

II. Codes of conduct for parliamentary staff

Report prepared by Mr Maure ZAMPINI (Italy), adopted at the Cairo Session (September 1997)

The Association considered the question of a code of conduct for parliamentary staff in October 1995 during a debate at the Bucharest conference. It was then decided that this subject be treated in a questionnaire. The questionnaire was approved in April 1996 at the Istanbul session, having been sent to all members of the Association.

The first draft report, based on responses to the questionnaire from a large number of parliaments, was approved in April 1997 at the Seoul session.

The second report, supplemented with material from additional responses (in total responses were received from 53 parliamentary assemblies), was discussed at the Cairo session in September 1997. It consists of an introduction and a comparative analysis.

From a majority of the responses to the questionnaire three essential points can be identified:

- rules concerning public employees or parliamentary staff (those who manage parliamentary staff in employment matters do not always belong to the parliament in question) are based upon the conviction that independence and impartiality are essential characteristics of officials working for a parliamentary assembly;
- every operational or strategic decision must be made within the framework of a legal procedure;
- the activity undertaken as employees of a parliamentary assembly must not be in any way exploited so as to derive from it other personal advantages beyond the statutory remuneration.

Finally, there is an indissoluble relationship of trust binding the parliamentary official to his or her assembly.

It clearly follows from this that in the event of an actual or potential conflict between the interests of the administration and the position of the official, any intervention would have to be based on a system of regulations with an ethical foundation. Such a foundation, expressed concretely in a code of conduct,

supports the system of penal, administrative and accounting regulations which define offences against the public administration.

In fact, in the different systems, there are very few examples of rules which attempt to define the responsibilities of officials more concretely and fully than the simply administrative or criminal regulation. As a result, essentially jurisprudential criteria have been resorted to, which take effect after any offence. It is in this context that we find the 'universal' principles concerning conflicts of interest, the separation between auditor and the matter audited, and the obligation to abstain from any action involving a personal interest (direct or indirect).

Moreover, the absence of rules capable of distilling such a wide range of behaviour necessarily results - given a strict interpretation of the abstract and general character of the law - in an over-extensive application of the law, giving the criminal or administrative judge the task of controlling the public administration, which as a result is to all intents and purposes relieved of the duty of self-regulation.

Here we have, as the responses to our questionnaire testify, the delicate relationship between codes of conduct (where they already exist) and traditional administrative arrangements ("staff regulations") with their disciplinary sanctions.

We can attempt an initial outline of this issue: disciplinary codes consist in general of obligations and prohibitions; codes of conduct, by contrast, contain directives and principles of behaviour. Thus the financial scope of the disciplinary codes is in some way counter-balanced by the codes of conduct which make apparent, and sometimes concrete, duties of conduct whose force it would otherwise be impossible to grasp. Codes of conduct operate at the level of morality and probity, not only at the level of honesty - which is more characteristic of criminal and administrative regulations.

In this context, the many and various codes of conduct in operation in many countries are a real touchstone because of their specific and particular aim of producing rules of behaviour regulating not only relations with the public and amongst officials, but also the private life of the public employee. Here is another characteristic of codes of conduct which I can draw from responses to the questionnaire: codes of conduct reinforce the concept of an official enjoying the trust of the community. This, clearly, is even more important for parliamentary officials.

All of us, responsible for complex organisations serving our parliaments, have naturally spoken on many occasions of the need to strengthen the system of values on which the employment of parliamentary staff is based.

Secretaries General, who are responsible for complex parliamentary organisations, certainly mentioned many times the need to strengthen the value-system which forms the basis for the employment of the staff of parliamentary assemblies.

The code of conduct in itself is not an instrument of action or organisational development. It does, however, fully achieve its objective of setting out a system of values when it encapsulates the fundamental relationship between commitment to the work and commitment to democracy.

There is thus reaffirmed a point which could be drawn from responses to the questionnaire: disciplinary regulations, the traditional instrument of the "governance" of public employees, establish a relationship between the administration - the employer - and the employee, whereas the code of conduct involves the relationship between the employee and civil society.

To make this account more concrete - which might at this point be useful - one can consider the following example - "The parliamentary official will refrain from associating with individuals who do not offer guarantees of seriousness and complete trustworthiness". Such a provision can only make very clear the difference between a disciplinary rule ('an employee must respect the hours of work') and a rule of behaviour or ethics in the strict sense.

The choice of persons associated with is a freedom belonging to, and safeguarded for, every citizen. And as a citizen the parliamentary official associates with anyone he wishes to. Could one imagine a disciplinary rule of this sort: "it is forbidden for an official to associate with any individual who does not provide guarantees of trustworthiness, on pain of dismissal"?

It is clear that, in this case, the rule would have to identify individuals not offering such guarantees of trustworthiness. Its indetermination would only weaken irrevocably the effectiveness of the rule, whereas the situation would be different where the same rule is brought within the sphere of a code of behaviour, a code of conduct.

It is up to a parliamentary official, to his freedom of judgement, to his sense of belonging, to his system of values, drawn from values appropriate to Parliament, to lead an upright life, informed by an assessment of his behaviour and social relations.

The difference between disciplinary intervention and ethical provision consists in the way in which every assessment of the official's conduct is brought within the sphere of his own personal responsibility, avoiding any implication of a legal nature which, whatever the outcome of the particular case, could only have wider consequences for his own department.

One can thus state that codes of conduct are based on the one hand on the public interest, which follows the developing relationship between the authorities and public opinion, and on the other, in all countries, on a genuine change in practice, according to a wide variety of models, with regard to the relation between the public service and the public employee.

The research currently pursued in Italy and, it seems from the responses to the questionnaire, also in many others, into a framework for a code of conduct for parliamentary service, contributes to the process of finalising rules for the behaviour of parliamentary officials. It is however true that in certain countries it is not considered necessary to establish a code of conduct. In these instances, the obviously succinct nature of the response has not enabled me to ascertain whether the questions before us have been resolved in a different way, or if they do not appear to be important. This point leads me to say how preferable it would be for the rapporteur to be able to base his comments on a detailed response, also so as to avoid possible misunderstandings.

A precise description of the different kinds of disciplinary offence would end up making lawful, or compatible with its role, behaviour which, even if not provided for in the disciplinary regulations, is nevertheless reproved by social conscience.

From this thought, which is based on a systematic study of possibly illicit actions, another conclusion can be drawn worthy of consideration: the creation of disciplinary bodies other than those traditionally employed in instances of disciplinary offence, which would be capable of protecting members of staff who are obliged to abide by codes of conduct.

In other words, one could envisage a body provided with a structure and expertise such that it could judge whether behaviour, considered within the framework of a code of conduct, is compatible or not with the values being protected, disregarding any question of a disciplinary nature.

It is a question of working out whether it is possible to establish, alongside disciplinary procedures, an ethical procedure in the strict sense; a procedure capable of being initiated not only by the relevant responsible bodies but also by the parliamentary officials in such a way as to allow them a 'free' forum in which they could air their questions concerning appropriate behaviour.

One could thus achieve the goal of placing the public interest in its widest sense before any individual or other interest, much more readily than would be possible through legislative arrangements.

To the extent that there is agreement, in the interpretation of responses to the questionnaire, in subscribing to the idea of a public employee - in particular

a parliamentary official - enjoying the confidence of the community whilst not having been elected by that same community, all the more can we then assert and support the reasons for a process of separation between political and administrative authority.

It is from this perspective that questions concerning the establishment of codes of conduct and the rules which safeguard the role of the parliamentary official ought to be considered.

Once it has been established, and it is clear from all the legal systems studied, that the organisation of parliamentary services is always related to political authority, and if the administrative service is also required to bind itself to the community by an obligatory system of moral behaviour, then it simply follows that the parliamentary service must be granted a necessary organisational autonomy. As a result, this autonomy in organisation leads to an autonomy for the code of conduct.

Undoubtedly the code of conduct must not abandon the parliamentary official to the arbitrary opinions of those called upon to judge behaviour. For this reason it is necessary to establish categories in which the various kinds of moral (deontological) offence can be placed. It is only thus, within the framework of an indefectible principle of legality, that one could establish a 'legal' system of sanctions.

This brings one to the assertion that it is not the sanction but rather the evaluation of behaviour (and thus of performance) which constitutes the real outcome of a procedure on the violation of the code of conduct. One can in this context cite another element from responses to the questionnaire, where the Code has, amongst its other functions, the task of contributing to the recognition of the good official and the adoption of a policy of encouragement through the highlighting of good performance, without fear or paternalism, so as to encourage emulation from other officials.

It is in fact only thus that the concept of the public official as a responsible person is promoted. From this viewpoint it seems that the code of conduct for parliamentary officials coincides with a possible code of conduct for members of parliament.

In a case where the behaviour examined under the code of conduct also has implications of illegality, the criminal and disciplinary codes are automatically applicable.

The questionnaire included finally one question which was inevitably going to result in very different and, at the same time, stimulating responses: that is, whether it would be practical and useful to produce a unified code of

conduct for parliamentary officials of the legislative assemblies within the ASGP. Alongside certain totally negative responses, unaccompanied by explanatory comments, there were other viewpoints based on a realistic approach. One could give as an example the 'intermediate' response, which has received most support, and which considers that a unified code of conduct is not realistic, even if there might exist a common core of values shared by all parliamentary officials, such as probity and impartiality. Amongst the intermediate' responses one can pick out those who considered that a collection of common rules had the value of being a reference point for guidelines and recommendations.

Given the wide range of positions, it is for the Association to decide. The Rapporteur has stated the requirement of the majority for the identification of a group of common principles which would have to underpin rules of conduct for parliamentary personnel; they would have to be neither so general as to be banal and useless, nor so restrictive as to limit the autonomy of each parliamentary bureaucracy.

One would add the following point: at a time of globalisation and supra-national bodies, every effort aiming to establish common rules and facilitate understanding among persons engaged with the same problems appears quite compatible with the principle of autonomy.

This then, is the ultimate purpose of this report: to go beyond the statement of differences so as to approach a common position. It basically involves the same underlying perspective as that of the IPU in Bucharest, which was to search for an ethical common denominator for members elected to free and democratic parliamentary assemblies.

Table of responses to the questionnaire of Mr Mauro Zampini (Italy) Section A: The context for a code of conduct: the position of parliamentary staff within the institutional setting of each country					
<i>Country/ Chamber</i>	<i>Basic principles applicable to the activities of parliamentary staff</i>	<i>Recruitment and career</i>	<i>Status relative to other state employees</i>	<i>Appointment, dismissal, and position of Secretary General</i>	<i>Appointments to management posts</i>
ARGENTINA (Senate)	Contained in the Statute on Staff of the National Legislature (law of 1995). Other ethical codes exist, arising from custom and usage; principally - honesty, respect, loyalty, discretion.	Generally, by competition; exceptionally and in cases of urgency, by temporary appointment. Two categories of staff: - permanent appointments - period appointments, linked to the service of the Members who have sought their appointment. Career progression is by seniority and merit. Staff may assist parliamentary groups.	Special status.	Elected by the Chamber for 1 year; may be re-elected. The SG is at the service of Members, but has the rank of a Secretary of State. He is the highest official below the President/Speaker.	By a political body, with decision-making power. By an administrative body, with decision-making power.
AUSTRALIA (House of Representatives and Senate)	They consist in: - the fulfilment of duties with professionalism, integrity and efficiency; - politeness, impartiality and equality in relations with the public;	Staff are recruited to the public service and then selected and assigned to various posts in conformity with the law on public employment. The Committee on equal opportunities and public employment gives directions for the engagement and recruitment of personnel. Recruitment is by: - notices in the Commonwealth of	The same as public officials.	The SG of the Senate is appointed by the Governor General on the advice of the President/Speaker of the Senate. He is responsible for the administration and is the principal adviser to the President/Speaker on parliamentary rules. The SG of the House of Representatives is appointed by the Governor General on advice from the President/Speaker of the House.	See: Recruitment and Career.

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	<ul style="list-style-type: none"> - the avoidance of all conflicts of interest, etc. 	<p>Australia Gazette and/or in the press;</p> <ul style="list-style-type: none"> - selection followed by interview. <p>The employment relationship is as often indefinite as it is determined.</p> <p>Career progression is by merit following a notice in the Commonwealth of Australia Gazette.</p> <p>Parliamentary staff can work on a temporary basis for Members of Parliament. According to the law on Members of Parliament, staff in such a case are given unpaid leave.</p>			
AUSTRIA	Same as other public officials (conscientiousness, neutrality etc.)	By competition, under the federal law, with a period contract capable of indefinite prolongation.	Same as federal officials.	By the President/Speaker of the Nationalrat. He may not be dismissed at will. The SG is the head of the parliamentary staff.	By the President/Speaker after open announcement and assessment of candidates by a mixed commission of management and unions.

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BELGIUM (Chamber of Representatives)	Separation of powers.	By competition. Final appointment is subject to passing a test. Career progression follows assessment in the 3rd, 10th & 15th years of service, following a report by higher management.	Autonomous from rest of the public service, with status established by the Bureau.	By the Chamber (Art. 104 of the Rules). The Clerk/SG has authority over all staff and services.	By the Bureau (a collegiate political body).
BELGIUM (Senate)	Contained in the Staff Rules (chapter HD). Many provisions are taken from the statutes governing government officials. The particular duties of Senate staff include: - prohibitions against multiple post- holding - incompatibilities - the honour and dignity of the service - discretion - etc.	By competition. After a probationary year, the appointment is confirmed. Some categories have a time- limited contract. If there is a major overload of work, external staff may be recruited. Career progression is automatic, by length of service. Higher posts are filled on promotion. There is no provision for secondment to a political group.	See "Basic principles".	By the Senate (Art. 81 of the Rules). He assists the President/ Speaker. He is responsible for the official record of sittings and for the carrying out of the Senate's decisions. He is responsible for convoking the Senate and its committees. On behalf of the Bureau, he manages the various services and the staff.	By the Bureau, on the basis of proposals from the SG, after consultation with the college of Questeurs.

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BRAZIL (Senate)	Parliamentary staff are public officials. Public officials are required to obey the principles laid down in the Constitution, notably: legality, morality, openness, etc.	By public competition on the basis of tests or qualifications and tests; by direct appointment, to posts specified by law. For the former category, employment becomes permanent after a 2-year probationary period. Career progression is by merit and length of service.	Same status as public officials.	By the President of the Senate. He takes part in meetings of the Bureau; he is the link between the Bureau and the various organs of the Senate and of the Chamber and other public bodies.	The basic administrative structure of the Senate is as follows: (a) Management Committee (b) Higher Service (?) bodies (c) Supervised bodies (d) Special bodies (e) Higher body for planning and control (?) (f) Central unit for Co-ordination and Implementation
BURKINA FASO	Contained in: - General Law on the Public Service - Law on Personnel - Parliamentary Rules	Direct recruitment for contract staff; secondment from the public service. Indefinite periods of appointment. Career progression is based on: competence, professional conscientiousness, seniority. Secondment to parliamentary groups to help during sessions is possible.	There is no separate category of parliamentary staff.	By the President of the Assembly, with the agreement of the Bureau. The SG manages and coordinates all the services of the Assembly. There are no hierarchical links between Members and the SG.	By the Bureau (a collegiate political body). By the President of the Assembly (also an administrative body), who appoints the Heads of Services.

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CANADA (House of Commons)	Duties of parliamentary staff are laid down by the Human Resources Directorate. The duties of Members' staff are laid down by the Member concerned. The Board of Internal Economy (Speaker and 8 Members) is responsible for all administrative and financial questions concerning House staff.	By competition, with preference given to internal candidates; by appointment, with the agreement of the Speaker; by secondment. Contracts may be either permanent or for a specified duration. Career progression is according to the written principles laid down by the House.	As set down by the Parliamentary Employment and Staff Relations Act.	By the Governor in Council. The SG is the principal adviser of the Speaker and Members on procedure, both parliamentary and administrative.	By competition, as vacancies arise.
CANADA (Senate)	Professional conscientiousness. Non partisan.	Appointment of officials by the Standing Committee on Internal Economy, following competition; appointment by the Human Resources Directorate, following competition. Employment is usually on an indefinite basis, but fixed term contracts also exist. Career progression is based on training and competitiveness. Staff may undertake work for political groups.	Autonomous.	By the Executive (Governor in Council). He is responsible for the smooth running of the chamber. He is the head of all staff.	By Parliament, in accordance with the law; by the Senate, in accordance with resolutions; by the Standing Committee on Internal Economy.

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CHILE (Senate)	Contained in Art. 55 of the Senate Staff Rules; notably - commitment, efficiency, politeness, honesty, discretion, impartiality.	Generally by competition, and of indefinite duration. Exceptionally, by contract, expiring on 31 December each year. Career progression is by promotion, or, in certain cases, by competition.	Special status, including separate remuneration.	By two-thirds of Senators.	By two-thirds of Senators.
COLOMBIA (House of Representatives)	Equality, morality, efficiency, impartiality etc. The fundamental duties of parliamentary officials include: - respect for and application of the Constitution, laws, treaties, regulations. The principal rights include: - the receipt of a monthly salary; social contributions; - etc.	- through normal recruitment - by appointment from within the group of staff submitted for selection - by election to the post of Secretary General of the institution or of the Committees on law and judicial committees. Career progression is by competition, provided that: - the required conditions are satisfied, - a good evaluation has been obtained for the previous two years work, - one has not been the subject of any disciplinary measures.	The same status as public employees, regulated by the law 200 of 1995, which introduced a single disciplinary Code.	Elected by the members of the House of Representatives for a period of two years. The SG directs, coordinates and audits legislative activity. Staff relations are the responsibility of the administrative department.	

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CONGO (National Assembly)	Parliamentary staff help Members in the exercise of their functions (staff management, finance, records and archives, etc.).	By secondment from government service; by direct recruitment by the Assembly, on a decision by the President/speaker. In principal, employment is on a permanent basis.	Same status as government officials. A draft statute covering parliamentary staff is currently before the Bureau.	By the President/Speaker acting in the Bureau. No provision is made for dismissal.	By the President/Speaker, acting in the Bureau, on proposals from a member of the Bureau or from the Secretary General.
CONGO (Senate)	Parliamentary staff work in the various fields of parliamentary activity under the control of the Bureau.	By secondment from the government service. Career progression is the responsibility of the government office of origin, on the basis of reports prepared by the chamber in which the official is working.	Same status as government officials.	By the President/Speaker, following an opinion from the Bureau. The SG is the hierarchical head of the parliamentary staff.	By the Bureau (a collegiate political body), on proposal from a member of the Bureau.
COUNCIL OF EUROPE (Parliamentary Assembly)	Independence and competence, as specified in: - Statute for Public Servants - Staff Rules	General competition, for permanent appointments. Temporary appointment (max. 6 years). Career progression by means of internal competition up to grade A5. For grades A6 and A7, the final word rests with the SG, after consultations with the Committee of Ministers.	Staff of the Parliamentary Assembly have the same status as staff of the Council of Europe.	Elected by the Assembly for 5 years, which can be renewed. No provision is made for dismissal. He enjoys a position of independence in the administrative field vis-à-vis Members. He holds a hierarchical position over staff of the Clerk of the Assembly, delegated to him by the SG of the Council of Europe.	Power rests with the SG of the Council of Europe.

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CROATIA	In: - Law on State Officials and Appointees - Decision on the Administration of Parliament - Regulations on the Internal Organisation of the Parliamentary Administration	General competition. Generally employment is for an indefinite period; exceptionally, for the Secretary General and the Deputy Secretary General, for a period limited to four years. Career progression is under the Law on State Officials and Appointees taking account of: professionalism; effectiveness, length of service. Staff may assist parliamentary groups.	Same status as government officials, with a number of special rules.	By parliament, composed of two houses: Chamber of Deputies and Chamber of Counties. The SG of the Chamber of Deputies is also SG of Parliament. He is appointed by the Chamber of Deputies on a motion from the President/ Speaker and the Bureau for 4 years. The term is renewable. He is head of the Administration. He participates in the preparation and organisation of parliamentary sessions. He is head of the parliamentary staff. Normally he is a member of the Bureau, on the invitation of the President/Speaker.	By the Parliamentary Committee for Elections, Nominations, and Appointments, for the higher grades. By the SG for posts at lower levels.
CZECH REPUBLIC	There is only one special rule governing staff in the Rules of Parliament; this covers remuneration of parliamentary staff.	By competition, for an indefinite period of employment. Appointment is for a limited period (generally for one legislature) in the case of advisers to the President, Vice-Presidents, and (sometimes) Chairmen of Committees.	There is not yet any rule on this. A law on state employees, including parliamentary staff, is currently in the process of approval.	By the President/Speaker, with the assent of the Bureau.	By the SG.

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DENMARK	Covered by the code of conduct laid down for State officials. However, this code is not fully applicable to the same extent to all levels of post: it varies according to the importance of the post.	After publication of vacancies in the more important newspapers, officials are recruited on the basis of job interviews. Appointment is by the Speaker/President. Employment is generally for an indefinite period.	No special status. In general terms, the law governing state officials is applicable.	By the Presidium (Speaker/President and 4 Vice Presidents) subject to the approval of the Standing Orders Committee. The SG assists the Speaker/President and the Presidium. He is the head of the parliamentary administration.	By the President/Speaker after consultation with the Vice Presidents and the approval of the Standing Orders Committee.
EGYPT	Contained in Article 52 of the Regulations on the Staff of the People's Assembly. Include: to uphold the public interest properly and with honesty, respectability. Article 53 of the Rules prohibits contravention of the financial rules or discussion of parliamentary work in public.	By examination following public advertisement. By direct recruitment by the Bureau or the President/Speaker. Employment is generally for an indeterminate period. Career progression takes place based on <ul style="list-style-type: none"> - level of training - foreign language courses - cooperation with other parliaments - etc. 	Special status, particularly in respect of remuneration.	By the Bureau, on a proposal by the President/Speaker. He is present at all sittings and is at the head of all Assembly services, for which he is responsible to the President/Speaker.	By the Bureau.

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ESTONIA	Duties are set out in: - Regulations on the Chancellery (Secretariat General) Services - Employment regulations They require: political neutrality, high level of professionalism, loyalty.	Public competition for jobs of indefinite duration. Direct recruitment for fixed term posts. Career progression is subject to professionalism and good conduct.	Same status as State officials, with a few exceptions.	By the Bureau, following public competition. The SG has a coordinating role with respect to Members. He is subordinate only to the Bureau.	By the SG.
FINLAND	<i>De jure:</i> the Constitution and the Law on Public Administration. <i>De facto:</i> administrative and parliamentary practice.	By the "Office Commission" of Parliament, after public advertisement of vacancies. Employment is generally for an indefinite period.	Subject to the Parliamentary Civil Service Act; in effect, the same status as government officials.	Following an election by Parliament in plenary sitting. He is the head of the administration.	By a political body - the "Office Commission" - presided over by the Speaker/President.
FRANCE (National Assembly)	An order of 1958 provides for parliamentary officials to be state officials but to enjoy an autonomy determined by the Bureau of the Assemblée. They must show: - helpfulness; - political neutrality; - professional discretion.	By external or internal examination. In each department officials progress according to a system of quasi-automatic advancement every two years, and of advancement in class and grade, by selection. Movement from one department to another is only possible by means of examination. There are examinations for parliamentary officials.	An independent status but one that does not differ fundamentally from the general status for the Public Service.	By the Bureau. The two SGs must be chosen from among the officials of the Assemblée. The SG of the Assemblée manages the legislative services; the SG of the Questure manages the administrative services.	By the Bureau (a collegiate political body).

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FRANCE (Senate)	Contained in a special statute prepared by the Bureau. Despite the separate nature of this statute, general principles of law are applicable.	By competition, for permanent appointments. Career progression is by: 1. Promotion in class, after a minimum 2 years service; 2. Promotion in grade, by selection from among officials of a given length of service, by a joint body comprising representatives of management and of staff.	Autonomous statute, though the similarities to the statute governing the general public service are however very great on a wide number of points.	By the Bureau, which chooses him from among the two highest grades in the Administration (<i>directeurs</i> and <i>conseillers</i>). Dismissal is not provided for. The SG of the Presidency and the SG of the Questure manage the legislative and the administrative services respectively. They are the focal point for the political authorities of the services for whose management they are responsible.	By the Bureau, a political body.
FYR of MACEDONIA	Contained in: - the Constitution - the Law on Administrative bodies	By general competition or by public advertisement; also by secondment. Appointments are generally for an indefinite period. Career progression is based on assessment of performance.	Same status as government employees.	By the Assembly, with a term of 4 years, on a proposal from the Elections and Appointments Committee, a political organ of the Assembly. The SG is the head of the professional services of the Assembly.	By the Elections and Appointments Committee, on a proposal from the SG, for the top posts. Directly by the SG for other posts.
GERMANY (Bundesrat)	Contained in: - the Fundamental Law - the Federal Public Service Law	Following advertisement. Employment is for an indefinite period. Bundesrat officials can work for a parliamentary group in the Bundestag; there are no parliamentary groups in the Bundesrat.	Same status as other Federal officials.	By the President/Speaker with the agreement of the Bundesrat. The SG (Director) assists the President/Speaker and directs the Secretariat of the Bundesrat in accordance with the instructions of the President/Speaker.	By the Director (SG), after consultation with the Standing Consultative Council.

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GERMANY (Bundestag)	The duties of parliamentary staff are found in the laws of the Public Administration and in institutional conventions relating to public employment and federal employees. In particular they consist in: - the fulfilment of tasks with conscientiousness and impartiality; - loyalty to the liberal-democratic constitutional system; - moderation and limitation to political activities, etc.	By selection following the public announcement of vacant positions. The recruitment of women is particularly encouraged. With regard to public employees, after a probationary period of between 3 to 5 years, employment is permanent. Career progression for parliamentary staff is based on merit and on principles established by the Bundestag. Officials can obtain unpaid secondments to parliamentary groups. In this case, they are placed on leave. Temporary salaried employees are recruited through a private employment contact.	The same as public officials.	By the President/Speaker with the agreement of the Presidium. He is head of the Parliamentary Administration. On authorisation of the President/Speaker, he can promote staff and represent the President/Speaker in disciplinary matters.	The staff of the Bundestag are under the authority of the President/Speaker. The latter in accordance with the Regulations and on the advice of the Presidium assigns the posts of head of division, committee secretary, etc.
GREECE	Contained in the Rules of Parliament (Section (b): staff). They have the same civil rights as government officials.	By general competition, for permanent posts. For period contracts, appointment follows a decision of the President/Speaker. Career progression is similar to that of government officials. A limited number of staff may work for parliamentary groups.	Set down by the Rules of Parliament, which however largely refer to the Code governing the public service.	By the President/Speaker. The post of SG is of a political nature. Appointment to the post lasts as long as the term of the President/Speaker.	By the President/Speaker, with the assent of the Committee on Rules.

Country/ Chamber	Basic principles applicable to the activities of parliamentary staff	Recruitment and career	Status relative to other state employees	Appointment, dismissal, and position of Secretary General	Appointments to management posts
HUNGARY	They are contained in: - Law 23/1992 on the legal status of state employees - Resolution No. 46/1994 on the Rules of Parliament - Rules of parliamentary procedure	By competition, for permanent appointments. Career progression is governed by the Law on the status of state employees. Parliamentary groups have their own staff.	Same status as government employees.	By the President of the Assembly. The SG is in a position of neutrality relative to Members.	By the SG or by the Director General for Economic Affairs.
INDIA (Rajya Sabha)	Same as for national government officials.	By a separate recruiting agency for parliamentary staff. Recruitment is initially on a temporary basis. It becomes permanent after completion of a satisfactory trial period. Temporary appointments from government departments are possible. Career progression is by selection.	No special status, but the Constitution contains a specific provision for the Secretariat of Parliament.	By the Chairman of the Rajya Sabha.	By the Chairman of the Rajya Sabha.
IRELAND	Contained in the Standing Orders of the Dáil, in certain Finance Ministry Circulars, and in the Staff of the Houses of the Oireachtas [Parliament]	Recruitment is through the Civil Service Commission, with appointments generally being permanent (indefinite) appointments. Career progression is by competition open to all state employees.	Same status as government employees.	By the Prime Minister, on the recommendation of the Chairman of the Dáil and the Finance Ministry. Dismissal can only take place on a recommendation from the Chairman.	For certain important posts the power of appointment rests with the Prime Minister (the Superintendent and the Captain of the Guard)

<i>Country/ Chamber</i>	<i>Basic principles applicable to the activities of parliamentary staff</i>	<i>Recruitment and career</i>	<i>Status relative to other state employees</i>	<i>Appointment, dismissal, and position of Secretary General</i>	<i>Appointments to management posts</i>
	Act 1959. Parliamentary staff are state employees.				after consultation with the Chairmen of the D&I and the Senate.
ISRAEL	Contained in the Code for State officials.	-	-	-	-
JAPAN (House of Representatives and House of Councillors)	They are contained in the Law on the Staff of the National Diet, as well as other laws and regulation.	By competition; as a rule, permanent.	Status is not the same as for government officials.	The SG is an official of the National Diet. He is elected by the members of each Chamber. Legally he cannot be removed except with his own consent.	By the SG.
REPUBLIC OF KOREA (National Assembly)	The principles are contained in the Law on Public Employment. They consist particularly in: - the accomplishment of appropriate duties; - obedience; - courtesy; - confidentiality; - political neutrality.	By examination on the basis of the Regulations on the examinations for parliamentary staff; appointment is for an indefinite period. Assistants to members of parliament are employed by the parliamentarians themselves.	The same status as State employees.	By the President/Speaker on approval from the Assembly. The SG manages administrative affairs and is the head of staff.	By the President/Speaker

Country/ Chamber	Basic principles applicable to the activities of parliamentary staff	Recruitment and career	Status relative to other state employees	Appointment, dismissal, and position of Secretary General	Appointments to management posts
KUWAIT	Contained in the: - Rules for staff of the National Assembly - Civil Service Code	By appointment and by secondment from Ministries. Contracts of employment are permanent, but the possibility of fixed-term contracts also exists.	Special status.	By resolution of the President/ Speaker after approval by the Bureau. The SG is the head of the parliamentary administration.	By the President/ Speaker, acting in both his political and administrative capacities, after consultation with the Bureau.
NAMIBIA (National Assembly)	<i>De jure:</i> impartiality and professionalism on the basis of rules contained in the law on public administration (Law 13 of 1995). <i>De facto:</i> equality.	Recruitment is by internal notices for lower posts and by notices in die press for posts at a higher level. After a year on probation, the appointment becomes permanent. Other types of employment (for a limited period, by contract) are rare. They cannot work in political positions.	They are public employees.	By the President/Speaker according to article 52 of the Constitution and article 5 of the law on public administration, in particular with regards to dismissal which is the responsibility of the Prime Minister, on advice of the Committee on Public Administration. However, the President/ Speaker can also demand his dismissal in cases of illness, misconduct, etc.	Officials of a senior grade are appointed by the Committee on Public Administration, which is an administrative body.
NEPAL	They are contained in the Constitution.	-	-	-	-

<i>Country/ Chamber</i>	<i>Basic principles applicable to the activities of parliamentary staff</i>	<i>Recruitment and career</i>	<i>Status relative to other state employees</i>	<i>Appointment, dismissal, and position of Secretary General</i>	<i>Appointments to management posts</i>
NETHERLANDS (Second Chamber of the States General)	The same as for the Public Administration, but the Bureau of the Chamber, after discussion with the trade unions, can decide on special norms.	Through a notice in the press or through an external recruitment agency followed by an internal procedure. After one or two years, the employment relationship is made permanent. Career progression is determined by the Clerk or the two Directors. The Chamber, on the proposal of the Bureau, appoints the Deputy Clerks.	In theory an autonomous status but in practice it is almost identical to that of state employees.	By the Chamber, in a secret ballot, on the proposal of the Bureau.	The two Directors are appointed by the Bureau from among the Deputy Clerks. The other management functions are decided upon by the Clerk or the two Directors.
NEW ZEALAND	Impartiality, effectiveness, honesty. Responsibility for observance of these principles rests with SG/ Clerk.	By public announcements of vacant posts. Permanent contracts. Salary is subject to annual revision.	Special status.	By the Governor-General, on the recommendation of the Speaker/ President, after consultation with the Prime Minister and the Leader of the Opposition. He has a 7 year term of office and may be re-appointed. The Clerk/SG is the principal adviser on parliamentary procedure.	The Deputy Clerk is also appointed by the Governor-General. All other staff are appointed by the SG himself.
NORWAY	<i>De jure:</i> Act on Worker Protection and Working Environment; Handbook for state employees; Act on State employees. <i>De facto:</i> specific arrangements for Parliament are contained in special regulations for managers and employees.	By advertisement in newspapers and reviews. Contracts are generally for an indefinite period. In certain cases fixed-term contracts are used (4 years, renewable, e.g. for committee secretaries). The economic side of career progression is according to seniority.	By competition for vacancies. Same status as government employees.	By the Assembly, on a proposal from the Presidium, with a 6 year term of office. The SG is the head of the parliamentary administration and the Secretary-Adviser to the Presidium on constitutional and administrative matters. There is no hierarchical line between the SG and Members, who have their own staff.	By the Presidium, for the highest posts, on a proposal from an administrative body and from the SG.

Country/ Chamber	Basic principles applicable to the activities of parliamentary staff	Recruitment and career	Status relative to other state employees	Appointment, dismissal, and position of Secretary General	Appointments to management posts
PHILIPPINES (House of Representatives)	<p><i>De facto</i>: loyalty, honesty, effectiveness, courtesy, etc.</p> <p><i>De jure</i>: they are based on the provisions laid down in the Constitution, laws, Rules and the Administrative Code.</p>	<p>According to rules laid down by the Civil Service Commission; assessment of individual qualifications; academic background; work experience; and then competitive examination and interviews.</p> <p>The contract of employment may be:</p> <ul style="list-style-type: none"> - permanent (after 6 months trial); - till the end of the Legislature; - for a specified period, in the case of certain jobs. <p>Career progression is governed by the laws for state employees and the Manual of Systems and Procedures adopted by the House. Staff may assist parliamentary groups.</p>	Same status as government employees.	By the House, on a majority vote. He is the principal adviser to the Speaker/President and Members on legislative issues. He is also the head of all personnel.	By the President/ Speaker for Heads of Departments and Offices, after advice from the SG. By the SG for the Heads of Sections, after advice from the Promotions Board.
POLAND (Sejm)	<p>Responsibilities are found in:</p> <ul style="list-style-type: none"> - Law 16.9.82 on public officials; - organisational arrangements of the Secretariat of the Sejm. - Code of employment. 	<p>Recruitment is by means of notices of vacant posts, then a selection board, a medical inspection and another qualification board where terms of service are discussed.</p> <p>The job can be either of limited duration or indefinite.</p>	The same as for all state employees, as contained in Law 16.9.1982. A draft of a different regulation for parliamentary officials is, however, being studied.	By the Marshal of the Sejm, on the advice of the Committee on Rules. The SG is the head of the officials of the Secretariat. He is responsible for the budget of the Secretariat and the heritage of the Treasury administered by the Secretariat of the Sejm.	By the SG (Head of Chancellery) on the basis of a contract. Promotion is by selection.

Country/ Chamber	Basic principles applicable to the activities of parliamentary staff	Recruitment and career	Status relative to other state employees	Appointment, dismissal, and position of Secretary General	Appointments to management posts
	<p>They consist in:</p> <ul style="list-style-type: none"> - observance of the laws and Constitution; - impartiality; - discretion; - incompatibility with other employment, apart from that authorised by the Secretary General; - prohibition of strikes. 	<p>Career progression is by periodic evaluations of professional activity and training courses.</p> <p>The parliamentary officials can be allocated to groups on the authorisation of the SG.</p>			
POLAND (Senate)	<p>In;</p> <ul style="list-style-type: none"> - The law on public employment (1982), a law on the limitation of the activities of public officials; - The Rules of the Senate; - Rules laid down by the Marshal of the Senate; - Arrangements made by the SG. 	<p>There is <i>no de jure</i> recruitment procedure. Vacant posts are notified in the press. Directors and deputy directors are appointed on a permanent basis. Other officials are on contract for a probationary period of between three months and a year and then employed on an indefinite basis. The Rules of the Chancellery of the Senate lays down conditions for the filling of each grade. A similar experience is demanded of Directors. Parliamentary staff can work for a parliamentary group.</p>	The same as public officials.	By the Marshal of the Senate, after having listened to the views of the Presidium and the Committee on Rules. He organises the work and departments of the Senate and assists parliamentarians in the exercise of their duties without being subordinate to them.	By the SG.

<i>Country/ Chamber</i>	<i>Basic principles applicable to the activities of parliamentary staff</i>	<i>Recruitment and career</i>	<i>Status relative to other state employees</i>	<i>Appointment, dismissal, and position of Secretary General</i>	<i>Appointments to management posts</i>
	<p><i>De facto:</i></p> <ul style="list-style-type: none"> - not belonging to a political party; - incompatibility with managerial responsibility in commercial enterprises and organisations. - irreproachable moral and professional conduct; - independence from the Executive; - non-interference in the functions of the other powers of the State. 		different functions (Law 53/92 Rules of the Senate).	draws up, along with the Questeurs, the draft budget of the Senate.	
RUSSIA (Federation of)	<ul style="list-style-type: none"> - Respect for the Constitution; - protection of human rights; - separation of powers; - professionalism; - transparency; - neutrality; - etc. <p>In:</p> <ul style="list-style-type: none"> - the Constitution; - federal law (law 	<p>By competition.</p> <p>Parliamentary staff are in two categories:</p> <ul style="list-style-type: none"> - direct support staff for the work of the President of the Council of the Federation and the Vice-Presidents, employed for a limited period; - staff responsible for the organisational activity of the Council of the Federation, 	The same as public officials.	By the President/Speaker.	Heads of Department, by the President/Speaker. Heads of committee secretariats, by the Head of the Administration.

<i>Country/ Chamber</i>	<i>Basic principles applicable to the activities of parliamentary staff</i>	<i>Recruitment and career</i>	<i>Status relative to other state employees</i>	<i>Appointment, dismissal, and position of Secretary General</i>	<i>Appointments to management posts</i>
	<p>on State employment);</p> <ul style="list-style-type: none"> - the Rules of the Council of the Federation; - decree on staff of the Council of the Federation. 	<p>employed on a permanent basis.</p> <ul style="list-style-type: none"> - Career progression is by competition. 			
SLOVENIA	<ul style="list-style-type: none"> - Professionalism - Political impartiality - Loyalty 	<p>Advertisement of vacancies in the media; assessment of candidates by the Personnel Service; selection by the Elections, Appointments and Administrative Affairs Commission or by the SG. Career progression is subject to the Regulations on Promotion in the offices of the National Assembly, generally every 3 years.</p>	<p>There is no special status.</p>	<p>By the Assembly, for a 4 year period. He is responsible for the smooth running of parliamentary work. Dismissal before the end of his term of office can only take place on a proposal from the Elections, Appointments and Administrative Affairs Commission.</p>	<p>By the Elections, Appointments and Administrative Affairs Commission, on a proposal from the SG.</p>
SPAIN (Senate)	<p>Regulation on staff of Las Cortes Generales, approved by the Bureau of the two chambers on 26.6.89 and having the force of law.</p>	<p>By public examination after a selection undertaken by a Committee consisting of members of the Bureau, experts and independent officials. Recruitment is for an indefinite period. Career progression occurs by examination on merit among parliamentary officials, with the possibility of appeal to the Bureau or administrative tribunals.</p>	<p>Basically the same as state employees.</p>	<p>By the Bureau, on the proposal of the President/Speaker from amongst administrative officials of the Cortes Generales with more than five years service. The SG is the head of all staff and of all departments.</p>	<p>By the SG, for the deputy SGs and the heads of departments.</p>

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<i>Country/ Chamber</i>	<i>Basic principles applicable to the activities of parliamentary staff</i>	<i>Recruitment and career</i>	<i>Status relative to other state employees</i>	<i>Appointment, dismissal, and position of Secretary General</i>	<i>Appointments to management posts</i>
SWEDEN	There are no governing principles specifically for parliamentary staff.	By open advertisement in newspapers or internally within Parliament. Contracts are for an indefinite period, except for the SG and the Director General. Career progression arises from application for a new post. Parliamentary groups have their own staff.	Same status as government employees.	The SG is appointed by the Riksdag. The Director General, whose rank is the same as that of the SG, is appointed by the Administrative Board. In theory, the Riksdag can revoke the mandate of the SG. This has never happened in practice.	Depends on the particular post: - Committee Secretaries are appointed by a political body - Other posts are filled by the Director General
SWITZERLAND (Federal Assembly)	In: - Federal Regulation on Parliamentary Services (7/10/88) - Guidelines and General Objectives for the Parliamentary Services (1992) Administration is common to the two Chambers (National Council and Council of States).	By public competition or by internal recruitment. 90% are permanent. With regard to the others, the period is for four years and is renewable. Where service is to the appropriate standard, they are promoted to the highest possible grade for the post in question. It is possible to change posting and to obtain a more important position if one becomes vacant.	Same status as other officials.	By the Government on the recommendation of the Bureaux of the two Chambers. A possible dismissal would be decided by the Federal Council on a proposal from the Bureaux of the two Chambers. The SG is responsible for the effective operation of the parliamentary services (Law on the relations between the Councils).	Managements posts are assigned by a collegiate administrative body (SG, Deputy SGs, Secretary of the Council of States).
TANZANIA (National Assembly)	The only principle is that parliamentary officials do not belong to any political party.	By the Government, for an unlimited period. Career progression takes place every three years; also following courses and seminars for officials. They cannot assist parliamentary groups, except for a limited period.	The same status as state employees since they are themselves also state employees.	By the President of the Republic. The SG is the Head of Administration and Staff and he is responsible for the budget of the Assembly.	-

<i>Country/ Chamber</i>	<i>Basic principles applicable to the activities of parliamentary staff</i>	<i>Recruitment and career</i>	<i>Status relative to other state employees</i>	<i>Appointment, dismissal, and position of Secretary General</i>	<i>Appointments to management posts</i>
UNITED KINGDOM (House of Commons)	Set out in paragraph 166 of the Staff Handbook. They consist notably of: - loyalty - impartiality - prohibitions against conflicts of interest, etc.	By general competition, for permanent posts; some posts have a maximum duration of 5 years, others of less than 1 year. Career progression for "Fast Stream Grades" takes account of length of service and level of performance, in a similar way to the government service.	They are not officials of the Government. But it is provided by law that their conditions of employment shall be broadly comparable to those of government officials.	By the Queen.	Generally, by the Clerk (SG) following assessment of merit by a selection board.
UNITED KINGDOM (House of Lords)	Contained in Article 221 of the Staff Handbook. Notably: - loyalty to the House - impartiality - prohibition against putting any private interests above the service of the House, etc.	By competition. Officials take part in the same competition as government officials and House of Commons officials. Employment is generally on a permanent basis, with certain posts limited to 5 years. Career progression is based on length of service, age and level of professionalism. Staff do not work for parliamentary groups.	Although there is a distinction between Lords' staff and government service, the remuneration and conditions of service are the same.	By the Queen.	The Clerk Assistant and the "Reading Clerk" are appointed by the Lord Chancellor, with the assent of the House. All other staff are appointed by the SG (Clerk) following a competition based on merit.
URUGUAY	They are contained in: - the Constitution, which lays down, among other things, that	Direct appointment by the Pre- sident of the Senate. In some cases, there is a competition based on examinations and qualifications. Permanent contracts of	Laid down by the Law on State Employees.	By the Senate, on a roll call nominal vote by simple majority. For dismissal, an absolute majority is required, on the proposal of the President or a Senator.	-

<i>Country/ Chamber</i>	<i>Basic principles applicable to the activities of parliamentary staff</i>	<i>Recruitment and career</i>	<i>Status relative to other state employees</i>	<i>Appointment, dismissal, and position of Secretary General</i>	<i>Appointments to management posts</i>
	<p>officials are at the service of the country;</p> <ul style="list-style-type: none"> - the Law on Senate staff, which lays down the rights, duties, responsibilities and sanctions applicable to staff; - ordinary law, particularly in respect of budgetary matters. 	<p>employment.</p> <p>Career progression, as set out in the Law on Senate staff, is by competition based on qualifications, or qualifications and exams, before a committee which includes candidates' representatives.</p>			
ZAMBIA	<p>These are in essence <i>de facto</i> principles such as conscientiousness, honesty, fairness.</p>	<p>Through selection by interview, after advertisement in newspapers and periodicals. The contract of employment is permanent until retirement age (55), and can be extended beyond this point. Career progression is based on length of service, merit, and the obtaining of higher qualifications. Staff may assist parliamentary groups.</p>	<p>Special status relative to State employees.</p>	<p>By the President of the Republic. The appointment is ratified by the National Assembly, which has the power of dismissal. The Clerk/SG is the head of the institution.</p>	<p>By the President of the Assembly, on the proposal of the Clerk/SG.</p>

Section B: Main features of existing or planned codes of conduct			
<i>Country/Assembly</i>	<i>Existence of a Code</i>	<i>Source/origins</i>	<i>Areas covered</i>
ARGENTINA (Senate)	No Code of Conduct in a strict sense, but there is a Statute on the Staff of the National Legislature.	By a vote in both Houses.	The Statute covers all areas of conduct, and lays down disciplinary measures.
AUSTRALIA (House of Representatives and Senate)	Yes. From 1979 "Guidelines on the Conduct of Public Officials of the Commonwealth" have been introduced. The Committee on equal opportunities and the public service supervised the latest edition in 1995. The offices of Parliament have adapted these principles for their own staff thanks also to the publication of a supplementary brochure.	By the Committee for Public Service. The 1995 edition by the Committee on equal opportunities and the public service.	<ul style="list-style-type: none"> - Relations between the Public Service, Government and Parliament; - the duties of public officials vis-à-vis the public; - rules on the behaviour of every public employee; - conflict of interests - behaviour in relation to colleagues; - fraud; - etc.
AUSTRIA	No.	-	-
BELGIUM (Chamber of Representatives)	No, although the Statute on Personnel lays down provisions on matters such as: <ul style="list-style-type: none"> - incompatibilities - prohibitions against receiving gifts or favours or revealing confidential information - sanctions 	-	-
BELGIUM (Senate)	No	-	-

<i>Country/Assembly</i>	<i>Existence of a Code</i>	<i>Source/origins</i>	<i>Areas covered</i>
BRAZIL (Senate)	No. It would be for the Union to establish a single legal regime for public officials. Nevertheless, there is a Code of Professional Conduct for civil public officials of the Federal executive power.	-	-
BURKINA FASO	No.	-	-
CANADA (House of Commons)	There are written guidelines for conduct dealing with conflicts of interest, political activity, and harassment.	The Board of Internal Economy of the House, after preparation by the Human Resources Directorate.	Conflicts of interest. Political impartiality. For its part, the House of Commons must provide a work environment free from harassment.
CANADA (Senate)	The code is based on the provisions governing government employees.	The Senate, following a report and recommendations from the Standing Committee on Internal Economy.	Conflicts of interest; receipt of favourable treatment; peddling influence; acceptance of benefits/gifts; sale of information.
CHILE (Senate)	Article 3 of the Rules lays down the duties of officials.	By the Senate, on consideration of a draft prepared by the SG and the Committee on regulation of internal affairs.	All the duties of officials and some aspects of behaviour affecting the dignity of the post.
COLOMBIA (House of Representatives)	A single disciplinary Code applicable to all state employees, including parliamentary officials.	The Congress of the Republic.	<ul style="list-style-type: none"> - illicit gain; - political pressures exercised by virtue of the post occupied; - unjustifiable dereliction of duty; - publication of state secrets.
CONGO (National Assembly)	No.	-	-
CONGO (Senate)	No.	-	-
COUNCIL OF EUROPE (Parliamentary Assembly)	-	-	-

<i>Country/Assembly</i>	<i>Existence of a Code</i>	<i>Source/origins</i>	<i>Areas covered</i>
CROATIA	There is no Code of Conduct for parliamentary officials. Their rights and duties are governed by the Law on State Officials, by the Decision on the Administration of Parliament, and by the Regulations on the Internal Organisation of the Parliamentary Administration.	-	-
CZECH REPUBLIC	No.	-	-
DENMARK	No.	-	-
EGYPT	No. But the Staff Rules contain a Chapter (VH) on the duties and rights of personnel.	—	-
ESTONIA	No. The Law on State Employees governs conduct in public employment, including that of parliamentary staff.	-	-
FINLAND	No.	-	-
FRANCE (National Assembly)	No. The independent regulation defines a certain number of responsibilities and sanctions.	-	-
FRANCE (Senate)	No. The Rules of the Senate include certain obligations such as the duty of service and professional discretion. In practice, parliamentary officials are subject to a duty to maintain confidentiality. A review is being conducted at the initiative of a group of parliamentary officials on the job of a parliamentary official.	-	-

<i>Country/Assembly</i>	<i>Existence of a Code</i>	<i>Source/origins</i>	<i>Areas covered</i>
FYR of MACEDONIA	No. The questionnaire may serve to inspire one.	-	-
GERMANY (Bundesrat)	No.	-	-
GERMANY (Bundestag)	No.	-	-
GREECE	Part B of the Rules of the Chamber is devoted to parliamentary personnel. They have the same duties as government employees.	-	-
HUNGARY	No.	-	-
INDIA (Rajya Sabha)	No. The Code of Conduct for national government employees applies.	-	-
IRELAND	No. The Finance Ministry is responsible for laying down the conditions to which public employees are subject.	-	-
ISRAEL	No.	-	-
JAPAN (House of Representatives and House of Councillors)	No.	-	-
REPUBLIC OF KOREA (National Assembly)	No.	-	-
KUWAIT	Yes. It follows the model of the Civil Service Code with some modifications.	By the President/Speaker, after consultation with the Bureau.	Rules govern appointments, promotion, salaries, sanctions and the length of employment.

<i>Country/Assembly</i>	<i>Existence of a Code</i>	<i>Source/origins</i>	<i>Areas covered</i>
NAMIBIA (National Assembly)	There is a Code for the staff of the public administration, introduced by the law on public administration of 1995, integrated with Regulation no.211 of 1995 on public administration. This Code is currently in the process of revision.	The Department of Public Administration, supervised by the Committee on Public Administration, after the approval of the Prime Minister.	All areas. Disciplinary measures of varying severity are provided for, culminating in dismissal.
NEPAL	The code is contained in a bill in the process of being approved.	-	-
NETHERLANDS (Second Chamber of the States General)	No.	-	-
NEW ZEALAND	No.	-	-
NORWAY	No. New staff follow a 1-day induction programme on behaviour, overseen by the Presidium and the SG.	-	-
PHILIPPINES (House of Representatives)	Yes: the Code of Conduct and Ethical Standards for public officials and employees.	Enacted by Congress and approved by the President of the Philippines (1989).	All the rights, duties and responsibilities of public employees. The Code also lays down the disciplinary rules which are applicable for breaches of the Code.
POLAND (Sejm)	No.	-	-
POLAND (Senate)	No.	-	-

<i>Country/Assembly</i>	<i>Existence of a Code</i>	<i>Source/origins</i>	<i>Areas covered</i>
PORTUGAL	Under preparation. There is a behavioural Charter for public employment which is applicable to parliamentary officials. There is also a disciplinary Statute.	The Charter has been approved by a resolution of the Government and is applicable equally to parliamentary officials under a provision in the LOAR.	The basic values to be followed, such as: legality, neutrality, responsibility, integrity, pursuit of the public interest etc. Duties with respect to: 1) citizens (equality, impartiality, competence, courtesy), 2) government (reserve, discretion, solidarity, commitment), 3) sovereign bodies (commitment, loyalty, etc).
ROMANIA (Chamber of Deputies)	No.	-	-
ROMANIA (Senate)	The draft Regulation on parliamentary officials is in the process of being drafted.	-	-
RUSSIA (Federation of)	No.	-	-
SLOVENIA	No.	-	-
SPAIN (Senate)	No, however the majority of responsibilities and incompatibilities are contained in the Regulations on the staff of the Cortes.	-	Defined as obligations in Chapter VI of the Staff Regulations: - respect for the Constitution and the legislative body; - political impartiality; - obedience to orders; - incompatibility with other economic and political activities.
SWEDEN	There is no code. The laws relating to government, and collective agreements, are applicable.	-	-

<i>Country/Assembly</i>	<i>Existence of a Code</i>	<i>Source/origins</i>	<i>Areas covered</i>
SWITZERLAND (Federal Assembly)	No, although there are guidelines inspired by regulations in force in the Administration.	These concepts have been adopted by the Management of Parliamentary Services.	- Neutrality; - Confidentiality.
TANZANIA (National Assembly)	No.	-	-
UNITED KINGDOM (House of Commons)	The Staff Handbook and the Management Code have sections governing the behaviour of parliamentary staff.	By the Board of Management, comprising the heads of services and by the House of Commons Commission, chaired by the Speaker, after consultation with recognised unions.	Political activity. Disclosure of, or publications on, official matters. Management of private financial matters. Acceptance of gifts. Private telephone calls, etc.
UNITED KINGDOM (House of Lords)	Yes. It comprises part of the Staff Handbook of the House of Lords, supplemented in some cases by the Civil Service Management Code. The Staff Handbook also contains a disciplinary code. The conditions of work for government officials, House of Commons officials, and House of Lords officials are similar.	By the Personnel Department, in the name of the SG/Clerk, after consultation with the Unions. The Management Code is issued by the Government.	Numerous, including: outside employment, political activity, disclosure of confidential information, writing on issues before their discussion in parliament, acceptance of gifts, private telephone calls, dress, etc.
URUGUAY	The Code is included in the Law on Senate Staff. It is based on the basic principles laid down by the Constitution and in part on the statutes of other state bodies.	By the Senate.	Proper discharge of duties.
ZAMBIA	Yes. It follows the model of the General Orders of the Civil Service.	By the Office of the Speaker, via the Clerk's Office.	- absenteeism - indiscipline - poor performance - theft - improper dress - etc.

Section C: General definition of the nature, aims and content of a code of conduct for parliamentary staff

<i>Country/ Assembly</i>	<i>Appropriateness/ Effectiveness</i>	<i>Method of adoption</i>	<i>Sanctions</i>	<i>Content</i>	<i>Scope of application</i>
ARGENTINA (Senate)	The existing Statute is the most appropriate instrument.	The Statute was adopted taking into account the demands of staff, through the representative unions.	Yes, applicable by the relevant services, in the event of breach of the provisions of the Statute. The decision is subject to administrative review or to appeal.	A code of ethics should include general principles as well as specific rules. It is appropriate to adopt a single body of rules covering all conduct of parliamentary staff, both from the ethical point of view and from the individual, administrative etc. angles.	All personnel. It would be useful for the ASGP to adopt a single code.
AUSTRALIA (House of Representatives and Senate)	The Code is only one of the measures to adopt in order to achieve a respect for certain standards.	-	They are not contained in the Code, but in the law on the public service, which includes in particular: - suggestions; - warnings; - deductions in pay; - transfer; - dismissal.	Only general principles. Specific rules are contained in the law on public service.	To all staff. It is not realistic to think of a single code for all the parliamentary assemblies of the ASGP. The Codes for Ministers, parliamentarians, and state officials should however be complementary.
AUSTRIA	-	-	-	-	-

<i>Country/ Assembly</i>	<i>Appropriateness/ Effectiveness</i>	<i>Method of adoption</i>	<i>Sanctions</i>	<i>Content</i>	<i>Scope of application</i>
BELGIUM (Chamber of Representatives)	--	-	Laid down by the Statute on Personnel. Internal appeals are provided for, to bodies of the chamber; external appeal is possible to civil tribunals, which are competent to consider conflicts between civil and political rights. These courts provide for appeals in respect of loss and damage but are not competent to annul acts.	--	-
BELGIUM (Senate)	Hitherto, the organic Rules suffice, even if it would be possible in the future to make improvements.	-	--	--	-
BRAZIL (Senate)	Ethical behaviour is a "personal philosophy of life" which it can be difficult to impose by decree. To be effective, a code of conduct must be preceded by the application of marketing concepts.	A political will is necessary to conform to directives suggested by an Ethics Commission, so as to avoid different measures being adopted in comparable situations.	Yes. By the Ethics Commission with the possibility of appeal to the directing Committee of the House.	<ul style="list-style-type: none"> - professional activities external to the House; - conflicts of interest; - incompatibility; - behaviour outside work; - professional confidentiality; - conduct at work; - probity, rectitude, loyalty, and justice in administrative decisions. 	All House staff. A single code applicable to all Assemblies within the ASGP would not be realistic.

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BURKINA FASO	Other means might be more effective, such as a Statute on Personnel.	By a resolution of the Assembly.	Yes, disciplinary sanctions whose application would be in the hands of an administrative tribunal of Parliament.	<ul style="list-style-type: none"> - relations with Members; - dealings outside Parliament; - conflicts of interest; - professional confidentiality and discretion; - conduct at work. 	Applicable to all officials to differing degrees according to level of responsibility and level of sanctions; there might be a common basis to codes of behaviour for members, ministers, government officials, and parliamentary officials.
CANADA (House of Commons)	The policy adopted by the Human Resources Directorate, after consultation with managers unions and legal services, has shown itself to be effective.	Always after consultation with staff.	No. These can, however, be set according to the individual case by the line manager. It is always possible to bring a complaint before the Public Service Staff Relations Board.	<ul style="list-style-type: none"> - relations with Members; - conflicts of interest; - conduct outside and at work; - loyalty; - professional confidentiality. 	To all officials. A single code for all ASGP Parliaments could be a model for other codes. Whatever else is the case, a code of conduct (for ministers, government officials, members etc.) would be useful to avoid all conflicts between public duties and private interests.
CANADA (Senate)	Yes.	It is necessary that staff accept the code as a condition of work.	Yes. By the Senate or management. In the latter case only it is possible to appeal before an administrative tribunal.	All those listed in the questionnaire (see question C5).	To all officials. It would seem to be impossible to prepare a single code of conduct applicable to all Member Assemblies of the ASGP.

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CONGO (Senate)	Yes, a code of conduct is the most effective instrument.	By parliament, after adoption by staff.	Yes, by an administrative tribunal. Notably: - warning; - censure; - censure recorded in the employee's records; - temporary suspension; - dismissal.	- relations with Members; - incompatibility; - freedom of association and freedom to join political parties; - professional secrecy and duty of discretion; - conduct at work.	To all personnel. The preparation of a single code of conduct would not be useful. Nevertheless, certain general principles could be agreed.
COUNCIL OF EUROPE (Parliamentary Assembly)	The Statute for Public Servants has shown itself to be effective.	-	-	-	-
CROATIA	Existing instruments are already satisfactory.	-	-	Most aspects appropriate to a code of conduct are contained in the Rules of Parliament. Other aspects can be found in public employment law.	To all personnel. There should be elements in common only with the code for other public officials. The adoption of a single code for all Members of the ASGP would not be possible because of the different political systems and parliamentary structures.
CZECH REPUBLIC	-	-	-	-	-
DENMARK	It would not seem possible or practical to establish a code of conduct with legally independent significance for all parliamentary officials.	-	-	-	-

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EGYPT	-	-	Yes, in the Staff Rules which lay down different sanctions according to the events, from warning to dismissal. An official, following a decision by a disciplinary council, can petition the President/Speaker.	-	To all personnel. General guiding principles could be studied for all ASGP parliaments rather than a single code.
ESTONIA	Existing instruments are satisfactory.	By the SG.	No. A code of conduct can only lay down principles. Sanctions must be laid down by the law.	<ul style="list-style-type: none"> - links with Members; - professional outside activity; - freedom of association; - discretion; - conduct at work. 	To all staff. A code could be prepared which would serve as an example for all Parliaments which did not possess one but it would not be realistic to attempt to apply the same code to all member parliaments of the ASGP.
FINLAND	-	-	-	-	-
FRANCE (National Assembly)	The behaviour of officials is effectively regulated by their regulations. The internal regulations determine their obligations and provide for sanctions. In these circumstances a code of practice would need only to determine principles of conduct.	By the authorities of the Assembled, after having been drafted by representatives of the administration and staff.	They are already provided for in the internal regulations.	They must include general principles of behaviour. In particular: <ul style="list-style-type: none"> - relations with parliamentarians; - conflicts of interest; - behaviour in the workplace; - behaviour outside work. 	To all staff, but with more or less strictness according to the degree of responsibility. It seems difficult to define a code of practice common to all the assemblies of the ASGP.

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FRANCE (Senate)	It has not hitherto appeared necessary to adopt a code of conduct. Regulation of the behaviour of officials is achieved by the specific inclusion of a number of duties in the Staff Rules and the existence of a number of unwritten rules of behaviour.	In theory, if the code contained only recommendations, it could be adopted by the staff themselves. However, if the code was to be a normative one, and to lay down sanctions, adoption should be by the Bureau after consultation with staff representatives.	Yes, if the code is a normative one. In the Senate, application of lesser sanctions rests with the administrative authorities and for the more severe penalties with parliamentary authorities on a proposal from management.	Relations with Members. Behaviour at work. A code of conduct should lay down general principles.	To all personnel. It is possible that all member parliaments might adopt several rules in common, but not a single code. A possible code for parliamentary officials would contain provisions common to a code for government officials but it should in all circumstances be a separate code.
FYRoF MACEDONIA	It is the most appropriate instrument insofar as it is capable of bringing together the different provisions contained in different laws.	By the staff.	-	All those listed in the questionnaire (see question C5).	The idea of a single code for all member parliaments of the ASGP is interesting, on condition that account is taken of specific differences.
GERMANY (Bundesrat)	The regulation of certain fundamental principles could be more effective than a complex code of conduct.	By the President/ Speaker of the Bundesrat assisted as necessary by the Standing Consultative Council.	No. The setting down of sanctions is a matter for the legislators.	- relations with elected Members; - outside professional activities; - incompatibilities; - discretion.	All personnel. Adoption of a single code for all ASGP parliaments would not be useful.

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GERMANY (Bundestag)	Besides the norms in section A, a code of practice for parliamentary staff could still further define and underline duties which were to be observed.	The Ministry of the Interior is in the process of producing a draft code of practice to prevent corruption. It would be obligatory for the whole public administration, including the parliamentary administration. This code could be adopted by the federal government.	The failings of public officials in the accomplishment of the duties of office are punished according to the terms of the law on Public Administration with regards to salaried employees, there are applicable measures provided for in employment law (warning, transfer, dismissals). The measures are applied by the Administration or by independent tribunals, with the possibility of appeal.	All those principles found at question C.5.	To all personnel. A single code of practice for all legislative assemblies within the ASGP might at most contain fundamental principles and guidelines for their application in national law.
GREECE	It is more appropriate to have recourse to other instruments, such as the code for government officials, in respect of disciplinary measures, or to the constitution, in respect of matters dealing with respect and behaviour.	By the President/ Speaker and parliamentary officials.	Yes, by officials at the highest level with the possibility of appeal to a disciplinary council of Parliament, which would comprise above all employees, and beyond that to ordinary courts.	All those matters listed in the questionnaire (see question C5).	-
HUNGARY	-	-	-	-	-

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INDIA (Rajya Sabha)	The code of conduct for Union government officials which is applicable also to parliamentary staff is satisfactory. It contains both general and specific rules.	By the staff.	Yes, by the President/ Speaker and the SG, under delegated power from the Speaker, except for officials in Class I. In both cases, appeals may be heard before by the President/Speaker. It is also possible to question the decision of the SG and of the President/Speaker before a civil tribunal or the high court.	All the points listed in the questionnaire (see question C5). It should in all cases provide for general principles as well as specific points.	To all personnel. It would be possible to apply a single code of conduct to all assemblies which are members of the ASGP.
IRELAND	-	-	-	The Finance Ministry has issued Circulars setting out the relationships between state officials and politicians, between officials and outside activity as well as their duties of discretion.	-
ISRAEL	-	-	-	-	-
JAPAN (House of Representatives and House of Councillors)	Consideration is being given to the possibility of introducing a code of practice for parliamentary staff.	-	-	-	-

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REPUBLIC OF KOREA (National Assembly)	At present the law on public employees is adequate.	By the staff themselves.	Yes, with the possibility of appeal to an administrative body of the Parliament.	Specific rules of conduct concerning: <ul style="list-style-type: none"> - relations with members of parliament; - conflicts of interest; - freedom of association; - professional secrecy; - confidentiality; - etc. 	To all staff. A Code of Practice for all parliaments of the ASGP would be very useful.
KUWAIT	The most appropriate instrument for regulating the behaviour of parliamentary officials is the independence of the Assembly.	By the President/ Speaker on a proposal presented by the SG and which has been considered within the Bureau.	Yes, by the President/ Speaker for all higher posts, by the SG for other posts with the possibility of presenting an appeal before the SG, the President/Speaker, or the Administrative Department in the civil court.	All those listed in the questionnaire (see question 5) as well as: <ul style="list-style-type: none"> - relationships between employees; - efficiency and meticulousness; - promotions. 	To all personnel. While on the one hand, it would be difficult to lay down a single code for all member parliaments of the ASGP, on the other it would nevertheless be possible to lay down some general principles in common.
NAMIBIA (National Assembly)	Yes, because it has resulted in a precise definition of the rights and responsibilities of staff.	Parliament would have to adopt the Code after debate.	It must include positive guidelines as well as sanctions.	It must include general principles as well as details.	—
NEPAL	—	By Parliament.	—	<ul style="list-style-type: none"> - Respect and diligence; - impartiality; - loyalty; - cooperation; 	—

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POLAND (Sejm)	-	-	-	-	-
POLAND (Senate)	The Polish system regulates this matter by legal measures; a code of practice seems, in any case, to be a very appropriate instrument.	By multilateral relations amongst the concerned parties. with their agreement.	Sanctions would have to be nominal. The body responsible for the application of sanctions would have to be composed of staff representatives, the employer and parliamentarians.	Specific rules of behaviour, in particular: - relations with parliamentarians; - behaviour both at work and outside work; - confidentiality; - outside activities; - conflict of interests.	To all staff. A single code for all legislative assemblies of the ASGP would be useful.
PORTUGAL	Yes, if it is associated with a rigorous disciplinary statute and a legal definition of the rights and duties of staff.	By the unions, staff associations and their representatives.	No. Only in the case of dismissal should these be contained in the disciplinary statute which is a matter for the SG or the President/Speaker. Appeal to the Supreme Administrative Court is permitted in any case where the decision would be of permanent effect. Appeal to the President/Speaker is possible in cases where the sanction comes within the competence of the Secretary General.	- relationships with Members; - outside activity; - conflict of interests; - incompatibilities; - outside behaviour; - freedom of association and membership of political parties; - professional secrecy and discretion; - conduct at work.	To all staff. Because of the specific circumstances in each country, the creation of a single code for all member parliaments of the ASGP is not considered realistic.

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ROMANIA (Chamber of Deputies)	Yes, it would be the most appropriate instrument. It should lay down specific provisions.	By the Chamber following the requirements of the legislative procedure.	Yes. Disciplinary sanctions would be laid down by a special commission composed of staff. Appeal would be possible to a civil tribunal.	It should contain specific rules corresponding more or less to those matters in the questionnaire (see question C5), notably in respect of behaviour at work.	To all staff. The adoption of an outline code containing general principles and recommendations which could be adapted to the specifics of each country would be practical and useful.
ROMANIA (Senate)	Yes, underlining the independent character of parliamentary staff in relation to all political groups.	By Parliament, through a decision involving general participation by all salaried employees.	Administrative sanctions, from a simple official warning to dismissal. Sanctions could be the subject of appeal before: - the permanent Bureau of the relevant chamber; - an internal administrative authority of the Parliament whose structure includes representatives of managerial and staff bodies; - a legal authority (an administrative tribunal).	General principles as well as detailed rules, especially all those principles found at question C5, as well as certain immunities to ensure dignity and independence.	The Code would have to be applicable to all staff, making a distinction between different grades. A single code for all the parliaments of the ASGP would be very useful, provided it contain guiding principles and recommendations. Other codes for ministers, parliamentarians etc. would be of such a kind as to ensure the normal functioning of the State with regard to the separation of powers.

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RUSSIA (Federation of)	Employees of the Council of the Federation are state officials, whose rights and responsibilities are defined in federal legislation on the public service. The idea of a code of practice for parliamentary staff is interesting.	By the parliamentary staff.	Yes, provided there is no clash with statutes in force. The official can take his case to a civil tribunal.	General principles as well as specific. In particular: - relations with Parliament; - freedom of association; - professional secrecy and confidentiality; - behaviour at work; - etc.	It would be useful to have a single code for all parliaments of the ASGP, containing only general principles and corresponding to other codes for ministers, parliamentarians etc.
SLOVENIA	Yes, for certain matters, although for others the law is more appropriate.	By the staff themselves.	Yes, in particular warnings and moral sanctions.	- relationships with Members; - conflicts of interest; - secondments to the Executive; - behaviour at work and outside.	To all personnel. It would be beneficial to fix at least general guidelines for a single code for member parliaments of the ASGP.
SPAIN (Senate)	Depends on the legal system and tradition of each country. Where professional obligations are clearly defined as law, the Code is unnecessary.	-	Disciplinary sanctions such as suspension from work, redeployment to other duties, dismissal. This last sanction is decided by the Bureaus of the two chambers. The other sanctions by the SG with the possibility of appeal to the Bureau.	All those aspects cited in question C5.	To all staff, but with greater strictness for officials of a higher grade or having important responsibilities. It would be useful to provide general principles for all parliaments of the ASGP.

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UNITED KINGDOM (House of Lords)	Yes. It should lay down clear rules of behaviour and be sufficiently flexible to be amended according to circumstances. It is equally necessary for it to contain general principles as specific matters.	By staff and their unions. A parliamentary official accepts the conditions on recruitment.	Yes, but these should not be such as to restrict the choice to have recourse to disciplinary powers(?). The responsibility belongs to the personnel office, with the possibility of appeal to the SG/ Clerk, a civil service appeal board or an industrial tribunal.	All those matters listed in the questionnaire (see question C5).	To all personnel, with specific rules for the higher levels. A single code for all ASGP member parliaments does not seem realistic. A code of conduct for parliamentary officials, while remaining distinct, would certainly resemble a code for government officials.
URUGUAY	Yes. The statute, by virtue of its legal force and its permanence constitutes a guarantee for staff and management.	By the Senate, but with an opportunity for employees to be heard during preparation of the text.	Yes, by the SG or the President/Speaker according to the seriousness of the penalty. In the former case, an appeal is possible before the President/Speaker or the Senate, in the latter case, appeal is possible before the Senate. In all cases, a final appeal is possible before the administrative disputes tribunal.	Particularly: - links with Members; - conflicts of interest; - incompatibilities; - secondments to the Executive; - discretion; - behaviour at work.	The code should contain provisions governing all staff activity. A single code for all ASGP member parliaments would not be possible, although it is true that principles such as honesty, transparency, openness, etc. are common to all.
ZAMBIA	Yes, it is the most appropriate instrument.	By an independent body after listening to parliamentary staff.	Yes, by the SG on advice from the heads of services. Appeal is possible to a Committee composed of the Heads of Services.	All those listed in the questionnaire (see question C5).	To all staff. It would not be possible to lay down a single code for all member parliaments of the ASGP.