

# **STATE TRADING CORPORATION**

## **CODE OF ETHICS**

*December 2018*

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## **Introduction**

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The Code of Ethics of the State Trading Corporation (STC) is aimed at promoting ethical values and good governance and ultimately enhancing the image of the Corporation through effective service delivery. The Code of Ethics sets out the ethical standards that Directors/employees shall adopt in view of maintaining the highest standards of integrity and professionalism.

This code applies to all the Directors and employees - permanent, part-time. Casual, temporary and contractual employees, of the State Trading Corporation. Directors/employees have to be loyal, committed, results-oriented, customer-centred, and above all, they have to adhere to a high standard of service values and principles.

Directors/employees are required to maintain confidentiality in the performance of their duties, particularly where the disclosure of information may prejudicially affect the interests of the Corporation as well as the State, or lead to incitement of an offence or illegal or unlawful gains to any person or body.

Directors/employees have the responsibility to always conduct and behave in a professional manner and demonstrate, respect towards all persons, whether colleagues, clients or members of the public.

STC also has a duty of fairness and security towards its Directors/Employees and other Stakeholders.

**Chairperson  
Board  
State Trading Corporation**

**General Manager**

## **1. State Trading Corporation (STC)**

The State Trading Corporation (STC) was set up by an Act of Parliament of October 1982 (amended in 1988). STC is the trading arm of the Government of Mauritius and it operates under the aegis of the Ministry of Industry, Commerce and Consumer Protection.

## **2. STC Vision, Mission & Objectives**

### **Corporate Vision**

To be a socially responsible, value-adding organization doing business based on best practices.

### **Mission Statement**

To consistently deliver quality strategic products at affordable prices to our customers in a socially responsible manner while maintaining high ethical standards in the conduct of our business.

### **Objectives of STC**

1. Importing and supplying strategic products.
2. Enhancing the logistics to secure continuity of supply of strategic products.
3. Ensuring end-to-end Customer Excellence whilst safeguarding the environment.
4. Driving the development of Petroleum Hub.
5. Optimizing the use of technology to improve processes and quality of service.

## **3. STC Core Values**

### **Integrity and Reputation**

The STC upholds the highest standards of integrity and honesty so as to gain the respect and confidence of its employees, stakeholders, consumers and the public at large.

### **Respect for the Laws of Mauritius and internal policies and procedures**

As a socially responsible entity, STC is committed to comply with applicable laws, rules and regulations with professionalism, integrity and loyalty.

### **Fairness and objectivity**

The STC is committed to act objectively and treat everyone in an equitable manner.

### **Transparency and Accountability**

The STC's efforts are geared towards the development of the Corporation in a manner which promotes a transparent and accountable administration.

## **4. Code of Ethics Guidelines for Directors and Employees of the Corporation**

### **Respect for the Law and System of Government**

As Directors/employees of the STC we should be faithful to the Republic of Mauritius, respect the Constitution, applicable laws and regulations in the performance of our duties.

We should also *ensure that decisions are made independent of the political party system, political bias or influence and that the same high standard of service is provided by the STC regardless of political affiliation.*

### **Respect for people and Colleagues**

As Directors/employees of the STC, we should uphold strong ethical and professional values when dealing with people and be respectful of their dignity and rights as contained in the Constitution.

We should be courteous, polite and responsive in all our dealings and treat people well. We should not discriminate against any person on the basis of race, gender, ethnic or social origin, colour, sexual orientation, age, disability, religion, political, persuasion, belief, culture or language.

### **Due Care in Discharge of Duties**

All employees have a duty to promote the organization's vision, mission, core values and goals and adhere to the highest ideals of professional competence, integrity and honesty in the performance of their duties.

### **Adopting Green Behavior at the workplace**

As Directors/employees of the STC, we should be in line with the best environmental and sustainable development practices in both our policies and our day to day activities.

We should encourage 'green behaviour' at work and should ensure that we save paper, energy and water in our day to day activities at the STC.

We shall spare no effort to safeguard the ecosystems and our natural working environment. We shall purchase products and services that are environmentally friendly and dispose the used items in a lawful manner.

### **Conflict of Interests**

A conflict of interest may be defined as a situation where the private interests of a Director/employee compete or conflict with the Director's/employee's duties or interests of the Corporation and the Government in such a manner as to influence the objective exercise of the employee's official duties.

Conflicts of interest include pecuniary interests (*i.e. financial interests or other material benefits or costs*) or non-pecuniary interests (*i.e. favouritism, cronyism, nepotism, political, religious, family or other interests*). They can involve the interests of the Directors/Employees members of his intermediate family or relatives (*where these interests are known*), business partners or associates, or his friends.

Directors/Employees shall avoid situations in which their private interests conflict, or might reasonably be perceived to conflict, with the impartial fulfilment of their official duties and the public interest.

### Disclosure of conflict interest

We should ensure that we comply with Section 13 and Section 15 of the Prevention of Corruption Act (POCA) which in essence makes it an offence for a public official of a public body-

- (i) Not to disclose his direct or indirect interest in an entity to be concerned by a decision of that public body; or
- (ii) To vote or take part in any proceeding of that public body that will result in a decision concerning an entity in which the public official has a direct or indirect interest. *[Section 13 and Section 15 of PoCA is reproduced at Appendix I]*

Consequently, where an officer suspects or believes that a situation of conflict of interest may arise in the execution of a particular task requiring the making of a decision by that officer, such situation of conflict of interest should be disclosed by the officer using the “Disclosure of Conflict of Interest” Form provided at Appendix II.

### **Outside Employment and Business Activity (applicable to employees)**

As employees, we are contractually required not to accept any other employment unless authorized. Nor are we allowed to engage in any business activity which may conflict or interfere with the performance of the employees’ official duties as this may cast doubt on their own integrity and may adversely affect the image of the Corporation.

If the activity is voluntary, not for reward and for social and charitable purposes, or consists in the delivery of a lecture as guest speakers, we have to inform our employer and give an undertaking that this will be conducted outside office hours; it will not affect our work and deliverables; it will not create a situation of conflict of interest; and we will not make use of STC property or resources.

### **Use of Corporation’s Resources**

The Corporation has the responsibility to ensure that its resources are protected and used in the provision of services for the organization and not for the personal benefit of employees. The Corporation’s resources include all services and facilities (*such as stationery, telephones or secretarial services, transport*) paid with STC’s funds.

### **Gift and other Benefits**

Director/employees on official duties often come into contact with persons and organizations conducting activities with the STC. While it is important to maintain contacts with outside groups, it is vital that STC Directors/employees be seen as being free from any form of bribery or corruption.

The integrity of the Corporation can be undermined if there is a suspicion that decisions are being improperly influenced by offer of gifts and other benefits.

Gifts or benefits include, but are not restricted to, free or less than market value accommodation, entertainment, hospitality and travel.

Directors/employees shall not demand or accept gifts, favours, hospitality or any other benefit for himself or his family, close relatives and friends, or persons or organizations with whom he has or has had business or political relations, which may influence or appear to influence the impartiality with which he carries out his duties or may be or appear to be a reward relating to his duties.

Directors/employees shall not offer or give any advantage in any way connected with his position, unless lawfully authorized to do so.

In cases of gift of nominal value received as protocol or as courtesy or for cultural reason, the Director/Employee may accept it provided that it does not compromise or appear to compromise in any way the integrity of the Director/Employee or the integrity of the organization.

### **Personal Conduct On and Off Duty**

Whether on or off duty, we should conduct ourselves in a manner that promotes a professional image both in our words and actions and which reflects positively on the reputation of the Corporation at all times. Among others we should observe punctuality at all times in our work and not absent ourselves from the place of work without permission.

We should not be under the influence of alcoholic beverages or any other substances with an intoxicating effect whilst at work.

We should not smoke tobacco or any tobacco product while on duty in office premises except at a place specially dedicated for smokers and refrain from smoking in indoor area which is open to the public or where the public is permitted to access.

We should not be engaged in gambling by any means at the workplace.

We also should not dress, speak or behave in a manner that undermines the reputation of the Corporation or embarrass our colleagues whilst on duty.

### **Good practices during a Pre-Election period**

The pre-election period, starting as from the date of issue of writs for an election or dissolution of the National Assembly until the declaration of the election results, or in the event of a change of Government, until the new Government is appointed. Care should be exercised when taking decisions, particularly with regards to expenditure and recruitment.

Directors/Employees should in particular:

- not use STC's resources or their positions to support particular issues or parties during the election campaign;
- not become caught up in party political activities or be used for logistical support for political functions;
- not wear political badges or display political matter; and
- when scheduled to speak at public functions, avoid controversial issues and limit their statements to facts and matters of administration.

## **Maintaining a Supportive Working Environment**

STC is an equal opportunity employer; employment is based solely upon abilities and ethics. STC is committed to maintaining a supportive work environment where all employees can reach their full potential. Furthermore, all employees have a right to work in a safe working environment, free of threats, intimidation and physical harm.

## **Confidentiality and Secrecy**

The STC holds a great deal of personal and sensitive information. Directors and employees, should not disclose confidential information except as required by the laws and regulations in order to create confidence in the integrity of the organization.

All employees are bound to respect, follow and abide scrupulously the provisions laid down in the Official Secrets Act as set out in extracts of the Official Secrets Act at Appendix IV.

Any newly employed officer or any newly trainee on placement have to sign the “Declaration to abide to the provisions of the Official Secrets Act” Form as set out at Appendix III.

Directors and employees should respect customers’ and stakeholders’ privacy and treat all information about them as private and confidential in so far as the law warrants it.

Directors/employees shall be bound by and shall continue to observe their duties of confidentiality after their directorship at STC or they leave the service.

## **Communication to the Media**

The media is a useful tool for conveying messages and shared understanding with our stakeholders. As employees of the STC, we must ensure that we manage our communication carefully so that there is consistency in the message received by our stakeholders and conflicting or confusing message are eradicated. At the STC, all external communication to the media are managed by the General Manager through the Communication Officer.

## **5. Enforcement of the Code**

By signing the “Oath of Allegiance” set out at Appendix V, all directors/ employees will express their intention to comply with the provisions of this Code of Conduct and Ethics and promote the Corporation’s reputation as a modern, responsible and ethical organization.

## **6. Laws and Regulations to be adhered by STC employees**

All Directors/Employees should take cognizance and adhere to the following Act and Regulations: STC Act, STC Rules, PRB Report, Employment Rights Act (ERA), Employment Relations Act (ERA), Human Resource Management Manual (HRMM), Prevention of Corruption Act (PoCA), and the Official Secrets Act.

## **7. Protection of whistle-blowers**

STC will endeavour to protect any person who reports a genuine and proven misconduct or breach of ethics.

## **8. Reporting and Investigation**

Any issues arising with regards to this code of ethics should immediately be reported to the Head of the respective Division, HR Manager or the General Manager.

Following investigation of reported cases, the HR Division may seek explanation in writing from concerned employee/s, issue warnings or in case of complex matters, a Committee may be set up to investigate and report to the General Manager and the Staff Committee/Board for disciplinary or other actions.

In the case of Board Members, any perceived breach of ethics will have to be reported to the Chairperson of the Board and the Chairperson of the Corporate Governance Committee for appropriate counsel or action.

All investigations will be carried out in a fair and objective manner. During investigation, due consideration will be given to the nature and complexity of the tasks/actions undertaken, that have given rise to a case of breach of ethics.

**Extracts of Prevention of Corruption Act (PoCA) 2002**

**Section 13 – Conflict of Interests**

- (1) Where –
- (a) a public body in which a public official is a member, director or employee proposes to deal with a company, partnership or other undertaking in which that public official or a relative or associate of him has a direct or indirect interest; and
  - (b) that public official and/or his relative or associate of him hold more than 10 per cent of the total issued share capital or of the total equity participation in such company, partnership or other undertaking, that public official shall forthwith disclose, in writing, to that public body the nature of such interest.
- (2) Where a public official or a relation or associate of his has a personal interest in a decision which a public body is to take, that public official shall not vote or take part in any proceedings of that public body relating to such decision.

Any public official who contravenes subsection (1) or (2) shall commit an offence and shall, on conviction, be liable to penal servitude for a term not exceeding 10 years.

**Section 15 – Receiving Gift for a Corrupt Purpose**

Any public official who solicits, accepts or obtains a gratification for himself or for any other person

- (a) from a person, whom he knows to have been, to be, or to be likely to be, concerned in any proceeding or business transacted or about to be transacted by him, or having any connection with his functions or those of any public official to whom he is subordinate or of whom he is the superior; or
- (b) from a person whom he knows to be interested in or related to the person so concerned,

shall commit an offence and shall, on conviction, be liable to penal servitude for a term not exceeding 10 years.

**“DECLARATION OF CONFLICT OF INTEREST” FORM**

Name of declarant: .....

Rank: .....

Department/Division: .....

Posting (Section/Unit): .....

Task assigned/New posting\* :.....

.....

.....

(Bid Evaluation Committee Member, Other\*\*)

\*Delete as appropriate

\*\*Give a brief description of work to be performed to carry out the task

Name of related entity (where applicable) :.....

Nature of conflict of interest (brief description): .....

**Declaration:** ....., the undersigned, hereby declare a conflict of interest (as described above) to undertake the present task assigned to me and move for its reassignment to an appropriate officer.

**Certification:** The above declaration is accurate and has been done to the best of my knowledge. I make this statement in good faith and further aver that I am aware of the legal and administrative consequences of any false or incorrect information given by me.

Signature: .....

Date:

.....

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(This part is applicable for employees only)

To be filled in by supervisor

Task reassigned to: Mr/Mrs/Ms.....

\*Reasons: .....

**STATE TRADING CORPORATION**

**“DECLARATION TO ABIDE TO THE PROVISIONS OF THE OFFICIAL SECRETS ACT” FORM**

**TO BE SIGNED BY NEWLY EMPLOYED OFFICER (INCLUDING TRAINEE)**

My attention has been drawn to the provisions of the Official Secrets Act, extracts of which are set out on the back of this document, and I am fully aware of the serious consequences which may follow any breach of these provisions.

I understand that the section of the Official Secrets Act set out on the back of this document cover also articles published in the press or in book form, and I am aware that I must not divulge any information gained by me as a result of my employment to any unauthorised person, orally or in writing, without the prior sanction, in writing of the General Manager.

I understand also that these provisions apply not only during the period of my employment but after my employment at the State Trading Corporation has ceased.

Signed: .....

Name: .....

Post held: .....

Date: .....

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*Extracts from the Official Secrets Act 1972*

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Section 3 of the Official Secrets Act provides as follows:

- (1) Any person who, for any purpose or in any manner likely to prejudice the safety or interests of Mauritius: -
  - (a) approaches, inspects, enters, passes over, or is in the neighborhood of, a prohibited place;
  - (b) makes a plan that is calculated or intended to be, or might be, directly or indirectly, of use to a foreign State or disaffected person; and
  - (c) obtains, receives, collects, retains, records, makes use of, publishes or communicates a code word, plan, article, document or information which is calculated or intended to be or might be, directly or indirectly, of use to a foreign State or disaffected person, shall commit an offence.
  
- (2) Any person who has in his possession or under his control a code word, plan, article, document or information which: -
  - (a) relates to, or is used in, a prohibited place;
  - (b) relates to munitions;
  - (c) has been made or obtained in contravention of this Act;
  - (d) he knows, or has reasonable grounds for believing, has been communicated to him in contravention of this Act;
  - (e) has been entrusted in confidence to him—
    - (i) by any person holding office under the Government;
    - (ii) owing to his position as a person who holds or has held office under the Government or who is or was a party to a contract which was made on behalf of the Government or which, in whole or in part, is or was executed in a prohibited place; or
    - (iii) owing to his position as a person who is or has been employed by a person who is or was a party to a contract specified in subparagraph (ii); or
  - (f) he has obtained or to which he has had access owing to his position as a person who held office under the Government, and who for any purpose or in any manner likely to prejudice the safety or interests of Mauritius: -
    - (i) makes use of the code word, plan, article, document or information;

- (ii) retains the code word, plan, article, document or information in his possession or under his control;
  - (iii) fails to comply with any directions issued by a lawful authority with regard to the return or disposal of the code word, plan, article, document or information;
  - (iv) communicates the code word, plan, article, document or information to any person, other than a person to whom he is authorized to communicate it or to whom it is his duty to communicate it; or
  - (v) fails to take reasonable care, or, so conducts himself, so as to endanger the safety of the code word, plan, article, document or information, shall commit an offence.
- (3) Any person who, without lawful authority, takes a photograph of, or in, a prohibited place shall commit an offence.
- (4) Any person who, for the purpose of gaining admission, or of assisting any other person to gain admission, to a prohibited place, or for any other purpose or in any manner likely to prejudice the safety or interests of Mauritius: -
- (a) without lawful authority, uses or wears any uniform or falsely represents himself to be a person who is, or has been entitled to use or wear such uniform;
  - (b) in any oral or written declaration, application or document, knowingly makes, or connives at the making of, any false statement;
  - (c) counterfeits, forges, alters or tampers with any official document, official seal or code word;
  - (d) has in his possession or under his control, or makes use of, any official document, official seal or code word which has been counterfeited, forged, altered or tampered with;
  - (e) without lawful authority, has in his possession or under his control, or makes use of, any official document, official seal or code word; or
  - (f) personates, or falsely represents himself to be, a person holding, or in the employment of a person holding, office under the Government or to be a person to whom an official document, official seal or code word has been lawfully issued or communicated, shall commit an offence.

**STATE TRADING CORPORATION**

**OATH OF ALLEGIANCE**

**TO BE SIGNED BY DIRECTORS/ EMPLOYEES**

I, ....., as director/employee\* of the State Trading Corporation, am committed to the delivery of a professional and ethical service to Board/Management\*, colleagues and other stakeholders recognise that my behaviour and conduct are central to this process and I affirm my commitment to the Code of Conduct and Ethics, which reflects the values of the Corporation.

I have read and taken cognizance of the contents of the code. Further, I understand that as director/staff\* of the State Trading Corporation, I am bound by the code.

**Signature** : .....

**Name** : .....

**Position Held** : .....

**Date** : .....

(\*Delete as appropriate)