ALAB
An Bord Achomhairc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board

Aquaculture Licences Appeals Board Code of Conduct

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1.2026	30/07/2026	Amended: Treasa Langford	Title page amended; Section 1 – amended heading; new section added under 1.3; Amended section 2.3 and added in 2.4 to 2.8; split section 3.1 and added additional text; new section 7.3; new section 8.6 and 8.7; new section 9 (Boardroom culture & interpersonal conduct); renumbering section 9 as 10 and adding in 10.3 to 10.7; renumbering section 10 to section 11 and new section 11.4 added; and renumbering section 11 to section 12.

1.1.2026	11/08/2026	Amended: Karl Brogan	Amended section 2.7. Removed Sections 9.5, 9.9, 9.10 and 9.11. Amended 9.6 and 9.7.Amended Section 10.3. Removed Section 10.6. Removed Section 11.4
1.2.2026	18/09/2026	Approved by the Board	Signed off and approved by the Board

Aquaculture Licences Appeals Board

1. INTRODUCTION, SCOPE & OBJECTIVES

1.1 Purpose

The purpose of this Code of Conduct ("the Code") is to provide guidance to members of the Board of the Aquaculture Licences Appeals Board ("ALAB") in the performance of their duties, as set down in the Fisheries (Amendment) Act, 1997 (as amended) and taking into account the requirements of the Ethics of Public Office Acts, 1995, the Standards in Public Office Act 2001, Data Protection Acts 1988-2003 and the Code of Practice for the Governance of State Bodies (2016) as well as best practice generally within the Civil and Public Service.

1.2 Objectives

The objectives of this Code are to set out an agreed set of ethical principles, to promote and maintain confidence and trust in ALAB, and to promote compliance with the best ethics, governance, and management practices in all of ALAB's activities. All Board Members have the duty to act in good faith and in the best interests of ALAB.

It is expected that the Board members of ALAB will apply the same duty and care to the resources of ALAB as they would to their own resources. ALAB's ethos is to strongly focus on the principles of control and integrity.

1.3 Scope

The Code outlines the responsibilities of each Board member of ALAB, the Secretary of ALAB and of ALAB itself.

Section 5.1 of the Code of Practice for the Governance of State Bodies provides that all State bodies should have codes of conduct for their board, approved by the board and published on the body's website.

The Code is not a full statement of obligations of a Board member arising from his/her relationship with ALAB and each Board member's duties and responsibilities arise also from the general law including the Fisheries (Amendment) Act, 1997 (as amended) ("the Act") and pursuant to the Code of Practice for the Governance of State Bodies.

2. GENERAL RESPONSIBILITIES AND PRINCIPLES

2.1 The underlying principle is that Board members will strive to perform their duties according to the highest ethical standards of honesty, integrity, accountability, confidentiality, independence and legality.

2.2 It is the responsibility of each Board Member to ensure that he/she acts within the law in general and in particular in fulfilling his/her duties as a Board member of ALAB. It is the responsibility of each Board member to satisfy him/herself as to what is lawful or otherwise. It is also the responsibility of each Board member to ensure that all of these activities, whether covered specifically or otherwise in this document, are governed by the ethical considerations implicit in this Code.

2.3 The principles of this Code are based on regularity and propriety. Regularity reflects the concern that public monies are used only for those purposes for which they have been approved. Propriety is concerned with the way public business is conducted, and extends to the standards of conduct and behaviour, having regard to best practice in corporate governance, and incorporating fairness and integrity in decision making. It includes the avoidance of personal profit from public business, even-handedness in the appointment of staff, open competition in the award of contracts, and the avoidance of waste and extravagance.

2.4 The Code does not replace the Board Member's responsibility to exercise sound judgement and be accountable for their actions. The Code outlines the Board's commitment to exercise the highest standard of business conduct and carry out their duties to the highest standards.

2.5 Adhere to the workplace health and safety standards and protocols and report any hazards or unsafe practices immediately.

2.6 The Code is binding on all members, and every member must familiarise themselves with these guidelines and sign their acceptance by signing the Declaration of Understanding (Appendix 1) on an annual basis. Once completed, the signed declaration must be returned to the Secretary for official record-keeping.

2.7 Where a Board Member becomes aware of a material non-compliance with the Code of Conduct, they should bring this matter to the immediate attention of the Chairperson. If the material non-compliance relates to the Chairperson, then the matter should be brought to the immediate attention of the Deputy Chairperson or failing that to the Chairperson of the Audit and Risk Committee.

2.8 Based on these general responsibilities and principles, the Board Members agree to adhere to the principles set out below.

3. CONFIDENTIALITY

3.1 Board members of ALAB in the course of their duties have access to confidential information. Board Members have a duty to protect sensitive information and comply with data protection laws and to avoid unauthorised disclosure of confidential or proprietary information.

3.2 Board members should note there is a specific confidentiality obligation in Section 30 of the Fisheries (Amendment) Act, 1997 as amended a copy of which is set out in Schedule l.

3.3 Upon retirement from the Board, former Board members will continue to observe due confidentiality, and return such documentation or equipment obtained in the course of their term of appointment to ALAB Secretary, or otherwise indicate to the Secretary that all such documentation in their possession has been disposed of in an appropriate manner. In the event that former Board members require access to Board papers from the time of their tenure on the Board, this will be facilitated by ALAB Secretary.

4. CONFLICT OF INTEREST

4.1 The overall governing framework for conflicts of interest (under the Fisheries (Amendment) Act 1997 as amended, the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001, the Code of Practice for the Governance of State bodies and common law requirements such as the rule against objective bias) places primary responsibility on the individual for their own compliance with these requirements. The framework and practices around ethics and conflicts of interest established by the Board do not in any way lessen the absolute and paramount requirement for all individuals associated with ALAB to assume and maintain personal responsibility for ensuring compliance with the range of ethical and conflict of interest requirements and to avoid any perception of objective bias from ever arising.

4.2 The duty of each Board Member is to act at all times solely in the best interests of ALAB to the exclusion of all other considerations. It is central to the conduct of the business of ALAB that Board members should act, and be perceived to act, impartially and not to be influenced in their roles as Board members by business or social relationships. Board members should note there are specific provisions concerning declaration of interests in Section 33 of the Fisheries (Amendment) Act, 1997 (as amended) a copy of which is set out in Schedule 2.

A conflict of interest exists in any situation where the personal or other interest of a Board member or a connected party might in any way affect the discharge by the Board member of his/her duties or his/her deliberations in a situation where a Board member or a connected party could benefit or be perceived to benefit. It makes no difference that ALAB does not suffer by the conflict of interest. A Board member or a person connected with a Board member must not under any circumstances obtain any such benefit.

4.3 In assessing one's personal circumstances, it is important to distinguish between a 'declaration of an interest' and the assessment of that interest as 'a conflict of interest'.

The declaration of interests by Board members is addressed in two contexts under the Fisheries (Amendment) Act 1997 (as amended):

(a) the declaration of interests which are submitted by board members (section 33 of the Fisheries (Amendment) Act 1997, as amended)); and

(b) disclosures on a case-by-case basis where a matter is before the board for decision (section 34 of the Fisheries (Amendment) Act 1997(as amended).

In both instances, Board members should take a cautious approach in declaring any and all 'interests' that come within the scope of section 5.4 below regardless of whether they perceive a potential conflict of interest arising.

In assessing whether a declared interest represents a conflict of interest, the Chair may consult with the Board before arriving at a decision which is final and binding on the Board member and the Board.

5. DECLARATION OF BOARD MEMBERS' INTERESTS

5.1 Private or personal interests must not be allowed to interface with the decision-making process at any level. In this regard it is not only important to ensure that any impropriety is avoided but also that any possible perception that personal interests could influence an appeal case must be ruled out. The test to be applied should not just be what the individual Board member might consider an interest - but rather whether a member of the public might reasonably think that the interest concerned could be an influence on the individual in the performance of their functions, and if so then disclosure should follow.

5.2 In the consideration of potential conflicts of interest, this Code of Conduct acknowledges that as Board members are nominated by a number of organisations that are representative of, or have an interest in, various aspects of aquaculture, it is inevitable that some Board members have a knowledge of, and a variety of connections with, individuals and organisations involved in the development of aquaculture in Ireland. It is incumbent on each Board member to assess whether such associations are of such a nature as to constitute a potential conflict of interest in the consideration of individual appeals.

5.3 It is central to the conduct of the business of ALAB that Board members should act, and be perceived to act, impartially and not to be influenced in their roles as Board members by business or social relationships. On appointment to the Board, each Board member must furnish to the ALAB Secretary details of his or her employment and of all other business interests including shareholdings, professional relationships etc. in accordance with Section 33 of the Act.

It should be noted that under Section 33(4)(b) of the Act, changes in interests declared or new interest acquired are provided to the Secretary, in the prescribed form, signed by the Board Member and within a period of 28 days of the change.

5.4 Board members should note that there are specific provisions concerning Disclosure of Interests in Section 34 of the Fisheries (Amendment) Act, 1997 (as amended) a copy of which is set out in Schedule 3. In addition, the Board member is bound by the Code of Practice for the Governance of State Bodies Guidelines on Disclosure, an extract of which is set out in Schedule 4.

6. AREAS OF POTENTIAL CONFLICT

6.1 In addition to the requirements specified in sections 33 and 34 of the Act, this Code establishes for each Board member a more specific requirement regarding disclosure of interests and the procedures to be followed where such an interest constitutes a conflict of interest. In assessing potential conflicts of interest, a Board Member should take into consideration the following specific areas:

i. Private and Personal Interests

a) Personal interests, including the membership of clubs or involvement with specific interest groups that might be seen as influencing an opinion in relation to any particular appeal

b) Close relationships with any individual that has a central involvement in an appeal (including parties to the appeal, observers under Section 45 of the Act and key professionals associated with an appeal)

c) Board members must disclose outside employment/business interests in conflict or in potential conflict with the business of ALAB. The interests of any connected party which could involve a continuing conflict of interest should be disclosed as far as they are known to the Board member

d) Private investments or shareholdings held by a Board member or those close to them in businesses/companies that play a role in the aquaculture sector.

ii. Geographical related interests

A geographical interest may arise where an aquaculture site is in proximity to a location with which a Board member has a personal connection. Such a connection could include their place of residence, a holiday home, land or property holdings, investment property, etc.

iii. Occupational Interests

a) Occupational conflicts of interest may arise where a Board member has worked in any capacity for any organisation which is involved with, or has an interest in, an appeal, e.g. marine related public bodies, private companies, consultancies, etc.

b) Such employment should be taken into consideration regardless of the amount of time that has elapsed since ceasing that employment.

iv. Engagement with the Appeal Process

a) It is the right of every Board member and member of the Secretariat, their families and friends, to participate in the appeals process either as parties to an appeal or as observers under Section 45 of the Act. All such participation must be brought to the attention of the Board.

In assessing points i. to iv. above, it is important to note the distinction between a 'declaration of interest' and the assessment of that interest as a 'conflict of interest' as set out at 4.3 above. While all interests should be declared, not all interests will constitute a conflict.

6.2 A Board member should absent himself/herself when the Board is deliberating or deciding on matters in which he/she (other than in his/her capacity as a member of the Board) or a person or body connected with him/her has an interest which has been assessed as a conflict. Where a question arises as to whether a case relates to the interests of a Board member or a person or body connected with him/her, the Chairperson shall determine the question and his/her decision shall be final and binding on the Board member and the Board. Where the conflict of interest concerns the Chairperson, he or she should absent him or herself from the meeting while the issue is being discussed. Where a question arises as to whether a matter relates to an interest of the Chairperson, the Board shall determine the question and its decision shall be binding on the Chairperson.

6.3 There is a provision regarding the improper influencing in relation to appeals or decisions of the Board. As outlined is Section 31 of the Fisheries (Amendment) Act, 1997 (as amended) a person who communicates with the Chairperson or any member of the Board, the Secretary of the Board, or a consultant or adviser engaged by the Board, to try to influence improperly an appeal that is being considered, or the decision of the Board shall be guilty on an offence. Such an interaction must not be entertained and shall be immediately conveyed to the Board in writing and the Board shall acknowledge same in writing. See full extract in Schedule 5.

6.4 The ALAB Secretary is required to maintain a register of interests of each Board member. The register will be updated on an annual basis. Changes in interest should be notified to ALAB Secretary in the interim as soon as possible.

7. GIFTS AND BENEFITS

7.1 A Board member must not obtain personal advantage from any person dealing with ALAB.

7.2 In particular, a Board member must not accept any gifts, hospitality, preferential treatment or benefits which might affect or appear to affect the ability of the donor or the recipient to make independent judgement on business transactions or inducements where the value of such could make it appear that the person giving is attempting to influence the Board member to gain advantage. Any such gifts or inducements received shall be returned tactfully with the requests that no gifts be forwarded in future. Any Board member who is unsure whether he/she is in breach of this section may refer the matter to the Chairperson for a ruling.

7.3 Should a gift be accepted under exceptional circumstances (e.g. diplomatic reasons) or if a gift is declined, this must be formally disclosed to the Secretary

within seven (7) working days. The Secretary will record the details on a 'gifts register' noting the identity of the donor, the estimated value of the item (or hospitality), the date received and the final disposal of the item (i.e. donated, retained etc)

8. INTEGRITY

ALAB is committed to:

8.1 Conducting its affairs vigorously and energetically but also ethically and honestly and in accordance with laws;

8.2 conducting its purchasing activities of goods/services in accordance with best business practice;

8.3 ensuring a culture of claiming expenses only as appropriate to business needs and in accordance with good practice in the public sector generally;

8.4 ensuring that ALAB's accounts/reports accurately reflect ALAB's performance and are not misleading or designed to be misleading;

8.5 avoiding the use of ALAB's resources or time for personal gain, or for the benefit of persons/organisations unconnected with ALAB or its activities;

8.6 abide by guidelines regarding offers of gifts or hospitality and do not accept any item, favour or service that could compromise independent judgement or bring the board into disrepute ;.and

8.7. adhere to the Conflict of Interest policy to maintain impartiality and transparency in all aspects of the Board's dealings.

9. BOARDROOM CULTURE & INTERPERSONAL CONDUCT

9.1 Board Members must treat all members, colleagues, members of the public and any stakeholders with respect at all times. The Board is committed to an inclusive environment that values diversity and maintains a zero tolerance policy towards discrimination, harassment (including sexual harassment/violence) or bullying in any form.

9.2 The Board is committed to equality, diversity and inclusion. Board members must treat members, colleagues and staff with dignity, courtesy and respect at all times.

9.3 The Board will comply with its obligations in relation to human rights, equality and equal status legislation, including the compliance with the Irish Human Rights and Equality Commission (IHREC) Act, 2014. The Board will adhere to the rights under the Protected Disclosures Act 2014.

9.4 The Board will ensure that the health and safety policies and procedures are adhered to align with best practice.

9.5 Official Board business may only be conducted during the convened Board meetings where minutes are officially recorded.

9.6 When Board members are interacting in public or semi-private settings, members remain subject to the public scrutiny attached to their role.

9.7 The Board is committed to making objective, merit-based determinations that encourage members to debate and challenge points, but all such discussions must be conducted professionally.

10. INFORMATION

ALAB shall:

10.1 Provide access to general information relating to ALAB's activities in a way that is open and enhances its accountability to the general public;

10.2 respect the confidentiality of information held by ALAB, where appropriate;

10.3 maintain strict adherence to GDPR and data security protocols regarding board papers;

10.4 ensure that information obtained via the role as a Board Member cannot be shared with the media (or on a social media platform), the public or any third party;

10.5 respect that only the Chairperson, the Deputy Chairperson, the Secretary or a designated Board Member may speak publicly on behalf of the Board;

10.6 put in place a formal procedure whereby Board members may, where necessary, and in furtherance of their duties, through the office of the ALAB Secretary (who shall be entitled to consult with the Chairperson if he or she so desires) take independent professional advice at the reasonable expense of ALAB.

11. OBLIGATIONS

Board Members:

11.1 Shall use their reasonable endeavours to attend all Board meetings and meetings of all Board Committees of which they are a member;

11.2 shall conform with procedures laid down by the Board in relation to conflict of interest situations, including in regard to acceptance of positions following employment and/or engagement by a State body that may give rise to the potential for conflicts of interest and to confidentiality concerns;

11.3 acknowledge the duty of all to conform to highest standards of business ethics

12 REVIEW

This Code of Conduct was adopted by the Board members of ALAB on the 18 September 2026.

It will be reviewed on an annual basis by the Board. It may also be reviewed should there be any changes to the Code of Practice of the Governance of State Bodies, or if there are recommendation as part of any audit.

SCHEDULE 1

SECTION 30 OF THE FISHERIES (AMENDMENT) ACT, 1997 (as amended)

Disclosure of confidential information.

30 (1) A person who discloses confidential information obtained by the person in his or her capacity of Chairperson or other member of the Board, secretary of the Board or consultant or adviser engaged by the Board or an employee of the Board or a person of whose services the Board has availed itself pursuant to section 35C, unless the person is authorised by the Board to do so, shall be guilty of an offence.

(2) In *subsection (1)* "confidential information" includes information, or information of a particular class or description of information, expressed by the Board to be confidential.

SCHEDULE 2

SECTION 33 OF THE FISHERIES (AMENDMENT) ACT, 1997 (as amended)

Declaration of interests.

33. (1) A person to whom this section applies shall give to the Board a declaration in the prescribed form, signed by him or her, containing particulars of—

(*a*) every interest of his or hers which is an interest to which this section applies, and

(*b*) every change in any such interest or any other interest to which this section applies subsequently acquired by the person.

(2) This section applies to—

(*a*) the Chairperson,

(*b*) other members of the Board,

(*c*) the secretary of the Board, and

(*d*) each consultant or adviser engaged by the Board.

(3) This section applies to the following interests:

(*a*) any estate or interest which a person to whom this section applies has in any land, or in any process, development or operation, associated with aquaculture or fish processing or the manufacture, sale or distribution of products used in aquaculture or fish processing;

(*b*) any business or dealing in or developing land, or any process, development or operation associated with aquaculture or fish processing or the manufacture, sale or distribution of products used in aquaculture or fish processing, in which such a person is engaged or employed and any such business carried on by a company or other body of which he or she, or any nominee of his or hers, is a member;

(c) any profession, business or occupation in which such a person is engaged, whether on his or her own behalf or otherwise, and which relates to dealing in or developing land or to any process, development or operation associated with aquaculture or fish processing or the manufacture, sale or distribution of products used in aquaculture or fish processing.

(4) A person to whom this section applies who has an interest to which this section applies shall be regarded as complying with the requirements of *subsection (1)* only if he or she gives to the Board a declaration mentioned in that subsection within the period of 28 days—

(*a*) beginning on the day on which he or she becomes such a person, or

(*b*) where there is a change in an interest particulars of which are contained in a declaration already given by the person, or where the person acquires any other interest to which this section applies, beginning on the day on which the change occurs or, as the case may be, the other interest is acquired.

(5) For the purposes of this section but subject to *subsection (6)*, a person shall be regarded as having an estate or interest in land or an activity if the person, or the person's nominee, is a member of a company or any other body which has an estate or interest in the land or activity.

(6) For the purposes of this section, a person shall not be regarded as having an interest to which this section applies if the interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence a person in considering or discussing, or in voting on, any question in respect of a matter arising or coming before the Board or in performing a function in relation to that matter.

(7) Where a person to whom this section applies has an interest to which this section applies by reason only of the beneficial ownership of shares in a company or other body by him or her or by his or her nominee and the total nominal value of those shares does not exceed the lesser of—

(*a*) £1,000, or

(*b*) one-hundredth part of the total nominal value of either the issued share capital of the company or body, or where that capital is issued in shares of more than one class, the issued share capital of the class or classes of shares in which he or she has an interest,

subsection (1) shall not have effect in relation to that interest.

(8) The Board shall, for the purposes of this section, keep a register (in this section referred to as the "register of interests") and shall enter in it the particulars contained in declarations given to the Board pursuant to this section.

(9) The register of interests shall be available for inspection by any person at the office of the Board during normal office hours, and a copy of the register or any entry in the register may be obtained by any person on the payment to the Board of such fee, if any, as the Board may fix, not exceeding the reasonable cost of making the copy.

(10) Where a person ceases to be a person to whom this section applies, all particulars entered in the register of interests as a result of a declaration being given by the person to the Board pursuant to this section shall be removed from the register by the Board as soon as practicable after the expiration of the period of 20 years beginning on the day on which the person ceases to be a person to whom this section applies.

(11) Subject to *subsection (12)*, a person who, when purporting to comply with *subsection (1)*, gives particulars which are false or which, to his or her knowledge, are misleading in a material respect, shall be guilty of an offence.

(12) In proceedings for an offence under this section it shall be a defence for the defendant to prove that at the relevant time he or she believed, in good faith and on reasonable grounds, that—

(*a*) the relevant particulars were true,

(*b*) there was no matter about which he or she was then required to make a declaration under *subsection (1)*, or

(*c*) that the matter in relation to which the offence is alleged was not one about which he or she was so required to make a declaration.

SCHEDULE 3

SECTION 34 OF FISHERIES (ANENDNIENT) ACT, 1997 (as amended)

Disclosure of interests.

34. (1) Where the Chairperson or other member of the Board, the secretary of the Board or a consultant or adviser engaged by the Board has a pecuniary or other beneficial interest in, or material to, any appeal or matter to be considered by the Board, he or she shall—

(a) disclose to the Board the nature of the interest in advance of any consideration of the appeal or matter,

(b) neither influence nor seek to influence a decision in relation to the appeal or matter,

(c) take no part in any consideration of the appeal or matter, or

(d) withdraw from the meeting of the Board for so long as the appeal is being considered or matter discussed by the Board and shall not vote or otherwise participate in the determination of the appeal or consideration of the matter or, in the case of a member, be counted towards a quorum at the meeting during that time.

(2) For the purposes of this section, but without limiting the generality of subsection (l), a person shall be regarded as having a beneficial interest if—

(a) the person or any member of the person's household, or any nominee of the person or of any member of his or her household, is a member of a company or other body which has a beneficial interest in, or material to, a matter referred to in that subsection,

(b) the person or any member of the person's household is in partnership with or is in the employment of a person who has a beneficial interest in, or material to, such a matter,

(c) the person or any member of the person's household is a party to any arrangement or agreement (whether or not enforceable) concerning land to which such a matter relates, or

(d) any member of the person's household has a beneficial interest in, or material to, such a matter.

(3) For the purposes of this section, a person shall not be regarded as having a beneficial interest in, or material to, a matter by reason only of an interest of the person or of a company or other body or person mentioned in subsection (2) which is so remote or insignificant that it cannot reasonably be regarded as likely to influence a person in considering or discussing, or in voting on, a question in respect of a matter arising or coming before the Board or in performing a function in relation to such a matter.

(4) Where a question arises as to whether or not a course of conduct, if pursued by a person, would be a failure by the person to comply with the requirements of subsection (1), the question shall be determined by the Board and particulars of the determination shall be recorded in the minutes of the meeting concerned.

(5) Where a disclosure is made to the Board pursuant to subsection (1), particulars of the disclosure shall be recorded in the minutes of the meeting concerned.

(6) A person who fails to comply with subsection (1) or, when purporting to comply with that subsection, gives particulars which are false or which, to his or her knowledge, are misleading in a material respect, shall be guilty of an offence.

SCHEDULE 4

CODE OF PRACTICE FOR THE GOVERNANCE OF STATE BODIES 2016

"Additional Disclosure of Interests by Board Members"

Code Provisions

5.8 Disclosure of Interests by Board Members

i) Periodic Disclosure of Interests: On appointment and annually thereafter, each Board member should furnish the Secretary of the Board or other nominated person a statement in writing of:

(a) the interests of the Board member;

(b) the interests, of which the Board member has actual knowledge, of his or her spouse or civil partner, child, or child of his/her spouse or civil partner;

which could materially influence the Board member in, or in relation to, the performance of his/her official functions by reason of the fact that such performance could so affect those interests as to confer on, or withhold from, the Board member, or the spouse or civil partner or child, a substantial benefit.

For the purposes of this disclosure, interests have the same meaning as that contained in the Ethics in Public Office Act 1995. The statement of interests form used for annual statements under the 1995 Act could be utilised for this purpose on an administrative basis. Where the Board member is also a designated director for the purposes of the Ethics Acts, the annual statement of interests furnished in January each year under section 17 of the Ethics in Public Office Act 1995 will suffice for the purposes of the annual disclosure of interests under this Code.

ii) Disclosure of interest relevant to a matter which arises: In addition to the periodic statements of interest required under (i) above, Board members are required to furnish a statement of interest at the time where an official function falls to be performed by the Board member and he/she has actual knowledge that he/she, or a connected person as defined in the Ethics Acts, has a material interest in a matter to which the function relates. For the purposes of this disclosure, material interests has the same meaning as that contained in the Ethics in Public Office Act 1995.

iii) Doubt: If a Board member has a doubt as to whether an interest should be disclosed pursuant to this Code, he/she should consult with the Chairperson of the Board and/or the nominated person in the State body for dealing with such queries

iv) Confidential Register: Details of interests disclosed under this Code should be kept by the Secretary of the Board or other nominated person in a special confidential register. Access to the register should be restricted to the Chairperson and Secretary of the Board and other members of the State body on a strictly need to know basis.

v) Chairperson's Interests: Where a matter relating to the interests of the Chairperson arises, the other members attending the meeting shall choose one of the members present at the meeting to chair the meeting. The Chairperson should absent himself/herself when the Board is deliberating or deciding on a matter in which the Chairperson or his/her connected person has an interest.

vi) Documents withheld: Board or State body documents on any deliberations regarding any matter in which a member of the Board has disclosed a material interest should not be made
available to the Board member concerned.

vii) Early return of documents: As it is recognised that the interests of a Board member and persons connected with him/her can change at short notice, a Board member should, in cases
where he/she receives documents relating to his/her interests or of those connected with him/her, return the documents to the Secretary of the Board at the earliest opportunity.

viii) Absent: A Board member should absent himself/herself when the Board is deliberating or deciding on matters in which that Board member (other than in his/her capacity as a member of the Board) has declared a material interest. In such cases consideration should be given as to whether a separate record (to which the Board member would not have access) should be
maintained. (NB. Board members who are designated directors should note the separate

requirements under the Ethics in Public Office Acts 1995 and 2001 regarding a 'material interest')."

SCHEDULE 5

Prohibition of certain communications in relation to appeals.

31 (1) A person who communicates with the Chairperson or other member of the Board, the secretary of the Board or a consultant or adviser engaged by the Board, for the purpose of influencing improperly the consideration by the Board of an appeal or the decision of the Board in relation to an appeal shall be guilty of an offence.

(2) If the Chairperson or a member, secretary or consultant or adviser is of the opinion that a communication is in contravention of subsection (1), he or she shall not entertain the communication further and shall immediately inform the Board in writing of the substance of the communication, and the Board shall acknowledge in writing the receipt of such information.

APPENDIX 1

DECLARATION OF UNDERSTANDING

I have read and noted the Aquaculture Licences Appeals Board Code of Conduct for Board Members and undertake to adhere to the principles set out herein. By signing below, I acknowledge that I have read and understand the Code and agree to comply with its terms.

Please insert your name in block capitals below

Signed: _____

Board Member
Aquaculture Licences Appeals Board (ALAB)

Date: _____

Please return this signed Declaration of Understanding to ALAB Secretary