

The Atlantica Party Association of Nova Scotia

Code of Ethics

Version 1.00

Preamble

As Atlantica Party Members we are proud of Atlantic Canada, its history, achievements and its immeasurable potential. The membership of the Atlantica Party (the "Party") is committed to integrity, honesty, respect, responsibility, fairness and compassion in their daily lives and in their work with the Party. This code is offered as a reminder that the Party is an integral part of our region and we must maintain the confidence and respect of the public. Ethics are an ever-present, ongoing fundamental aspect of the daily work of the Party. This Code is offered to unite our team and to remind its members of their duty to ensure the ethics and integrity of the Party are upheld.

The Party is committed to the preservation and enhancement of our system of democracy recognizing that ethical conduct is essential to maintaining public confidence in our system. This Code also recognizes the essentially competitive and adversarial nature of our political system, which fosters vigorous public debate and in so doing serves the public interest.

Application and Definitions

This Code applies to all Members of the Party.

In this Code, "Candidate" means any person who is declared as seeking a nomination, or who has been duly nominated, to represent the Party in a provincial election.

In this Code, "Member" means:

- Registered Party members.
- Any person who holds, or is declared as seeking, any office within the Party.
- Any person holding a position in the Party's campaign organization.
- Candidates.
- Any person who volunteers for the Party.
- Staff and directors of the Atlantica Party and The Atlantica Party Fund Inc.
- Party members of the Legislative Assembly.
- Any person employed as political staff of a Party MLA, the Party Caucus or a Party government.
- Regular suppliers of services or goods to the Party, when acting in this capacity.

In this Code, "Respondent" means any person against whom a complaint has been made.

Principles

The Party and its Members should pursue their activities with a commitment to basic values and principles of ethical behaviour central to which are integrity, honesty, respect, humility, responsibility, fairness and compassion.

Fundamental to the effectiveness and reputation of the Party and each of its Members is a principled, value-driven and reasoned approach to all actions and decisions. Each Member has an obligation to the Party and every other Member to act constructively and in a timely manner to inspire respect and support for this Code and to adhere to it when acting on behalf of the Party.

Guidelines

The following guidelines address some of the most commonly encountered ethical issues that face Members. Recognizing the impossibility of anticipating every situation that may arise, this is not to be viewed as limiting the range of the ethical guidelines binding the Party and its Members. These guidelines may be expanded upon or modified as the Ethical Panel encounters

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new situations and gains experience in hearing and disposing of cases. The Panel may proactively issue written guidelines to provide assistance to members with respect to specific matters.

General

1. Members shall strive to conduct themselves with integrity so as to sustain and enhance public confidence in the Party and the political process.
2. Members should make every effort to ensure that their conduct is above reproach in the view of reasonable, fair minded and informed persons. Members shall avoid conduct or practices likely to bring discredit upon themselves or the Party.
3. Members, in addition to observing these high standards personally, should encourage and support their observance by other Members.
4. Members shall be faithful to the letter and spirit of this Code, the principles of the Party and its Constitution and to the laws of Canada and Nova Scotia.
5. Any doubt as to the propriety of any course of action should be discussed with a member of the Ethics Panel.
6. Members shall use care to avoid disseminating false information and shall not knowingly do so.
7. Where a conflict or a potential conflict of interest arises members shall be guided by existing codes respecting conflict of interest such as those that apply to MLAs in their elected capacity and Civil Servants. Members are encouraged to seek advice from the Ethical Panel prior to taking any action that may place them in conflict of interest.
8. Members who are authorized to expend Party funds shall do so in a manner consistent with this Code.
9. No Member shall pressure prospective contributors or induce contributions by threatening retaliation or the withholding of legitimate government actions and no member shall offer benefits to induce contributions.
10. No Member shall pay Party funds or transfer Party property or give anything of value to another provincial political party or candidate in return for doing or refraining from doing something to assist the Party.
11. Members shall neither:
 - Offer nor pay nor give anything of material value to a voter directly for the purpose of procuring the support of that voter.
 - Offer nor pay nor give anything of material value to a third party when the member knows or suspects that the third party will pay or give something of material value to a voter for the purpose of procuring the support of that voter.

Enforcement

1. The Ethics Panel may initiate an investigation when it has received a complaint alleging a breach of this Code or when it has received information giving the Panel reasonable cause to believe there has been a breach of this Code.
2. Until a complaint coming before the Ethics Panel is concluded particulars of the complaint will be kept in the strictest confidence.
3. The Panel shall establish its own guidelines as to the disclosure of information and, to the extent reasonable, should strive to disclose as much information as possible about its operations and the matters that come before it.
4. Where there is evidence of a breach of law, the Ethics Panel shall refer the evidence to appropriate authorities.
5. Where the person who is the subject of an investigation by the Panel resigns his or her membership or position within the Party prior to the completion of the investigation or proceedings it shall be at the Panel's discretion whether to continue the investigation or proceeding.
6. The Ethics Panel (the "Panel") shall consist of:
 - An ethics Chair to be appointed by the Executive Council of the Party.

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- A lawyer who is also a member of the Party, to be appointed by the Executive Council.
 - An Atlantica Party MLA, to be appointed by the Leader.
 - The President of the Party.
 - An ex-officio member, to be appointed by the Leader.
7. The respondent shall be notified forthwith and given an opportunity to respond to a complaint while it is being investigated.
 8. Once the Panel has reasonable cause to believe there is a substantial basis for the complaint, the respondent shall be given adequate time to prepare a response, and a hearing shall be promptly arranged to consider the matter.
 9. Following the hearing, the Panel shall decide whether the respondent breached this Code and, if so, what sanction is appropriate. The Panel shall immediately communicate its decision, with reasons, to the respondent in writing, with a copy to the Executive Council and the Leader of the Party.
 10. The respondent may appeal the decision of the Panel to the Executive Council of the Party within 14 days (unless the panel agrees to extend the time period) of the Panel's decision. The Executive Council shall follow the same procedure as the Panel.
 11. Procedures shall be consistent with principles of natural justice.
 12. Sanctions imposed at any step of this process shall come into effect on the date set by the Panel and shall remain in effect unless and until modified or overturned on appeal.
 13. The Ethics Panel shall produce an Annual Report to be available at the Annual General Meeting of the Party outlining the cases with which it has dealt and any action it has taken in the preceding year. Where a respondent is excused by the Panel or on appeal, or where the respondent's case is disposed the Member shall not be named in the Annual Report of the Panel.

Sanctions

Members found to have breached this Code may be subject to the following sanctions:

1. Remedial action, which will involve discussing the problem with the Member so that he or she will see why the action was a mistake or created the appearance of impropriety. Where the Member fails to accept responsibility for his or her actions further sanctions shall be imposed by the Panel.
2. Reprimand either orally or in writing.
3. Suspension of membership in the Party for a term to be determined by the panel.
4. Revocation of membership in the Party.
5. Suspension of or disqualification from holding any office or position within the Party or a campaign.
6. In the case of Candidates disqualification from running as a Candidate for the Party for a term in the discretion of the panel.

Annual Review

This Code shall be reviewed annually by the Panel who shall present recommendations to the Party as a whole at each Annual General Meeting of the Party.

Version History

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