



**S A M O A F I R E A N D E M E R G E N C Y
S E R V I C E S A U T H O R I T Y**

**CODE
OF
ETHICS**

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Section 1: Purpose

Officers and employees of the Samoa Fire & Emergency Services Authority (SFESA) and its members will endeavor to uphold their positions to serve and benefit the people of Samoa, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official duties and responsibilities.

The SFESA Board of Directors recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct.

Section 2: Definitions.

- A) “Contract” means any claim, amount or demand against or agreement with the Authority, express or implied.
- B) “Employee” means a paid career members or permanent staff of the Authority
- C) “Volunteers” includes all the Volunteer Firefighters and Members of the VERTS working under the umbrella of SFESA. The official duties and responsibilities of a Fire Service member refers to the individual’s duties and responsibilities under laws, or regulations adopted by the SFESA Board of Directors, or under policies or procedures established by the Executive.
- D) “Family member” means a spouse, minor children, and dependents.
- E) “SFESA” or “Authority” means the Samoa Fire & Emergency Services Authority.
- F) “Interest” means a direct or indirect monetary, financial or other material benefit, but does not include any benefit arising from the provision or receipt of fire protection or other emergency services generally available to the residents of the Authority.
- G) “Officer” means a member exercising the authority of the Commissioner for Fire and Emergency Service in accordance with the standing orders;
- H) “Information” means all information of any kind and in any format, previously, now or in the future made available to an officer, employee or Fire Service volunteers by the Authority in connection with duties and responsibility to the Authority including but not limited to:
 - a. Information disclosed to the recipient by or on behalf of the Authority, or which is otherwise acquired directly or indirectly by the recipient from the Authority or any adviser engaged by the Authority.
 - b. Information relating to the Authority or its past, existing or future business, operations, security or strategic plans;
 - c. Financial information about the Authority or the recipient;
 - d. Commercial information about the Authority or persons with whom the Authority deals, including details of agreements with recipients, contractors, customers and others;
 - e. Product and market information; and
 - f. Information disclosed to and in the possession of the Authority by the exercise of Authority’s responsibilities and functions under law;

- g. Any information marked confidential or which the Authority informs the recipient is confidential or a trade secret;
- h. Whether in written, oral or visual form, or is recorded or stored in a document, or in any other form; but excluding:
 - i. Information available to the public (other than through disclosure by the recipient or by a person to whom the recipient disclosed the information); and
 - ii. Information which the recipient can prove he/she lawfully possessed before obtaining it in connection with this agreement.

Section 3: Applicability.

This code of ethics applies to employees, officers and fire service volunteers of the Authority. The provisions of this code of ethics shall apply in addition to all laws, including the Samoa Fire and Emergency Service Act 2007, all rules or regulations of the SFESA Board of Directors, and all policies and procedures established by the Executive.

Section 4: Appearance of Impropriety.

No officer or employee of the Authority shall create an appearance of impropriety by giving the impression that he or she will exercise or perform his or her official duties on the basis of family or private business or any consideration other than the welfare of the SFESA.

Section 5: Use of Position for Personal or Private Gain.

A) No officer or employee of the Authority may use his or her position to secure unwarranted personal or private gain for himself or herself, or any other person or any organization. Unwarranted personal or private gain includes any payment, benefit or opportunity that is available to any of the following groups of people:

(1) officers, employees or volunteers of the Authority;

(2) and current SFESA Board of Directors

or

(3) the general public.

B) No officer or employee or volunteer of the Authority, may use or permit the use of SFESA resources for personal or private purposes unless authorized by the Commissioner.

C) No officer or employee of the Authority, shall cause the Authority to spend more than is necessary for transportation, meals or lodging in connection with official local travel unless by prior approval by the Commissioner.

D) This section does not prohibit an officer, employee or volunteer from:

- (1) receiving lawful compensation for services as an officer, employee or volunteer of the Authority;
- (2) receiving lawful payment or reimbursement for actual and necessary expenses incurred by an officer, employee or volunteer of the Authority in the performance of his or her official duty;
- (3) receiving lawful benefits as a staff member including, but not limited to, service awards, group life insurance, and benefits which are entitled to by employees;
- (4) receiving payments under a lawful Authority contract;
- (5) using SFESA personnel, vehicles, equipment, materials, supplies or property for any purpose pursuant to law; or
- (6) performing a mandatory function that does not require the exercise of discretion.

Section 6: Disclosure of Interest in Legislation.

- A) Every officer, employee or volunteer of the Authority, must disclose the nature of any interest, in any matter coming before the Board of Directors of SFESA and the Commissioner for action, which any of the following people have:
 - 1) the officer, employee or volunteer;
 - 2) a family member of the officer or employee or volunteer
- B) For purposes of this section, a “matter coming before the SFESA Board of Directors for action” means a motion, resolution or any other issue or question requiring a vote of the Board of Directors.
- C) The disclosure required by this section must be in writing and must be made publicly to the SFESA Board of Directors. The SFESA Board of Directors must cause the disclosure to be included in the minutes of the meeting at which the disclosure is made. Once disclosure has been made with respect to an interest in a contract with a particular person, firm, corporation or association, no further disclosures need to be made with respect to additional contracts with the same party.
- D) Disclosure is not required with respect to interests in the following actions by the SFESA Board of Directors:
 - (1) adoption of the Authority’s annual budget;
 - (2) authorization of lawful compensation for services as an officer or employee or volunteer of the Authority;
 - (3) authorization of lawful payment or reimbursement for actual and necessary expenses incurred by an officer, employee or volunteer in the performance of his or her official duty; or

- (4) authorization of lawful benefits to the officers, employees or volunteers of the Authority including, but not limited to, service awards.

Section 7: Conflicts of Interest.

- A) No officer or employee or volunteer of the Authority shall have any interest in any contract with the Authority of which he or she is an officer or employee, when such an officer or employee, individually or as a member of the SFESA Board of Directors, has the power or duty to negotiate, prepare, authorize or approve a contract or authorize or approve payment thereunder.
- B) No officer or employee or volunteer of the Authority shall audit bills or claims under a contract in which such officer or employee or volunteer has an interest.
- C) No officer or employee or volunteer of the Authority who has an interest in a contract shall appoint an officer or employee or volunteer who shall have the power to negotiate, prepare, authorize or approve payment thereunder or audit bills or claims under such contract.

Section 8: Future employment.

- A) No officer or employee of the Authority, in the six months' period after serving as an officer or employee, may:
- (1) render services to another person or organization in connection with any matter which must come before the SFESA Board of Directors or any other body or officer of the Authority; or
 - (2) render services to another person or organization in connection with any matter which is pending before the SFESA Board of Directors or any other body or officer of the Authority.
- B) This section does not prohibit an officer, employee or Authority member from:
- (1) representing him or herself, or his or her spouse or minor children before the SFESA or any other body or officer of the Authority;
 - (2) asserting a claim against the Authority on his or her own behalf, or on behalf of his or her spouse or minor children; or
 - (3) performing services pursuant to a lawful and duly authorized contract with the Authority, provided, that if the consideration payable under the contract exceeds \$1,000, the contract was awarded through competitive bidding or some other competitive process.

Section 9: Confidentiality.

- A) No officer or employee or volunteer of the Authority, who acquires confidential information in the course of exercising or performing his or her official duties or responsibilities and will use such information not for any other purpose other than the purposes related to the execution of his or her duties and responsibilities of employment with the Authority.
- B) No officer or employee or volunteer of the Authority shall:
 - i. Publish; or
 - ii. Use for any purpose unrelated to the carrying out of their duties and responsibilities assigned to them,; or
 - iii. Communicate at any time to the media; or
 - iv. any other institution or person,any information which has not been made public and without the approval by the Authority
- C) Officers or employees or volunteer shall not disclose any information or any part thereof, to any person other than the intended recipient of the information and will use his or her best efforts to prevent and protect the information.
- D) All officers, employees or volunteers shall take reasonable steps necessary to protect and prevent information from falling into the public domain or into the possession of unauthorized person.
- E) All the information that any officer, employee or volunteers obtains through the course of employment with the Authority, this section survives their employment with the Authority either through Termination, Resignation or Expiration of services with the Authority and or at such time all information disclosed hereunder becomes publicly known or made generally available.
- F) Officers, Employees or volunteers owes a duty of confidence and fidelity to the Authority and that unauthorized disclosure or use of information could cause irreparable harm and significant injury, which may be difficult to ascertain. Thus the Authority will have the right to seek and obtain immediate injunctive relief from breaches of this code in addition to any other rights and remedies it may have.

Section 10: Gifts.

- A) No officer or employee or volunteer, may directly or indirectly solicit any gift, that was intended as a reward for any official action on his or her part
- B) No officer or employee or volunteer, may accept or receive any gift, or multiple gifts from the same donor, having an aggregate value of one hundred tala (\$100.00 ST) or more when:
 - (1) it appears that the gift is intended to influence the officer, employee or volunteers in the exercise or performance of his or her official duties or responsibilities;
 - (2) the gift could reasonably be expected to influence the officer, employee or volunteer in the exercise or performance of his or her official duties or responsibilities;

- (3) the gift is intended as a reward for any official action on the part of the officer, employee or volunteer.
- C) This section does not prohibit:
 - (1) gifts made to the Authority;
 - (2) fund raising activities authorized by the Commissioner;
 - (3) gifts from a person with a family or personal relationship with the officer, employee or volunteer when the circumstances make it clear that it is that personal relationship, rather than the recipient's status as an officer, employee or Authority member, that is the primary motivating factor for the gift;
 - (4) gifts which are modest, reasonable and customary, given on special occasions, such as marriage, illness, retirement or death;
 - (5) unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils note pads, and calendars;
 - (6) awards and plaques which are publicly presented in recognition of service as an officer, employee or volunteer, or other service to the community;
 - (7) payments of rewards authorized by law.


Section 11: Distributing.

- A) The SFESA Board of Directors must cause a copy of this code of ethics, including any amendment to this code of ethics, once it has been approved and endorsed, to be distributed to every person of the Authority who is an officer, employee, or volunteer within a reasonable timeframe.
- B) Every officer, employee or volunteer who is or becomes a member of the Authority will be obligated to all sections of this code of ethics and any amendments immediately.
- C) The failure or delay to distribute this code of ethics or an amendment to the code does not affect either the applicability or enforceability of the code or the amendment.

Section 12. Effective Date.

This code of ethics shall take effect on the date of endorsement by the Chairman of the Board of Directors and the approval by the Commissioner of SFESA and the date of amendment (if any), effective: **1st July**, 2012.

APPROVAL:



Commissioner of SFESA

ENDORSEMENT:



Chairman of the SFESA Board of Directors