

**Reference No:** ; **Date:** 13/07/2007

**13/07/2007 LP:- The Civil Service Code of Standards and Behaviour**

E109/407/99

13 July 2007

**Circular 26/04: The Civil Service Code of Standards and Behaviour**

Dear Personnel Officer

I refer to *Circular 26/2004 - The Civil Service Code of Standards and Behaviour* as issued 9 September 2004 and to the *Civil Service Code of Standards and Behaviour* as drawn up and promulgated by the Minister for Finance on 9 September 2004 pursuant to Section 10(3) of the Standards in Public Office Act 2001 and published by the Standards in Public Office Commission in December 2004 pursuant to Section 10(11) of the Standards in Public Office Act 2001.

The Standards in Public Office Commission (SIPO) in its Annual Report for 2006 referred to an inconsistency, in its view, between the provisions of the Code and the summary of its provisions as recited in the Code itself and in a summary of the Code set out in the Department of Finance Circular, 26/2004. The issue arises in the summary features dealing with the taking up of appointments within twelve months of resigning or retiring from the Civil Service where a conflict of interest arises.

To ensure consistency between the summary features and the provisions of the Code, Circular 26/2004 has been amended by the insertion of a new paragraph for the final paragraph of the Appendix to the Code - Summary of the main features of the Code.

The revised final paragraph is set out below:

"Civil servants shall not within twelve months of resigning or retiring from the Civil Service, accept an appointment, or particular consultancy project, where the nature and terms of such appointment could lead to a conflict of interest or the perception of such, without first obtaining the approval of the Outside Appointments Board or the Secretary General or Head of Office as appropriate. Additionally, civil servants who hold positions which are "designated" positions for the purposes of the Ethics in Public Office Acts must, within twelve months of resigning or retiring, obtain the approval of the Outside Appointments Board or the Secretary General or Head of Office as appropriate before taking up any outside appointment. [Sections 20 and 21]"

A copy of the amended Code of Standards and Behaviour is attached as an Appendix to this letter. The amended version of Circular 26/2004 is available at [www.personnelcode.gov.ie](http://www.personnelcode.gov.ie). In addition I attach an amendment page for insertion in the Code of Standards booklet published by the Standards in Public Office Commission.

CS Code of Standards Behaviour13 July 2007 Revised Appendix.pdf

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Personnel and Remuneration