

Details of any holding of shares in, or bonds or debentures of, or other like investments in, a particular company or other enterprise or undertaking, where the aggregate value of the holding exceeded €13,000 at any time during the period comprehended by this statement, should be listed here².

Type of Holding	Where held	Nature of Business
<u>Self:</u>		
<u>Spouse or Child (name):</u>		

3. DIRECTORSHIPS

Details of any directorship or shadow directorship of any company held during the period comprehended by this statement should be listed here³.

Type of Directorship	Business Address	Nature of Business
<u>Self:</u>		
<u>Spouse or Child (name):</u>		

--	--	--

4. LAND (EXCLUDING PRIVATE HOME⁴)

Details of any interest in land where the value of such interest exceeded €13,000 at any time during the period comprehended by this statement should be listed here, including -

- (i) any contract entered into for the purchase of land, whether or not a deposit or part payment has been made under the contract; and
- (ii) any option held to purchase land, whether or not any consideration has been paid in respect thereof, or land in respect of which such an option has been exercised but has not yet been conveyed.

Property Address	Purpose for which used
<u>Self:</u>	
<u>Spouse or Child (name):</u>	

5. TRAVEL, ACCOMMODATION, MEALS, ETC.

Details of travel facilities, living accommodation, meals or entertainment supplied during the period comprehended by this statement, free of charge or at a price that was less than the commercial price or prices, should be listed here⁵.

Full Description	Name and Address of Supplier
-------------------------	-------------------------------------

<u>Self:</u>	
<u>Spouse or Child (name):</u>	

6. OTHER REMUNERATED POSITIONS

Details of any remunerated positions held as a political or public affairs lobbyist, consultant or adviser during the period comprehended by this statement, should be listed here.

Full Description of Position	Name and Address of Person / Company / Organisation
<u>Self:</u>	
<u>Spouse or Child (name):</u>	

7. PUBLIC SERVICE CONTRACTS

Details of any contract to which the person concerned was a party, or was in any other way, directly or indirectly interested, for the supply of goods or services to a Minister of the Government, or a public body during the period comprehended by this statement, if the value of the goods or services supplied exceeded €6,500 or, in case other goods or services were supplied under such a contract if the aggregate of their value and the value aforesaid exceeded €6,500, should be listed here.

Description of Contract and Interest	Name and Address of Contractor	Minister / Public Body Concerned
<u>Self:</u>		
<u>Spouse or Child (name):</u>		

8. GIFTS, PROPERTY & SERVICES

Details of:

- (i) any gift given during the period comprehended by this statement⁶;
- (ii) property supplied or lent, or a service supplied to the person, once or more than once by the same person, during the period comprehended by this statement, for a consideration or considerations, or at a price or prices less than the commercial consideration or considerations, or the commercial price or prices, by more than €650; and
- (iii) property lent, or a service supplied to the person, once or more than once by the same person, during the period comprehended by this

statement, free of charge if the commercial consideration or considerations, or the commercial price or prices was, or were more than €650⁷;

should be listed here⁸.

Full Description of Gift, Property and/or Service	Name and Address of Benefactor, Supplier and/or Lender
<u>Self:</u>	
<u>Spouse or Child (name):</u>	

9. OTHER INTERESTS

In line with the provisions of Section 30 of the Ethics in Public Office Act 1995, voluntary statements in respect of any interests not specified in the Second Schedule to that Act (i.e., other than those specified at 1. to 8. above), and which are held by **you or your spouse, or a child of yours or your spouse**, may be listed here if it is considered that such interests could materially influence you in or in relation to the performance of your official duties.

<u>Self:</u>

<u>Spouse or Child (name):</u>

Signed: _____ **Date:** _____

NOTES

¹ which could materially influence you in or in relation to the performance of the functions of the directorship by reason of the fact that such performance could so affect those interests as to confer on or withhold from you or your spouse or child of yours or child of your spouse a substantial benefit,

² "holding" does not include money in a current, deposit or other similar account with a financial institution.

³ "shadow directorship" means the position held by a person who is a shadow director within the meaning of the Companies Acts 1963 to 1990, or, in the case of a public body that is not a company (within the meaning of the Companies Act 1963) and is specified in subparagraph (8), (9), (10), (11), or (12), or stands prescribed for the purposes of subparagraph (13), of paragraph 1 of the First Schedule to the Ethics in Public Office Act 1995, the position held by the person in accordance with whose instructions or directions, the members of the body, or the members of the board or other body that controls manages or administers that body, are accustomed to act.

⁴ i.e. excluding any interest in land consisting of any private home of the person or of his or her spouse, that is to say, a building or part of a building that is occupied by the person, or his or her spouse, or a child of the person, or of the spouse, as a separate dwelling and any garden or other land usually occupied with the dwelling,

being land that is subsidiary or ancillary to it, is required for its amenity or convenience and is not being used or developed primarily for commercial purposes.

5 but excluding:

(a) travel facilities, living accommodation, meals or entertainment provided

(i) within the State, or

(ii) in the course and for the purpose of:

- the performance of the functions of the person as a holder of a designated directorship, or
- the trade, profession, employment, vocation or other occupation of the person (other than current position);

(b) travel facilities, living accommodation, meals or entertainment supplied to the person by a relative or friend of the person, or of his or her spouse, or of a child of the person or of his or her spouse, where such supply was in the nature of a gift to the person and for personal reasons only, unless the acceptance of such facilities, accommodation, meals or entertainment might reasonably be seen to have been capable of influencing him or her in the performance of his or her functions as a holder of a designated directorship;

(c) travel facilities, living accommodation, meals or entertainment supplied to the person, once or more than once by the same person during the period comprehended by this statement, free of charge if the commercial price, or the aggregate of the commercial prices, of the facilities, accommodation, meals or entertainment did not exceed €650; or

(d) travel facilities, living accommodation, meals or entertainment supplied to the person, once or more than once by the same person during the period comprehended by this statement, at a price or prices less than the commercial price or prices by not more than €650.

6 but excluding:

(i) a gift to the person by a relative or friend of the person or of his or her spouse, or of a child of the person or of his or her spouse, for purely personal reasons only, unless the acceptance of the gift by the person could have materially influenced him or her in the performance of his or her functions as a holder of a designated directorship; and

(ii) a gift given to the person, or gifts given to the person by the same person, during the period comprehended by the statement, as respects which the value, or the aggregate value, of the property the subject of the gift or gifts did not exceed €650 at any time during the period comprehended by the statement.

7 other than property supplied or lent, or a service supplied to a person by a relative or friend of the person, or of his or her spouse, or of a child of the person or of his or her spouse, where such supply or loan was in the nature of a gift to the person and for personal reasons only, unless the acceptance of the property or loan or the service by the person could have materially influenced him or her in the performance of his or her functions as a holder of a designated directorship.

8 insofar as services in (ii) and (iii) relate to legal or medical services (including psychiatric or psychological services), it is only necessary to state that such services were supplied to you or to a person (who need not be identified) in respect of whom you are required to make a statement.

ETHICS IN PUBLIC OFFICE ACT 1995 SECTION 17

Designated
directorships.

17.—(1) A person who holds or held a designated directorship of a public body specified in *subparagraphs (8) to (12)*, or standing prescribed under *subparagraph (13)*, of *paragraph 1* of the *First Schedule*—

(a) shall, subject to *section 20 (3)*, in each year during any part of which he or she holds or held the directorship, prepare and furnish to the Commission and to such officer of the body as may be determined by the Minister a statement in writing of—

- (i) the interests of the person, and
- (ii) the interests of which he or she has actual knowledge of his or her spouse or a child of the person or of his or her spouse, during the appropriate period specified in *section 20 (1)* which could materially influence the person in or in relation to the performance of the functions of the directorship by reason of the fact that such performance could so affect those interests as to confer on or withhold from the person or the spouse or child a substantial benefit, and

(b) in any case where such a function, or a function of any other office or position held by the person in that public body, falls to be performed and he or she has actual knowledge that he or she or a connected person has a material interest in a matter to which the function relates—

- (i) shall, as soon as may be, prepare and furnish to the other directors of the body a statement in writing of those facts,
- (ii) shall not perform the function unless there are compelling reasons requiring him or her to do so, and
- (iii) shall, if he or she proposes to perform the function, prepare and furnish to the other directors of the body and to the

Commission, before or, if that is not reasonably practicable, as soon as may be after such performance, a statement in writing of the compelling reasons aforesaid.

(2) There shall be deemed to be included in the terms on which a person holds a designated directorship referred to in *subsection (1)* a term that the person shall comply with that subsection.