

BUSINESS ETHICS STATEMENT

A Message from the Chairman and the Managing Director

This statement provides guidance to the private sector when doing business with the Australian Technology Park (ATP) and is designed to ensure that business relationships between the ATP and private sector service providers are fair and productive for all and to communicate our commitment to best practice corporate governance values to the private sector.

It outlines the ATP ethical standards and our expectations that all goods and service providers and contractors will comply with these standards in all their dealings with us. The Statement also outlines what goods and service providers can expect of the ATP.

The protection of the interests of our shareholders, our stakeholders and the local community is a priority for all of us at the ATP and we aim to promote integrity ethical conduct and accountability in all areas of our operations and administration.

Our staff are expected to maintain a high standard of integrity and ethical conduct consistent with the positions of trust that we hold as outlined in the *ATP Staff Code of Conduct* and we expect no less of the service providers and contractors that undertake work for us.

Dr Col Gellatly
Chair
Australian Technology Park

Robert Domm
Managing Director
Australian Technology Park

Our key business principles

The principle of **best value for money** is at the core of all the ATP's business relationships with private sector suppliers of goods and services.

Best value for money does not automatically mean the lowest price. Rather, the ATP will balance all relevant factors including initial cost, whole-of-life costs, quality, reliability, and timeliness in determining true value for money.

Part of obtaining best value for money also includes ensuring all our business relationships are honest, ethical, fair and consistent.

Our business dealings will be **transparent** and open to public scrutiny wherever possible.

We are committed to the purchase of all goods, equipment and services through established NSW Government contracts systems where reasonably practicable.

What you can expect from us

ATP will ensure that all its policies, procedures and practices related to tendering, contracting and the purchase of goods or services are consistent with best practice and the highest standards of ethical conduct.

Our staff are bound by the ATP comprehensive Staff Code of Conduct. When doing business with the private sector, ATP staff are accountable for their actions and are expected to:

- Use public resources effectively and efficiently
- Deal fairly, honestly and ethically with all individuals and organisations
- Avoid any conflicts of interest (whether real or perceived).

In addition, all ATP procurement activities are guided by the following core business principles:

- All potential suppliers will be treated with impartiality and fairness and given equal access to information and opportunities to submit bids
- All procurement activities and decisions will be fully and clearly documented to provide an effective audit trail and to allow for effective performance review of contracts
- Energy efficient equipment, products containing recycled materials and environmentally friendly products will be purchased wherever reasonably possible
- Tenders will not be called unless ATP has a firm intention to proceed to contract
- The ATP will not disclose confidential or proprietary information.

What we ask of you

We require all private sector providers of goods and services to observe the following principles when doing business with the ATP:

- Comply with the ATP procurement policies and procedures.
- Provide accurate and reliable advice and information when required
- Declare actual or perceived conflicts of interest as soon as you become aware of the conflict
- Act ethically, fairly and honestly in all dealings with the company
- Take all reasonable measures to prevent the disclosure of confidential ATP information
- Refrain from engaging in any form of collusive practice, including offering ATP employees inducements or incentives designed to improperly influence the conduct of their duties
- Refrain from discussing ATP business or information in the media
- Assist the ATP to prevent unethical practices in our business relationships.

All contractors and subcontractors upon entering into an agreement with ATP to provide goods and/or services will be required to sign an acknowledgement that they have been provided with a copy of the ATP Statement of Business Ethics and understand their obligations as outlined in the document.

Why is compliance important?

By complying with our Statement of Business Ethics, you will be able to advance your business objectives and interests in a fair and ethical manner.

As all ATP suppliers of goods and services are required to comply with this statement, compliance will not disadvantage you in any way. Complying with the ATP principles will also prepare your business for dealing with the ethical requirements of other public sector agencies, should you choose to do business with them.

You should also be aware of the consequences of not complying with the ATP ethical requirements when doing business with the company. Demonstrated corrupt or unethical conduct could lead to:

- Termination of contracts
- Loss of future work
- Loss of reputation
- Investigation for corruption
- Matters being referred for criminal investigation.

Incentives, gifts, benefits

In general, the ATP expects its staff to decline gifts, benefits, travel or hospitality offered during the course of their work.

You should refrain from offering any such 'incentives' to ATP staff – all such offers will be formally reported.

The ATP only permits its staff to accept gifts if:

Gifts are token and of nominal value

Refusing a gift is likely to be perceived as rude or offensive

The offer is not targeted at an individual officer

If a gift is accepted, the ATP requires the staff member to provide a written report and to record the gift in a public Gifts and Benefits Register.

Conflicts of interest

All ATP staff are required to disclose any potential conflicts of interest. The ATP extends this requirement to **all** our business partners, contractors and suppliers.

Confidentiality

All ATP information should be treated as confidential unless otherwise indicated. Confidential and sensitive information should only be used or disclosed by authorised staff. Personal information is subject to specific legislation, policy and procedures for its handling, storage and protection and ATP staff are bound by the relevant provisions of the *Protected Disclosure Policy*, the *Code of Conduct* and the *Privacy Management Policy*.

Communication between parties

All communication should be clear, direct and accountable to minimise the risk of perception of inappropriate influence being brought to bear on the business relationship.

Use of ATP equipment, resources and information

All ATP equipment, resources and information should only be used for its proper official purpose.

Contracting employees

All contracted and sub-contracted employees are expected to comply with the ATP Statement of Business Ethics. If you employ sub-contractors in your work for the ATP you must make them aware of this statement.

Intellectual property rights

In business relationships with the ATP, parties will respect each other's intellectual property rights and will formally negotiate any access, license or use of intellectual property.

Who to contact

If you are concerned about a possible breach of this Statement or about any conduct that could involve fraud corrupt conduct, maladministration or serious and substantial waste of public funds or have any questions regarding this statement please contact the ATP directly by letter, phone on 92094220, fax on 92094222 or email atpinfo@atp.com.au or contact the Independent Commission Against Corruption (ICAC) at www.icac.nsw.gov.au.