



# CODE OF CONDUCT

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National Land Commission Secretariat

2023



# **Code of Conduct**

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# **CODE OF CONDUCT, NLCS**

## **Introduction**

This Code of conduct is issued in line with the model Public Servant Code of Conduct drafted by the ACC in accordance with the requirements enshrined in the Anti-Corruption Act of Bhutan and the provisions of the Civil Service Act of Bhutan.

The National Land Commission Secretariat had drafted this Code with extensive consultations within the agency and was approved during the 170<sup>th</sup> Human Resource Committee meeting held on 1<sup>st</sup> February, 2023.

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## **Purpose**

1. The purpose of this Code of Conduct is to:
  - a) specify the standards of integrity and conduct to be complied with by the employees of the Commission Secretariat;
  - b) guide the employees to meet those standards; and
  - c) meet the expectations of the clients.

## **Scope**

2. This Code of Conduct; hereinafter referred to as “this Code” shall:
  - a) apply to all the employees of the National Land Commission Secretariat; and
  - b) be considered as part of the employment terms and conditions of an employee and its breach shall result in disciplinary or criminal sanction as appropriate.

## **Serving in Public Interest**

3. An employee shall demonstrate the highest standards of professional competence, fairness, integrity, and selflessness; and uphold the public interest at all times to maintain, sustain, and strengthen the public trust and confidence in the public service.

## **Code of conduct of the employees**

4. Pursuant to the provisions of the Civil Service Act of Bhutan and the Rules and Regulations enacted thereunder, the following are the Code of Conduct every employee is required to abide by:

## **Loyalty**

4.1. An employee shall be loyal and faithful to the TSA-WA-SUM and shall not act against the interest of the TSA-WA-SUM.

## **Professionalism**

4.2. An employee shall:

- a) demonstrate the highest degree of competence, skill, knowledge, creativity, self-leadership, resilience, perseverance, resolve, determination, fortitude, grit, adroitness, firmness, decisiveness, trustworthiness, reliability, and aptitude as required by his profession and adhere to the professional codes of conduct;
- b) be strategic, dynamic, innovative, astute, and steadfast; and strive to achieve the intended results based on predetermined targets and other performance standards set for public service delivery;
- c) endeavor to optimally use resources including time in achieving the objective, target, or task of the agency; and
- d) be mindful, careful, conscientious, thorough, and assiduous in carrying out the official duties.

## **Fairness**

4.3. An employee shall:

- a) be fair and impartial in the performance of his functions and in dealing with the public;
- b) at no time accord any undue preferential treatment to any group or individual or discriminate based on gender, race, religion, disability, region, or ethnic background, politics or other status; and
- c) not act arbitrarily and/or prejudicially against the right of their client and staff.

## **Transparency**

4.4. An employee shall be transparent in his decision and action unless otherwise required to maintain confidentiality and secrecy.

## **Discipline**

4.5. An employee shall be courteous and behave in conformity with the Driglam Namzhag, laws, standard and this code of conduct.

## **Political engagement**

4.6. An employee shall not:

- a) be eligible to be a candidate for any election conducted under the electoral laws of the Kingdom or hold any paid or unpaid post in any political party; and
- b) canvass for the political party or any candidate in an election conducted under the electoral laws of the Kingdom;

## **Conduct of private affairs**

- 4.7. An employee, even in his conduct of private affairs, shall comport himself in a manner expected and becoming of a public servant to sustain public trust and confidence.

## **Declaration of Conflict of interest**

5. An employee shall:
- a) not allow official position to conflict with or advance his private or personal interest or that of his family, relative, or associate, in any way;
  - b) not take part or influence any decision or decision-making proceeding or process of a public agency when he, his family, relative, or associate has a private or personal interest; and
  - c) declare any actual, perceived, or potential conflict of interest in accordance to the requirement placed on a public servant by law.

## **Asset Declaration and Liability**

6. An employee shall, as required by law, comply with requirement to declare his personal asset, income, and liability, as well as, those of his spouses and/or dependent.

## **Declaration of gifts**

7. An employee shall declare any gift received by him which is required to be declared in accordance to the provisions of the laws in force.

## **Susceptibility to influence by others**

8. An employee shall not:
- a) permit himself to be put, or seen to be put, in a position of obligation to return a favour to any person or body.
  - b) make his conduct whether in his official capacity or in his private life susceptible to the improper influence of other.

## **Abuse of official position**

9. An employee shall not:
- a) take advantage of his official position for the improper advancement of his personal, pecuniary, or non-pecuniary interest or that of his family, relative, and associate.
  - b) seek to influence any person or body, including other public servants, for his benefit or benefit of his family, relative, or associate, by using his official position or by offering them personal advantage.

## **Public and official resources**

10. An employee shall at all times ensure that the public property, facility, service, and financial resource with which they are entrusted to manage are used judiciously for intended or official purpose.
11. The patent right and copy right for any invention, discovery, innovation or intellectual work of an employee that has resulted from the employment in, use of public resource or supervision of the agency shall be vested with the agency.

## **Non-Disclosure of information**

12. An employee shall maintain confidentiality and secrecy of any matter, document, report, and other information relating to the official function that become known to him or come in his possession or under his control.
13. An employee shall:
  - i. take appropriate step to ensure the security and confidentiality of information or document for which he is responsible or of which he becomes aware or come to his possession and use only for the intended purpose; and
  - ii. not access to information or document that is not appropriate for him to do so.
14. An employee shall not disclose official information, whether confidential or not, unless authorized to do so.

## **Integrity vetting**

15. The Public Servants responsible for the selection, recruitment, promotion, nomination, appointment, and election of a person in the public office and award of a public contract or entering into a public contractual relationship shall ensure integrity vetting in accordance with the Integrity Vetting Rules of the Anti-Corruption Commission of Bhutan.

## **Post-service restrictions**

16. An employee shall:
  - a) not take advantage of his official position to obtain opportunity for future employment; and
  - b) forthwith disclose to his supervisor, management, or relevant authority any offer of employment received.

## **Risk assessment of posts or activities vulnerable to corruption**

17. The agency shall carry out corruption risk assessment of post or activity, and put in preventive and mitigating measure.



## **Protection of the public servant's privacy**

18. The agency shall take all necessary steps to ensure that the employee's privacy is respected and kept confidential unless otherwise required for by law.

## **Grievance Redressal Mechanism**

19. For the purpose of redressing grievances made by an employee, who believes he or she is being required to act in an unlawful, improper, or unethical way, the agency shall constitute a Grievance Redressal Mechanism.

## **Grievance Redressal Committee (GRC)**

20. The Committee shall constitute of the following members:
  - I. Secretary, Chairperson;
  - II. Director (DoLAM), member
  - III. Director (DoSAM), member
  - IV. Chief, PPD, member
  - V. Head, AFD, member
  - VI. Head, LD, member
  - VII. Head, HRD, member Secretary

## **Procedures for raising and handling complaints**

21. An employee who believes he is being required to act in an unlawful, improper, or unethical way shall file a complaint to the Grievance Redressal Committee.
22. An employee shall file a complaint with the GRC if he became aware of a breach of this Code by other employees, including pressure or undue influence applied to him by his supervisor, colleague or by any other.
23. The Committee shall ensure that complaint or information contained therein is treated confidentially and the complainant is not victimized.
24. The Committee shall ensure that due process of law and protect the right of a person while conducting an administrative inquiry on a complaint.
25. The Committee shall impose an appropriate disciplinary sanction for a breach of this Code as established by the administrative inquiry.

## **Disciplinary Sanctions**

26. An employee shall be liable for major or minor disciplinary sanction for the breach of this Code which shall include but not limited to the following:
  - (a) Major disciplinary sanctions

- (i) Termination; or
- (ii) Compulsory retirement.

(b) Minor disciplinary sanction

- (i) Suspension;
- (ii) Withholding of promotion;
- (iii) Demotion;
- (iv) Re-assignment of duties;
- (v) Withholding of annual salary increment;
- (vi) Reduction in salary;
- (vii) Deductions from salary, by way of fine;
- (viii) A reprimand; or
- (ix) Any other sanction.

27. The foregoing disciplinary sanctions shall not preclude the application of any civil or criminal sanctions if the breach of this Code constitute a criminal or statutory offense and is punishable under any other relevant law.

### **Accountability**

28. An employee holds the office in public trust and shall be held personally accountable and liable for any unlawful or inappropriate action, inaction or decision.

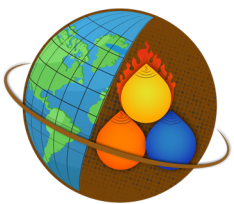
### **Supervisory Accountability**

29. The Head of the agency shall be held accountable if he fails to adopt and implement this Code.

### **Rules of construction**

30. Unless otherwise indicated in this Code, the words importing the singular number shall include plural number and vice versa and the words importing the masculine gender shall include the feminine gender.





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