

Foreword

The Mauritius Ports Authority (MPA) recognises that good governance practices are important measures to ensure that the affairs of the Authority are managed in a transparent and ethical manner.

In that respect the MPA is establishing this Code of Ethics which provides guidance on the fulfilment of employees' professional and ethical obligations and establishes the standards of conduct and ethics which all employees are expected to uphold in conducting their duties.

These values are the basis of MPA and all employees should be committed to honour these values as they aim at instilling a perfect standard of conduct and behaviour.

The Code provides guidance for appropriate behaviour in a variety of circumstances but does not answer to every problem of ethics or behaviour.

The MPA relies on the full support of all the employees to comply with the Code and hope that the employees fully understand the importance of this Code and are aware of the expectations placed upon each one of them.

Finally, the MPA would welcome regular feedback from the employees, customers and stakeholders in ensuring the relevance and effectiveness of the Code.



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D. APPADU
Ag. Chairman



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S. SUNTAH
Director-General

1.0 Corporate Profile

1.1 Mauritius Ports Authority (MPA)

The Mauritius Ports Authority, formerly known as the Mauritius Marine Authority (MMA), was originally established in 1976. Following Government's Port Sector Reform Programme, the MMA was renamed Mauritius Ports Authority (MPA) under the Ports Act 1998. The MPA which is a body corporate is the sole national port authority to regulate and control the port sector and provide marine services.

1.2 Structure

The administration and control of the MPA are vested in a Board of Directors. The Board is supported by four Subsidiary Committees namely: the Finance & Investment Committee, the Staff Committee, the Audit Committee and the Land Lease Management Committee. The Chairman and Members of the Board are appointed by the Honourable Prime Minister and Minister of External Communications. The Authority is managed by a Director-General assisted by two Deputy Directors.

1.3 Functions and Duties

The functions and duties of the MPA as a landlord port are to:-

- Provide and improve port infrastructure, superstructure, heavy equipment and related facilities;
- Provide marine services and navigational aids, and assist in sea rescue;

- Regulate and control:-
 - ❖ Shipping, navigation, dredging and other related matters in ports;
 - ❖ The entry of vessels in ports; their stay, movements or operations in, and departure from ports, the loading, unloading and storage of cargo and containers and the landing and embarkation of passengers; and
 - ❖ Pollution and protection of the environment within ports and the enhancement of safety and security;
- Provide for the welfare of employees, and of persons working or living on a vessel in a port;
- Enter into concession contracts for the provision of port and cargo handling services by qualified and licensed operators under such general terms and conditions as the Authority may determine;
- Promote the use, improvement and development of ports;
- Exercise licensing, regulating and controlling functions in respect of port and marine services not provided by the Authority;
- Implement Government port policies and keep them under review, and advise Government on all matters concerning the port sector, its facilities, services and related issues;

- Regulate and control the development within ports in accordance with approved port master plans, and to be the responsible authority for land use control in the port area with the power to lease land under such terms and conditions as the Authority may determine.

2.0 MPA Vision and Mission

2.1 MPA Vision

To transform Port Louis into a major dynamic, logistics and maritime business hub in the region.

2.2 MPA Mission

To be a stimulator of economic growth by providing safe, green, efficient and competitive world class port services.

3.0 MPA Objectives

The MPA is aiming at achieving the following objectives:-

- ◆ To position Port Louis as a major hub for the region.
- ◆ To make Port Louis an important bunker station with a capacity of 4.0 million tonnes to service vessels plying in the region.

- ◆ To expand fishing port facilities to support the development of the seafood hub.
- ◆ To develop the cruise terminal and work with the MTPA and other stakeholders in the tourism sector to promote Mauritius as a cruise destination.
- ◆ To promote expansion of waterfront development that will bring major changes in the skyline of Port Louis and make a major contribution to the rejuvenation of the city.
- ◆ To facilitate development of marinas for leisure crafts.
- ◆ To facilitate the development of a pleasure boat building industry and provision of all necessary repair and other maintenance services to leisure crafts.
- ◆ To be seen as a green port in terms of safety and environment.

4.0 Purpose of the Code of Ethics (The Code)

The purpose of the Code is to ensure that the MPA achieves the highest standards in the discharge of its functions and duties under the Port's Act. In ensuring that the MPA realises its vision and mission, compliance of one and all to the standards of conduct and ethics set down in this Code is of utmost importance. Employees shall act in a responsible manner in compliance with this Code, while maintaining a

high standard of performance. This Code includes the standards which all employees, irrespective of grade, are expected to uphold in the proper performance of their duties and as employees of the MPA.

5.0 Code of Conduct and Ethics

5.1 Respect for the Law & Regulations

- An employee shall comply with and respect the applicable laws, rules and regulations of the Republic of Mauritius.

5.2 Ethics

An employee shall uphold strong ethical and professional values, which are established on the following core values:-

◆ Values and Principles

An employee shall be guided by the following values so as to inspire public confidence and trust in the performance of his duties. These are: -

- Integrity – An employee shall adhere to the highest standard of professional competence and integrity in the discharge of his duties.
- Loyalty to MPA – An employee shall show loyalty to the organisation and be efficient and economical in the use of his working time.

- Objectivity – An employee shall be fair and impartial in his daily activities.
- Accountability – An employee shall be dedicated to the development of a transparent and accountable working environment.
- Political neutrality – An employee shall observe the cause of political neutrality in his day-to-day work.

◆ **Trustworthiness**

An employee shall be committed at all times to the customers of the organisation and port stakeholders, and shall contribute to the establishment of an environment where trust can develop. An employee shall ensure that services are provided efficiently, reliably, promptly and on a value for money basis.

◆ **Professionalism**

An employee of the MPA shall act as a role model by performing his duties to the best standards and in a most ethical manner. An employee shall work to the best of his ability and demonstrate a high degree of professionalism. An employee shall execute all lawful instructions given by a person having the authority to give such directives.

◆ **Team spirit**

Employees shall work harmoniously so as to display honesty, respect, courtesy and fairness at all times. An employee shall display team spirit and work in close collaboration with other colleagues for the benefit of the Authority. Employees shall share mutual respect and understanding and be courteous to each other.

◆ **Action oriented**

An employee shall be pro-active and dynamic and shall contribute to MPA operating at best practices in a commercially and financially sustainable environment.

5.3 **Personal Conduct**

An employee of the MPA shall promote a professional image which reflects positively on the Authority. In particular, an employee shall:

- ◆ observe punctuality at all times and not absent himself without permission;
- ◆ shall not reveal confidential or sensitive information without appropriate approval being obtained;
- ◆ shall not be under the influence of drugs or alcoholic beverages, more so whilst at work;
- ◆ shall not indulge in any activity which may bring the reputation of the MPA into disrepute.

5.4 **Equality of Opportunity**

The MPA shall aim to achieve equality of opportunity and treatment for all its employees in recruitment, training, promotion, transfer, benefits and discipline. MPA is committed to maintain a supportive work environment where all employees can reach their full potential in a safe environment, free of threats, intimidation and physical harm.

5.5 **Conflict of Interest**

All employees shall comply with Section 13 of the Prevention of Corruption Act (PoCA) *Appendix I* and shall promptly disclose any direct or indirect interest which he may have in an organisation or other undertaking with which the MPA proposes to deal.

An employee shall take such precautions as are required so as not to allow his personal interests to conflict with his official duties or indirectly compromise the performance of his duties.

An employee shall ensure that his dealings with customers, suppliers, contractors and colleagues do not place MPA dealings in a position of obligation that may lead to a conflict of interest.

5.6 Acceptance of advantages/gifts in an official capacity

Section 15 of PoCA makes it an offence for a public official to receive a gift for a corrupt purpose (*Appendix II*).

An employee shall not ask or accept any gift or favour from anyone if that gift or favour in whatever form may reasonably be construed as influencing the performance of his duties.

An employee shall not misuse his official position or information acquired in the course of his official duties to further his private interests.

An employee shall never offer any gift or favour to anyone in any circumstance, to influence that person in the way he does his job.

An employee shall immediately report to the Director General or his respective Head of Department of any case of attempt to bribery.

5.7 Relations with the Public/Customers

An employee shall uphold ethical and professional values when dealing with the public or customers. He shall be courteous, fair objective and impartial while dealing with public and customers.

An employee shall treat people as valued customers who are entitled to receive the highest standards of service. He shall

not discriminate against any person on the basis of race, gender, ethnic or social origin, colour, sexual orientation, age, religion or political affiliation.

An employee shall give the best service to the customers and be responsive to their needs. An employee shall behave in a way that brings credit and enhances the reputation of the MPA.

5.8 Confidentiality

An employee shall respect the value and ownership of the information he receives in the course of his work and shall not disclose any sensitive or confidential information without MPA's Authority unless obligated for legal reasons.

An employee shall not use the information acquired during his duties for personal gain or in any way detrimental to the organisation.

An employee have a responsibility to ensure that any information under his control or to which he has access is properly safeguarded.

5.9 Harassment

An employee shall not harass any other employee, in particular because of sex, age, race, place of origin, colour, citizenship, religion, disability or political affiliation.

5.10 Outside Work/Employment

An employee shall not engage in any form of activity, business or employment which may conflict or affect performance of the official duties or cast doubts on his or the organisation's integrity.

5.11 Drug Free Workplace/Unbecoming Behaviour

The MPA environment promotes the health and safety of all employees and the communities in which it operate. Unlawful use, sale, distribution or possession of drugs shall be dealt with according to law.

An employee shall not consume alcohol or indulge substance abuse of any kind within the MPA compound or whilst on duty.

An employee shall comply with Occupational & Safety Regulations.

5.12 Safeguarding of MPA Resources

An employee shall manage the resources of the MPA scrupulously, properly, efficiently and effectively, and shall strive to avoid wastage in the use of the resources.

Appendix I

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 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.
- (3) 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 years.

Appendix II

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.