



HM GOVERNMENT OF GIBRALTAR

THE MINISTERIAL CODE

FOR MINISTERS OF HM GOVERNMENT OF GIBRALTAR

CONTENTS

MINISTERIAL CODE

INDEX

Section	Page	
1	MINISTERS OF THE CROWN	1-3
	General principle	1
2	MINISTERS AND THE GOVERNMENT	4-5
	General principle	4
	Cabinet and Ministerial Committee business	4
	Collective responsibility	4
	Attendance at Cabinet and Cabinet Committees	5
	Publication of policy statements and Consultation Papers	5
	Cabinet documents	5
	Access by former Ministers to official papers	5
	The Attorney General	5
	Security of Government Business	5
3	MINISTERS AND APPOINTMENTS	6
	General principle	6
4	MINISTERS AND THEIR DEPARTMENTS	7 - 8
	General principle	7
	Approval criteria	7
	Arrangements during absence from Gibraltar	8
	Maternity Leave & other extended absence from Gibraltar	8
5	MINISTERS AND CIVIL SERVANTS	9 - 10
	General principle	9
	The role of the Controlling Officer	9

6	MINISTERS' PARTY INTERESTS	10
	General principle	10
	Use of Government property / resources	10
	Interests of a constituent	10
7	MINISTERS' PRIVATE INTERESTS	11-14
	General principle	11
	Responsibility for avoiding a conflict	11
	Procedure	11
	Financial interests	11
	Steps to be taken where financial interests are retained	11
	Public appointments	12
	Non-Public Bodies	12
	Trade Unions	12
	Legal proceedings	12
	Nomination for prizes and awards	13
	Foreign decorations	13
	Acceptance of gifts and hospitality	13
	Register of gifts	13
	Acceptance of appointments after leaving ministerial office	14
8	MINISTERS AND THE PRESENTATION OF POLICY	15 - 17
	General principle	15
	Media, interviews, speeches etc	15
	Press articles	15
	Payment for speeches, media articles etc	16
	Books	16
	Surveys	16
	Publication of White and Consultation papers	16
	Complaints	16
	Meetings with external organisations	16
	Statistics	17

9	MINISTERS AND PARLIAMENT	18
	General principle	18
	Timing and form of announcement	18
	Oral Statements	18
	Select Committee Reports	18
10	TRAVEL BY MINISTERS	19 - 20
	General principle	19
	Overseas visits	19
	Ministers recalled from abroad	19
	Foreign visits	19
	Use of official cars	19
	Party Political occasions	20
	Air miles	20
	Travelling expenses of spouses / partners	20
11	CONCLUSION	21
	ANNEX A: THE SEVEN PRINCIPLES OF PUBLIC LIFE	22

THE MINISTERIAL CODE

MINISTERIAL CODE

1 MINISTERS OF THE CROWN

General Principle

1.1 Ministers of the Crown are expected to behave in a way that upholds the highest standards of propriety.

1.2 Ministers should be professional in all their dealings and treat all those with whom they come into contact with consideration and respect. Working relationships, including with civil servants, ministerial and parliamentary colleagues and parliamentary staff should be proper and appropriate. Harassing, bullying or other inappropriate or discriminating behaviour wherever it takes place is not consistent with the *Ministerial Code* and will not be tolerated.

1.3 The *Ministerial Code* should be read against the background of the overarching duty on Ministers to comply with the law and to protect the integrity of public life. They are expected to observe the Seven Principles of Public Life set out at Annex A, and the following principles of Ministerial conduct:

- a. The principle of collective responsibility applies to all Government Ministers;
- b. Ministers have a duty to Parliament to account, and be held to account, for the policies, decisions and actions of their departments and agencies;
- c. It is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Chief Minister;
- d. Ministers should be as open as possible with Parliament and the public, refusing to provide information only when disclosure would not be in the public interest which should be decided in accordance with the relevant statutes;
- e. Ministers should similarly require civil servants under their direction to be as helpful as possible in providing accurate, truthful and full information in accordance with the duties and responsibilities of civil servants;

- f. Ministers must ensure that no conflict arises, or appears to arise, between their public duties and their private interests;
- g. Ministers should not accept any gift or hospitality which might, or might reasonably appear to, compromise their judgement or place them under an improper obligation;
- h. Ministers must not use government resources for Party political purposes; and
- i. Ministers must uphold the political impartiality of the civil service and not ask civil servants to act in any way which would conflict with the role and position of civil servants.

1.4 It is not the role of the Chief Secretary or other officials to enforce the Code. If there is an allegation about a breach of the Code, and the Chief Minister, having consulted the Chief Secretary feels that it warrants further investigation, he will refer the matter to an Independent Adviser for investigation.

The Independent Adviser has a role, set out in Terms of Reference published by the Chief Minister, in advising the Chief Minister and Ministers about adherence to the Code. Ministers are expected to provide the Independent Adviser with all information reasonably necessary for the discharge of his role.

Investigations into adherence to the Ministerial Code may occur:

- a. If there is an allegation about a breach of the Code, and the Chief Minister, having consulted the Chief Secretary, feels that it warrants further investigation. The Chief Minister may ask the Chief Secretary to investigate the facts of the case and/or refer the matter to the Independent Adviser.
- b. Where the Independent Adviser believes that an alleged breach of the Code warrants further investigation and that matter has not been already referred to him, he may initiate an investigation. Before doing so, the Independent Adviser will consult the Chief Minister who will normally give his consent. However, where there are public interest reasons for doing so, the Chief Minister may raise concerns about a proposed investigation such that the Independent Adviser does not proceed. In such an event, the Independent Adviser may still require the reasons for an investigation not proceeding be made public unless this would

undermine the grounds that have led to the investigation not proceeding.

1.5 The Code provides guidance to Ministers on how they should act and arrange their affairs in order to uphold these standards. It lists the principles which may apply in particular situations. It applies to all members of the Government.

1.6 Ministers are personally responsible for deciding how to act and conduct themselves in the light of the Code and for justifying their actions and conduct to Parliament and the public. However, Ministers only remain in office for so long as they retain the confidence of the Chief Minister. He is the ultimate judge of the standards of behaviour expected of a Minister and the appropriate consequences of a breach of those standards.

1.7 Where the Chief Minister determines that a breach of the expected standards has occurred, he may ask the Independent Adviser for confidential advice on the appropriate sanction. The final decision rests with the Chief Minister. Where the Chief Minister retains his confidence in the Minister, available sanctions include requiring some form of public apology, remedial action or removal of ministerial salary for a period.

1.8 Ministers must also comply at all times with the requirements which Parliament itself has laid down in relation to their role as Parliamentarians.

2 MINISTERS AND THE GOVERNMENT

General Principle

2.1 The principle of collective responsibility requires that Ministers should be able to express their views frankly in the expectation that they can argue freely in private while maintaining a united front when decisions have been reached. This in turn requires that the privacy of opinions expressed in Cabinet and Ministerial Committees, including in correspondence, should be maintained.

Cabinet and Ministerial Committee business

2.2 The business of the Cabinet and Ministerial Committees consists in the main of:

- a. questions which significantly engage the collective responsibility of the Government because they raise major issues of policy or because they are of critical importance to the public;
- b. questions on which there is an unresolved argument between departments.

Collective responsibility

2.3 The internal process through which a decision has been made, or the level of Committee by which it was taken should not be disclosed. Neither should the individual views of Ministers or advice provided by civil servants as part of that internal process be disclosed. Decisions reached by the Cabinet or Ministerial Committees are binding on all members of the Government. They are, however, normally announced and explained as the decision of the Minister concerned. On occasion, it may be desirable to emphasise the importance of a decision by stating specifically that it is the decision of His Majesty's Government of Gibraltar. This, however, is the exception rather than the rule. Ministers also have an obligation to ensure decisions agreed in Cabinet and Cabinet Committees (and in write-rounds) are implemented. Ministers should take special care in discussing issues which are the responsibility of other Ministers, consulting ministerial colleagues as appropriate.

2.4 Matters wholly within the responsibility of a single Minister and which do not significantly engage collective responsibility need not be brought to the Cabinet or to a Ministerial Committee unless the Minister wishes to inform his colleagues or to have their advice. No definitive criteria can be given for issues which engage collective responsibility. The Chief Secretary can advise where departments are unsure, however, the final decision rests with the Chief Minister. When there is a difference between departments, it should not be referred to the Cabinet until other means of resolving it have been exhausted. It is the responsibility of the initiating department to ensure that proposals have been discussed with other interested departments and the outcome of these discussions should be reflected in the report made to Cabinet or to a Cabinet Committee.

Attendance At Cabinet & Cabinet Committees	2.5 Cabinet and Cabinet Committee meetings take precedence over other Ministerial business, although it is understood that Ministers may occasionally have to be absent because they are away from Gibraltar.
Publication of policy statements and Consultation papers	2.6 Before publishing a Command Paper (white paper) or a Bill (green paper), departments should consider whether it raises issues which require full collective ministerial consideration through the Cabinet. The expectation is that most such papers will need collective agreement prior to publication. Any Command Paper containing a major statement of Government policy should be circulated to the Cabinet before publication. This rule applies to anything containing major statements even when no issue requiring collective consideration is required.
Cabinet documents	2.7 Ministers relinquishing office should hand back to their department any Cabinet documents and/or other departmental papers in their possession. 2.8 On a change of Government, the Chief Secretary on behalf of the outgoing Chief Minister, issues special instructions about the disposal of Cabinet papers of the outgoing Administration.
Access by former Ministers to official papers	2.9 By convention and at the Government's discretion, former Ministers are allowed reasonable access to the papers of the period when they were in office. Such access is limited to former Ministers personally.
The Attorney General (AG)	2.10 The Attorney General (AG) must be consulted in good time before the Government is committed to critical decisions involving legal considerations. 2.11 By convention, written opinions of the AG, unlike other ministerial papers, are generally made available to succeeding Administrations at the discretion of the Chief Minister who was serving at the time. 2.12 When advice from the AG is included in correspondence between Ministers, or in papers for the Cabinet or Ministerial Committees, the conclusions may if necessary be summarised but, if this is done, the complete text of the advice should be attached. 2.13 The fact that the AG has advised or has not advised and the content of that advice must not be disclosed outside Government unless the Chief Minister determines otherwise.
Security of Government Business	2.14 Ministers have an important role to play in maintaining the security of Government business. They should consult their Head of Department or Principal Secretary for relevant advice if in doubt.

3 MINISTERS AND APPOINTMENTS

**General
principle**

3.1 Ministers have a duty to ensure that influence over civil service and public appointments is not abused for partisan purposes. Civil service appointments must be made in accordance with the requirements of the law.

4 MINISTERS AND THEIR DEPARTMENTS

General principle

4.1 The Chief Minister is responsible for the overall organisation of the executive and the allocation of functions between Ministers in charge of departments.

Approval criteria

4.2 The Chief Minister's approval must be sought where changes are proposed that affect this allocation and the responsibilities for the discharge of ministerial functions. This applies whether the functions in question are derived from statute or are general administrative responsibilities.

4.3 The Chief Minister's written approval must be sought where it is proposed to transfer functions:

- a. between Ministers in charge of departments unless the changes are de minimis, can be made administratively and do not justify public announcement.
- b. within the field of responsibility of one Minister when the change is likely to be politically sensitive or to raise wider issues of policy or organisation.
- c. when a change in ministerial titles is involved.

4.4 In addition, the Chief Minister's written approval should be sought for proposals to allocate new functions to a particular Minister where the function does not fall wholly within the field of responsibilities of one Minister, or where there is disagreement about who should be responsible.

4.5 Unresolved disputes concerning the allocation of functions should be referred to the Chief Secretary before a submission is made to the Chief Minister.

4.6 The Minister in charge of a department is solely accountable to Parliament for the exercise of the powers on which the administration of that department depends.

4.7 Ministers will be authorised to supervise the day-to-day administration of a defined range of subjects. This arrangement does not relieve the Head of Department of general responsibility for the

organisation and discipline of the department or of the duty to advise on matters of policy. Any conflict of view between a Minister and a Head of Department should be referred to the Chief Minister and the Chief Secretary.

Arrangements during absence from Gibraltar 4.8 Departments should ensure appropriate arrangements are made for Ministerial cover when Ministers are absent from Gibraltar for a lengthy period of time if this is deemed necessary.

4.9 The Chief Minister's prior approval should be sought for the arrangements for superintending the work of a department when the Minister in charge will be absent. Special care must be taken over the exercise of statutory powers. Ministers should seek legal advice in cases of doubt.

Maternity leave and other extended absence by a Minister 4.10 Ministers may take paid maternity leave (of up to six months) at the Chief Minister's discretion. While doing so, the Minister will be designated as a "minister on leave". During this period, the Minister will cease to perform ministerial functions and will not count towards any statutory limits that exist on ministerial numbers and salaries.

4.11 Ministers may also seek the permission of the Chief Minister for an extended absence in other circumstances, such as ill health, adoption or paternity. Where the Chief Minister agrees to such a request, the Minister must not exercise their functions as a Minister during their period of absence unless this is agreed by the Chief Secretary and the Minister who is temporarily covering the Ministerial responsibilities.

5 MINISTERS AND CIVIL SERVANTS

General Principle

5.1 Ministers must uphold the political impartiality of the civil service, and not ask civil servants to act in any way which would conflict with this. Ministers should be professional in their working relationships with the Civil Service and treat all those with whom they come into contact with consideration and respect.

5.2 Ministers have a duty to give fair consideration and due weight to informed and impartial advice from civil servants, as well as to other considerations and advice in reaching policy decisions.

The role of the Controlling Officer

5.3 Heads of departments and the chief executives of executive agencies are appointed as Controlling Officers or will have a designated Controlling Officer. This is a personal responsibility for the propriety and regularity of the public finances for which he or she is responsible; for keeping proper accounts; for the avoidance of waste and extravagance; and for the efficient and effective use of resources. Controlling Officers answer personally to the Financial Secretary on these matters, within the framework of Ministerial accountability to Parliament for the policies, actions and conduct of their departments.

5.4 Controlling Officers have a particular responsibility to see that appropriate advice is tendered to Ministers on all matters of financial propriety and regularity and more broadly as to all considerations of prudent and economical administration, efficiency and effectiveness and value for money. If a Minister in charge of a department is contemplating a course of action which would involve a transaction which the Controlling Officer considers would breach the requirements of propriety or regularity, the Controlling Officer will set out in writing his or her objections to the proposal, the reasons for the objection and the duty to inform the Financial Secretary and Principal Auditor should the advice be overruled.

5.5 If the Minister decides nonetheless to proceed, the Controlling Officer will seek a written instruction to take the action in question. The Controlling Officer is obliged to comply with the instructions and send relevant papers to the Financial Secretary and the Principal Auditor. A similar procedure applies where the Controlling Officer has concerns about whether a proposed course of action offers value for money. This notification process enables the Financial Secretary and the Principal Auditor to see that the Controlling Officer does not bear personal responsibility for the actions concerned.

6 MINISTERS' PARTY INTERESTS

General principle

6.1 Ministers are provided with facilities at Government expense to enable them to carry out their official duties. These facilities should not generally be used for party activities.

Use of Government property/resources

6.2 Government property should not generally be used for party political activities. Ministers are only allowed to hold such meetings where the subject matter under discussion is the policy of the Government.

6.3 Official facilities and resources may not be used for the dissemination of material which is essentially party political. Particular care should be taken to ensure that official social media accounts are not used for party political purposes.

Interests of a Constituent

6.4 Ministers are free to make their views about representations made by a constituent known to the responsible Minister by correspondence, leading deputations or by personal interview provided they make clear that they are acting as the constituent's representative and not as a Minister.

6.5 Ministers are advised to take particular care in cases relating to planning applications or other similar issues. In all such cases, it is important that they make clear that they are representing the views of the constituent, avoid criticism of Government policies and confine themselves to comments which could reasonably be made by those who are not Ministers. Once a decision has been announced, it should be accepted without question or criticism.

6.6 Particular care also needs to be taken over cases in which a Minister may have a personal interest or connection, for example because they concern family, friends or employees. If, exceptionally, a Minister wishes to raise questions about the handling of such a case they should advise the Chief Secretary and write to the Minister responsible, as with constituency cases, but they should make clear their personal connection or interest. The responsible Minister should ensure that any enquiry is handled without special treatment.

7 MINISTERS' PRIVATE INTERESTS

General principle	7.1 Ministers must ensure that no conflict arises, or could reasonably be perceived to arise, between their public duties and their private interests, financial or otherwise.
Responsibility for avoiding a conflict	7.2 It is the personal responsibility of each Minister to decide whether and what action is needed to avoid a conflict or the perception of a conflict, taking account of advice received from the Chief Secretary.
Procedure	<p>7.3 On appointment to each new office, Ministers must provide the Chief Secretary with a full list in writing of all interests which might be thought to give rise to a conflict. The list should also cover interests of the Minister's spouse or partner and close family which might be thought to give rise to a conflict.</p> <p>7.4 Where appropriate, the Minister will meet the Chief Secretary to agree action on the handling of interests. Ministers must record in writing what action has been taken, keep such a record in their office, and provide the Chief Secretary with a copy.</p> <p>7.5 The personal information which Ministers disclose to those who advise them is treated in confidence. However, a statement covering relevant Ministers' interests will be published twice yearly.</p> <p>7.6 Where it is proper for a Minister to retain a private interest, he or she should declare that interest to Ministerial colleagues if they have to discuss public business which in any way affects it and the Minister should remain entirely detached from the consideration of that business. Similar steps may be necessary in relation to a Minister's previous interests.</p>
Financial interests	7.7 Ministers must scrupulously avoid any danger of an actual or perceived conflict of interest between their Ministerial position and their private financial interests. They should be guided by the general principle that they should either dispose of the interest giving rise to the conflict or take alternative steps to prevent it. In reaching their decision they should be guided by the advice given to them by the Chief Secretary. Ministers' decisions should not be influenced by the hope or expectation of future employment with a particular firm or organisation.
Steps to be taken where financial interests are retained	7.8 Where exceptionally it is decided that a Minister can retain an interest, the Minister and the department must put processes in place to prohibit access to certain papers and ensure that the Minister is not involved in certain decisions and discussions relating to that interest.

7.9 In some cases, it may not be possible to devise a mechanism to avoid a conflict of interest. In any such case, the Chief Minister must be consulted and it may be necessary for the Minister to cease to hold the office in question.

**Public
appointments**

7.10 When they take up office, Ministers should give up any other public appointment they may hold. Where exceptionally it is proposed that such an appointment should be retained, the Minister should seek the advice of the Chief Secretary.

**Non-Public
Bodies**

7.11 Ministers should take care to ensure that they do not become associated with non-public organisations whose objectives may in any degree conflict with Government policy and thus give rise to a conflict of interest.

7.12 Ministers should not therefore normally accept invitations to act as patrons of, or otherwise offer support to, pressure groups, or organisations dependent in whole or in part on Government funding. There is normally less objection to a Minister associating him or herself with a charity, subject to the points above, but Ministers should take care to ensure that in participating in any fund-raising activity, they do not place, or appear to place, themselves under an obligation as Ministers to those to whom appeals are directed and for this reason they should not approach individuals or companies personally for this purpose. In all such cases, the Minister should consult the Chief Secretary.

Trade Unions

7.13 There is, of course, no objection to a Minister holding trade union membership but care must be taken to avoid any actual or perceived conflict of interest. Accordingly, Ministers should arrange their affairs so as to avoid any suggestion that a union of which they are a member has any undue influence; they should take no active part in the conduct of union affairs, should give up any office they may hold in a union and should receive no remuneration from a union. A nominal payment purely for the purpose of protecting a Minister's future pension rights is acceptable.

**Legal
proceedings**

7.14 Where Ministers become involved in legal proceedings in a personal capacity, there may be implications for them in their official position. Defamation is an example of an area where proceedings will invariably raise issues for the Minister's official as well as his or her private position. In all such cases, Ministers should consult the AG in good time and before legal proceedings are initiated so that they may offer guidance on the potential implications and handling of the proceedings.

7.15 Similarly, when a Minister is a defendant or a witness in an action, he or she should notify the AG as soon as possible. Preferably, this should be before he or she has instructed his or her own solicitors in the matter.

**Nomination
for prizes and
awards**

7.16 From time to time, the personal support of Ministers is requested for nominations being made for prizes and awards. Ministers should not sponsor individual nominations for any awards, since it would be inevitable that some people would assume that the Government was itself thereby giving its sponsorship.

**Foreign
decorations**

7.17 Ministers should not normally, while holding office, accept decorations from foreign countries. Where such an award is offered directly to a Minister and it would be difficult or embarrassing to decline, they can receive the award but should inform the Chief Minister and the Chief Secretary as soon as possible.

**Acceptance of
gifts and
hospitality**

7.18 It is a well established and recognised rule that no Minister should accept gifts, hospitality or services from anyone which would, or might appear to, place him or her under an obligation. The same principle applies if gifts etc are offered to a member of their family.

7.19 This is primarily a matter which must be left to the good sense of Ministers. Any Minister in doubt or difficulty over this should seek the advice of the Chief Secretary.

**Register of
Gifts**

7.20 Gifts given to Ministers in their Ministerial capacity become the property of the government and do not need to be declared. Gifts of small value, currently this is set at £140, may be retained by the recipient. Gifts of a higher value should be handed over to the department for disposal unless the recipient wishes to purchase the gift abated by £140. There is usually no import duty on the importation of official gifts received overseas. HM Customs can advise on any cases of doubt. If a Minister wishes to retain a gift he or she will be liable for any tax it may attract. Departments will publish, on a quarterly basis, details of gifts received and given by Ministers valued at more than £140.

7.21 Each Minister's private office shall keep a record of gifts received. This shall list the date on which the item was received, the name of the person or entity that presented the gift and a description of it.

7.22 All registers referred to herein shall be held by the office of the Chief Secretary and shall be open to inspection by arrangement by any member of the public without payment of any fee.

Acceptance of appointments after leaving ministerial office

7.23 On leaving office, Ministers will be prohibited from lobbying Government on behalf of any commercial interests for two years, if that government is of the same political party. They must also seek advice from the Chief Secretary about any appointments or employment they wish to take up within two years of leaving office, in the event that they are concerned about a potential conflict of interest between the former ministerial position and their proposed new role. In such circumstances, former Ministers must ensure that no new appointments are announced, or taken up, before the Chief Secretary has been able to provide this advice.

8 MINISTERS AND THE PRESENTATION OF POLICY

General principle

8.1 Official facilities paid for out of public funds can be used for Government publicity and advertising but may not be used for the dissemination of material which is essentially party political.

Media interviews, speeches etc

8.2 In order to ensure the effective coordination of Cabinet business, the policy content and timing of all major announcements, speeches, press releases and new policy initiatives should, where possible, be cleared in draft with the Press Office 24 hours in advance. All major interviews and media appearances, both print and broadcast, should also be agreed with the Press Office.

8.3 In all cases other than those described in paragraph 6.5, the principle of collective responsibility applies (see also paragraph 2.1). Ministers should ensure that their statements are consistent with collective Government policy. Ministers should take special care in referring to subjects which are the responsibility of other Ministers.

8.4 Ministers must only use official machinery, including social media, for distributing texts of speeches relating to Government business. Speeches made in a party political context must be distributed through the Party machinery.

8.5 Ministers invited to broadcast on radio, television and/or webcasts in a political or private capacity should consider if such a broadcast would have a bearing on another department's responsibilities, in which case they should clear the matter with the ministerial colleague concerned before agreeing to the invitation.

Press articles

8.6 Ministers may contribute to a book, journal or newspaper, including local newspapers in Gibraltar, provided that publication will not be at variance with their obligations to Parliament and their duty to observe the principle of collective Ministerial responsibility. No payment should be accepted for such articles.

8.7 Any Minister wishing to practice regular journalism must have the prior approval of the Chief Minister.

Payment for speeches, media articles etc	8.8 Ministers should not accept payment for speeches or media articles of an official nature or which directly draw on their responsibilities or experience as Ministers or with a view to donating the fee to charity. If the organisation in question insists on making a donation to a charity then it should be a charity of the organisation's choice. This is to avoid any criticism that a Minister is using his or her official position to influence or take the credit for donations to charity.
Books	8.9 Ministers may not, while in office, write and publish a book on their ministerial experience. Nor, while serving as a Minister, may they enter into any agreement to publish their memoirs on leaving their ministerial position.
Surveys	8.10 Ministers are sometimes asked to give interviews to persons engaged in academic research or in market opinion surveys or questionnaires. Ministers should bear in mind the possibility that their views may be reported in a manner incompatible with their responsibilities and duties as members of the Government and such interviews should normally be conducted with great care or declined.
Publication of White and Consultation papers	8.11 Care should be taken to avoid infringing Parliamentary privilege when publicity is being arranged for Command Papers and similar documents.
Complaints	8.12 Ministers who wish to make a complaint against a journalist or a particular section of the media either to the media in question or to the Gibraltar Regulatory Authority, should inform the Press Office and notify the Chief Minister beforehand.
Meetings with external organisations	8.13 Ministers meet many people and organisations and consider a wide range of views as part of the formulation of Government policy. Meetings on official business should normally be arranged through Minister's departments. A private secretary or official should be present for all discussions relating to Government business. If a Minister meets an external organisation or individual and find themselves discussing official business without an official present – for example at a social occasion or on holiday – any significant content should be passed back to the department as soon as possible after the event. Departments will publish quarterly details of Ministers' external meetings. The Chief Secretary shall rule on issues of confidentiality.

Meetings with newspaper and other media proprietors, editors and senior executives will be published on a quarterly basis regardless of the purpose of the meeting.

Statistics

8.14 Ministers shall ensure that the publication of monthly statistics on the Government website in respect of areas for which they are responsible are kept up to date, in a timely manner and are accurate. In particular, Ministers shall where possible ensure that the statistics are updated before the expiry of the deadline by which the Opposition is required to file Parliamentary questions.

9 MINISTERS AND PARLIAMENT

- General principle** 9.1 When Parliament is in session, the most important announcements of Government policy should be made, in the first instance, in Parliament.
- Timing and form of announcement** 9.2 Even when Government announcements are not of major importance their timing may require careful consideration in order to avoid clashes with other Government publications, statements or announcements or with planned Parliamentary business. The Offices of the Chief Minister and the Deputy Chief Minister should be given as long an opportunity as possible to comment on all important announcements.
- 9.3 A Government announcement shall not however be delayed or made to wait because Parliament is not in session.
- Oral Statements** 9.4 Ministers should not give undertakings, either in or outside Parliament, that an oral statement will be made to the House until this has been approved by the Chief Minister.
- 9.5 A copy of the text of an oral statement should usually be shown to the Opposition shortly before it is made. A copy of the final text of an oral statement should in all cases be sent in advance to the Speaker.
- 9.6 Every effort must be made to ensure that where a former Minister or a Ministerial colleague and/or a fellow MP is mentioned in a statement or report which prompts a Ministerial statement, he or she is given as much notice as is reasonably possible.
- Select Committee Reports** 9.7 Any Minister or civil servant who receives a copy of a Select Committee report in advance of publication should make no use of the report until it has been published.

10 TRAVEL BY MINISTERS

- General principle** 10.1 Ministers must ensure that they always make efficient and cost-effective travel arrangements. Official transport should not normally be used for travel arrangements arising from Party or private business, except where this is justified on logistical or security grounds.
- Overseas visits** 10.2 Ministers should make it their personal responsibility to approve the size and composition of Ministerial delegations for which their department is responsible, keeping delegations as small as reasonably possible.
- Ministers will wish to be satisfied that their arrangements could be defended in public.
- 10.3 Departments will publish, on the Government website, details of all travel overseas by Ministers.
- 10.4 When Ministers travel on official business, their travel expenses should be borne either by their departmental vote or by a central vote. Offers of free travel should not normally be accepted. The only exception to this is in the case of an offer of transport from an overseas government provided no undue obligation is created.
- Ministers recalled from abroad** 10.5 If a Minister is abroad with permission and is called home for ministerial or Parliamentary reasons – including to vote – the cost of the extra journey back and forth may be met by public funds. This also applies when a Minister has to extend a stay abroad because of official Government business.
- Overseas visits** 10.6 Ministers intending to make a visit abroad outside the United Kingdom are free to notify the United Kingdom Embassy in the country of destination if they so wish.
- Use of Official cars** 10.7 The Chief and the Deputy Chief Ministers are permitted to use an official car for official business and for home to office journeys on the understanding that they are using the time to work and on the basis that the quicker journey increases their time at work.
- 10.8 The number of Ministers with allocated cars and drivers will be kept to a minimum, taking into account security and other relevant considerations. Other Ministers will be entitled to use cars from the Government Car Service Pool as needed.

Party Political occasions

10.9 Where a visit is a mix of party political and official engagements, it is important that the department and the Party each meet a proper proportion of the actual cost.

10.10 The Chief Minister, and any other Minister for whom the security authorities exceptionally consider it essential, may use their official cars for all journeys by road, including those for private or Party purposes.

Air Miles

10.11 Air miles and other benefits earned through travel paid for from public funds, as from a date designated by the Chief Secretary, after this Code comes into force, other than where they are de minimis for example, access to special departure lounges or booking arrangements which go with membership of regular flier clubs, should be used only for official purposes. If it is impracticable to use the benefits for Government travel, there is no objection to Ministers donating them to charity if this is permissible under the terms of the airline's scheme and the charity is one approved by the airline.

Travelling expenses of spouses/partners

10.12 The expenses of a Minister's spouse/partner when accompanying the Minister on the latter's official duties may occasionally be paid from public funds provided that it is clearly in the public interest that he or she should accompany the Minister. The agreement of the Chief Minister must be obtained on each occasion before travel.

11 CONCLUSION

The interpretation of this Ministerial Code shall have regard, where relevant, to the Ministerial Code applicable to Ministers of the Government of the United Kingdom.

This Ministerial Code shall be subject to annual review by the Gibraltar Parliament.

The Seven Principles of Public Life

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence without discrimination or bias.

Accountability

Holders of public office are accountable for their decisions and actions and must submit themselves to whatever scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Gibraltar, 15 March 2023