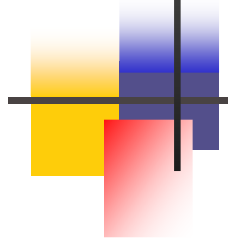




An Roinn Airgeadais
Department of Finance

- **Ethics in Public Office – Ireland**
- **Gifts**
- **12 June 2008**
- **Paul E Murphy, Department of Finance, Ireland**



Ethics in Public Office - Gifts

- Gifts as Registrable Interests
- Gifts given to an Office Holder by virtue of office
- Ethics in Public Office (Amendment) Bill 2007
 - “Benefits from friends”



Gifts as Registrable Interests

- Gifts are registrable interests
- Gifts must be disclosed
- Except:
 - Where the value of the gift is less than €650 [to be increased to €2,000];
 - Where the gift is from a relative or friend and for purely personal reasons only
 - Except
 - Where acceptance could have materially influenced the person in the performance of his / her official functions

Gifts given to office holders by virtue of office

- Office holder:
 - Minister of the Government, Minister of State, Speaker and Deputy Speaker of the Dáil, Chairperson and Deputy Chairperson of the Seanad
 - Includes the spouse or child or a child of the spouse of an office holder
- A gift given to an office holder by virtue of office with a value that exceeds €650:
 - deemed to be a gift to the State
 - must be surrendered
 - must be disclosed

Gifts given to office holders by virtue of office

- Except:
 - Political donation – the Electoral Acts apply
 - From a friend or relative and for personal reasons only
 - By virtue of some other office (e.g. chairperson of a golf club or other voluntary association)

Gifts given to office holders by virtue of office

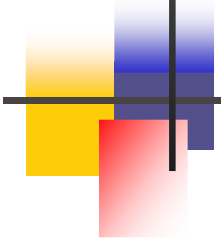


- The Office Holder must:
 - Inform the Secretary General to the Government of the gift
 - Dispose of the gift in accordance with the arrangements of the Secretary General



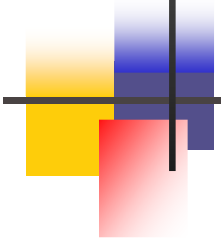
Gifts given to office holders by virtue of office

- The Secretary General must:
 - Determine the value of the gift
 - Determine that the gift is given by virtue of office
 - Arrange for the custody of the gift
 - Arrange for the disposal of the gift



Ethics in Public Office (Amendment) Bill 2007

- Requires office holders, non-office holding Oireachtas members and the Attorney General
- where offered a benefit or benefits
- with an aggregate value that exceeds €2,000
- in a period covered by a statement of registrable interests (typically a calendar year)
- by a friend
- for personal reasons only
- to seek the opinion of the Standards in Public Office Commission that the benefit or benefits
- would not be likely to materially influence the person concerned
- in the performance of his or her functions or duties as an office holder or Oireachtas member
- If this opinion is not obtained, the benefit cannot be accepted



Ethics in Public Office (Amendment) Bill 2007

- Defines 'Benefit' as:
 - Gift of property or of money; a loan (capital value of the loan); the supply of a service or the loan of a property
- Covers situations if offered a benefit at an occasion where it would be impractical to refuse it
- Empowers the Standards Commission to ask the applicant for such information as it considers necessary to consider the application for its opinion



Ethics in Public Office (Amendment) Bill 2007

- Requires the Standards Commission to make a determination on an application when it is satisfied with information provided and to notify the applicant of its opinion in writing
- Requires Oireachtas members including office holders and the Attorney General to make a statement of compliance with the provisions of the Bill each year to the Standards Commission



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Ethics in Public Office -

Ireland

- Ethics in Public Office Act 1995
- Standards in Public Office Act 2001
- Ministry of Finance web site
 - <http://www.finance.gov.ie/viewdoc.asp?DocID=744&CatID=57&StartDate=1+January+2006&m=c>
- Standards in Public Office Commission
 - <http://www.sipo.gov.ie>



Ethics in Public Office - Ireland

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