

Terms of Reference for the design of the PACER Plus Implementation Unit

15 December 2017

About this document

This document specifies the terms of reference for the design of the Pacific Agreement on Closer Economic Relations (PACER) Plus Implementation Unit and Work Programme.

It is intended for use by the Ministry of Foreign Affairs and Trade (**MFAT**¹) and the Australian Department of Foreign Affairs and Trade (**DFAT**) and Respondents in the procurement of the services to design the PACER Plus Implementation Unit and Work Programme (the **Activity**). The design will inform the PACER Plus Joint Committee and the Parties in implementing PACER Plus as provided for in the Implementing Arrangement for Development and Economic Cooperation under the Agreement.

MFAT and DFAT intend to enter into a Contract for Services with the successful Respondent. As noted in the Request for Proposals, the Contract for Services will be based on and prevail over these Terms of Reference.

Goals and Outcomes

Background

PACER Plus is a trade and development agreement signed by Australia, New Zealand and nine Forum Island Countries (FICs)². PACER Plus provides a platform for increasing regional trade, investment and labour flows thereby supporting sustainable economic development through job creation and private sector growth.

¹ MFAT is responsible for managing the New Zealand Aid Programme. The New Zealand Aid Programme is the New Zealand Government's international aid and development programme.

² Cook Islands, Kiribati, Nauru, Niue, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. Three other Forum Island Countries have concluded negotiations but have not yet signed: Federated States of Micronesia, Palau and Republic of Marshall Islands.

Signatories also agreed the Implementing Arrangement for Development and Economic Cooperation under PACER Plus³, which outlines a development and economic cooperation work programme to be funded by Australia and New Zealand once PACER Plus enters into force (anticipated in early 2019). The Implementing Arrangement and Work Programme are established for an initial five-year period, with an option to review and renew for a further five years. This Implementing Arrangement mandates that an Implementation Unit be established to manage the day-to-day operations of the Work Programme and to service the PACER Plus Joint Committee. Australia and New Zealand will provide up to A\$25m in funding for the operation of the Unit and the delivery of the Work Programme.

Objectives

The goal of the Activity is to establish an effective and mutually agreed upon Implementation Unit that helps PACER Plus Parties benefit from the Agreement from the day it enters into force. Therefore the arrangements for the Implementation Unit must be agreed between the Parties before entry into force.

Based on PACER Plus and the associated Implementing Arrangement as the framework, the design will set out recommendations for the functions and establishment of an Implementation Unit, including its location, management structure and processes, key result areas and a proposed work plan for the first year of activities.

The Implementation Unit's functions will include:

- ***Servicing the Joint Committee:*** providing information to assist the Joint Committee's decision-making; preparing and hosting meetings;
- ***Managing the Implementation of the Development and Economic Cooperation Work Programme:*** coordinating development of the work programme; supporting national capacity building in participating countries; developing regional mechanisms for collaboration;
- ***Monitoring and reporting:*** providing regular financial reporting; developing and maintaining a monitoring and evaluation framework; assisting participants to review overall progress towards achieving the objectives of the Agreement;
- ***Communications and outreach:*** supporting participants with outreach including the development of communications strategies, tools and resources.

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<https://www.mfat.govt.nz/en/trade/free-trade-agreements/free-trade-agreements-concluded-but-not-in-force/pacer/>

Design of the Implementation Unit

The design process will report to a review team, comprising of staff from MFAT and DFAT, and must be inclusive and strongly driven by consultation with all PACER Plus signatories.

MFAT and DFAT seek to procure services (**Services**) for the design of the Implementation Unit which will comprise of four phases:

- (i) **Design plan:** A short work plan setting out how the design, including consultations, will be undertaken.
- (ii) **Scoping paper:** This will identify options for a management and operational structure and location in accordance with the Implementing Arrangement. With reference to the Implementing Arrangement, the paper should include:
 - Functions, roles and responsibilities;
 - Staffing profiles and structures;
 - Financial and administrative arrangements;
 - Procurement arrangements; and
 - Interim arrangements to support establishment of the Implementation Unit.
- (iii) **Draft design:** Will be informed by the above scoping paper and stakeholder consultations and will outline detailed recommendations for a management structure and processes, including a proposed work plan for the first year of activities. (See Services Table below for details)
- (iv) **Final design:** Will be based on feedback from PACER Plus signatories and other key stakeholders.

Services

The services and outputs the successful Respondent will be expected to deliver are outlined below. We encourage proposals to outline a collaborative design process that seeks regular guidance and input from MFAT, DFAT and PACER Plus signatories throughout the process.

No.	Services/ output	Inputs/tasks	Due date
1	Design work plan, including stakeholder consultation plan	<ul style="list-style-type: none"> • Review of relevant documentation. • Preparation of work plan. • Consultations with Canberra and Wellington. • Finalise work plan with input from MFAT and DFAT. 	May 2018

No.	Services/ output	Inputs/tasks	Due date
2	Scoping paper, presenting and testing options for the management and operating model of the Implementation Unit with PACER Plus signatories	<ul style="list-style-type: none"> • Preparation of scoping paper. • Circulate scoping paper to stakeholders for input. • Presentation of the scoping paper to a meeting of PACER Plus senior trade officials. • Finalise scoping paper. • Undertake consultations with key stakeholders. 	May-June 2018
3	Draft organisational design	<ul style="list-style-type: none"> • Proposed management and operational structure for Implementation Unit, including: <ul style="list-style-type: none"> - Functions, roles and responsibilities of the Implementation Unit; - Financial and administrative arrangements; - Procurement arrangements; - Terms of reference and job descriptions for key personnel required (including an M&E Specialist); - Reporting requirements and processes; and - Interim arrangements required to support establishment of the Implementation Unit. • Proposed annual work plan of activities for first year of operation of the Implementation Unit: <ul style="list-style-type: none"> - Identification of proposals with wide support ready for implementation in the first year; - Methodology for developing work plans thereafter. • Circulate design to stakeholders for input (may require a presentation to PACER Plus signatories). 	June-July 2018
4	Final organisational design	<ul style="list-style-type: none"> • Design finalised with input from stakeholders. 	July-August 2018

The dates indicated above are preferred, taking into account expected procurement timeframes. Respondents should, however, submit a proposal reflecting their own availability.

Note that although this procurement is for the design stage only, there is potential for continuity of the design stage supplier should their services be required. We may later choose to invite the design stage provider to submit a proposal for establishing the Unit, or we may decide to go back to the market at the end of the design stage to tender for services required in subsequent stages.

Methodology

Respondents are invited to recommend an appropriate design methodology and set of outputs. This could include a suite of governance documents and plan for establishment of the Unit.

Functions of the Unit

The design should clearly outline the precise functions of the Unit based on the Implementing Arrangement, its roles and responsibilities, and how these relate to existing regional agencies and programmes.

Based on the requirements set out in the Implementing Arrangement, the Implementation Unit must have the capacity to:

- (i) Provide information to the Joint Committee to assist in decision making and implementing decisions;
- (ii) Provide regular financial reporting on the Work Programme budget and expenditure;
- (iii) Assist with the preparation and hosting of meetings, including coordinating dates and logistics, and organising agenda and papers, and reporting outcomes;
- (iv) Coordinate the development of the Work Programme, including liaising with the subsidiary bodies and national focal points;
- (v) Develop and maintain a Monitoring and Evaluation (M&E) Framework for the Joint Committee's approval;
- (vi) Assist Participants to monitor, report and evaluate progress of the Agreement's implementation against objectives and the M&E Framework, including identifying successes to build upon and problems that need to be addressed;
- (vii) Support capacity development of the national institutions of participants to operationalise the Agreement and address regional implementation gaps;

- (viii) Assist the development of regional mechanisms for effective collaboration and cooperation in the execution of the provisions of the Agreement; and
- (ix) Support Participants in the promotion of the Agreement to key stakeholders such as business and industry, including through the development of communications strategies, tools and resources.

The design should also recommend:

- a work plan of activities for the first year of operation of the Implementation Unit; and
- a process for developing work plans thereafter.

Operating Model and Location

The design should present a range of options for the Unit's operating model and location, and make recommendations based on analysis of costs, benefits, and risks. The design must demonstrate how value-for-money will be achieved.

Corporate structure and budget

The Implementing Arrangement states that the Unit will be 'under the umbrella of' the Pacific Islands Forum Secretariat (PIFS) which offers a number of benefits including:

- PIFS' existing mandate to support FICs on trade and economic policy and related issues, including regional reporting to trade and economic ministers; and
- Use of PIFS' existing corporate infrastructure.

The design should consider the implications of the options presented including:

- Legal entity status;
- Human Resources policies, including recruitment, management, and remuneration; and
- Accounting, financial management, and procurement policies and practices, including in the case where the Unit is co-located with an existing organisation, ring-fencing the budget.
- Indicative budgets for the first five years, broken down by capital, staffing, and work programs.

Specifically on staff and recruitment, the design should outline:

- Who will be responsible for recruitment, of the head of the Unit and of other staff;

- What permanent positions are required – this could include:
 - Head of Unit
 - Programme management and partnerships
 - Technical expertise
 - Project and contract managers
 - Accountant/financial officer
 - Administrative assistance
 - Communications officer
 - Monitoring and Evaluation officer.
- A role for seconded staff from signatories and how this will be managed e.g. with signatories to cover the cost of the seconded staff's remuneration and whether other organisations such as the Commonwealth Secretariat should be able to second staff to the Unit; and
- The implications of location and structure of the Unit for staff that are foreign nationals.

Location

While the design of the Implementation Unit needs to be broadly 'under the umbrella' of the PIFS, options for the location of the Unit should be explored. The design should consider options based on the following criteria:

- The Implementation Unit is to be hosted by a signatory to PACER Plus;
- Efficiency and cost-effectiveness of co-locating the unit with other regional agencies;
- Facilitating communication and cooperation with other trade-related regional agencies and programmes; and
- Hosting the Unit in PIFS Headquarters, for the sake of comparison.

The design should identify a range of options and initially test these with PACER Plus signatories. The design should then outline the costs and benefits of the agreed options, and make a recommendation that will deliver effective performance and value-for-money.

Governance and Reporting

As outlined in the Implementing Arrangement:

- The Unit will report on its progress delivering the work programme to the PACER Plus Joint Committee, including on its budget.

- The Joint Committee will approve the Unit's annual workplan and budget, and will periodically review the work programme.
- The PACER Plus Budget Subcommittee will advise the Unit on financial aspects of its annual workplan.

The design should recommend a means for the Unit to report to donors.

The design should also draft necessary corporate documents, modelled off existing PIFS practice for endorsement by the Joint Committee. For example:

- Constitution
- Conflict of interest declarations.

Monitoring and Evaluation

The design should demonstrate how the Unit will undertake monitoring and evaluation, including consideration of:

- How the Unit will adopt an M&E Framework and track against it;
- Suggest a draft M&E Framework, aligned with DFAT Standards 1 and 2, with recommendations of key result areas related to: (i) PACER Plus implementation; and (ii) the Development and Economic Cooperation Work Programme.
- How the Unit will report to the Joint Committee.

Communications and Outreach

The Unit will be responsible for developing communications tools, strategies, and resources to support signatories to promote PACER Plus to key stakeholders, such as business and industry.

Design Approach

The design of the Unit must be a collaborative, inclusive process. The successful Respondent will work in close collaboration with MFAT and DFAT, and regularly consult with PACER Plus signatories, PIFS, and Council of Regional Organisations in the Pacific (CROP) agencies.

The consultation process will include:

- Attending a regional meeting in the Pacific of senior PACER Plus officials;
- Approximately 3-4 visits to signatories to scope possible host countries; and
- A visit to Suva to consult with the Pacific Island Forum Secretariat.

The design should outline the options considered, the costs, benefits, and risks, and make recommendations on this basis.

Respondents should note that MFAT and DFAT will acquire all intellectual property rights in relation to the outputs.

Team Composition

The successful Respondent will provide the following knowledge, skills and experience to provide the Services required. These skills could be delivered by one supplier or by a consortium of suppliers.

They will also need to work in close collaboration with MFAT, DFAT, and PACER Plus signatories.

Knowledge , skills and experience

Capability and capacity in organisational design

- Can identify fit for purpose governance structures and decision-making processes;
- Knowledge and application of management theories and practices;
- Experience in human resources management and the knowledge and application of relevant legislation; and
- Experience with design and improvement of financial management structures and practices at an organisational level.

Pacific experience and expertise

- Understanding of the Pacific including the cultures, public sector processes and systems (including political systems);
- Recent experience working in the Pacific and developing or adapting an approach to meet the needs of Pacific stakeholders; and
- Understanding of Pacific regional agencies and architecture.

Trade and foreign investment expertise

- Understanding of the trade and business environment in the Pacific, and the constraints and barriers; and
- Experience in designing and/or delivering capacity building or technical assistance related to trade in the Pacific.

Respondents are invited to submit a short proposal that outlines how the services and outputs will be delivered, a capacity statement and

provide curriculum vitae for each nominated consultant for the Activity.

MFAT and DFAT reserve the right to make changes to the team for the Activity.

Performance Standards

Quality standards that apply

Standards for Activity Design

The design must be based on the team's research and consultation processes with stakeholders, demonstrate good analysis of needs and adopt a straightforward, logical and practical approach to addressing them.

Health and Safety Standards

MFAT is committed to protecting the health, safety and wellbeing of staff, managers, workers and others while work is carried out onshore and offshore.

Accordingly, the adviser is expected to consider the health and safety risks involved in the work they will be doing and how those risks can be eliminated or managed. The adviser will be expected to work with MFAT to discuss and agree these matters and enter into a Health and Safety Acknowledgement and prepare a Safety Plan for the work.

Standards for Technical Advisors

The advisor will operate to high standards of professionalism and transparency, and demonstrate focus on capacity development. The advisor will also adhere to the Technical Advisor Code of Conduct (see Appendix A).

Child Protection

Providers of services covered under New Zealand's Vulnerable Children Act 2014 must comply with all Security Vetting and other requirements.

How Quality Standards will be Measured, When and by Whom

Quality standards will be measured by MFAT's Sustainable Economic Development division and DFAT when appraising outputs. If necessary, internal or external specialist assistance will be sought for this purpose.

General

All Services must be provided in a professional manner and in accordance with MFAT's and DFAT's reasonable expectations.

In respect of Implementation, Suppliers must meet or exceed the applicable targets stated in the Results Framework.

The Services will also be delivered in a manner which provides the best outcomes in terms of the Development Effectiveness criteria specified by the OECD- Development Assistance Committee: relevance, efficiency, effectiveness, impact and sustainability.

Background

Relevant Information

The following information sources are relevant to the services:

- The Pacific Agreement on Closer Economic Relations Plus (PACER Plus). In particular:
 - Chapter 10: Development and Economic Cooperation
 - Implementing Arrangement for Development and Economic Cooperation under the Pacific Agreement on Closer Economic Relations Plus

source: <https://www.mfat.govt.nz/en/trade/free-trade-agreements/free-trade-agreements-concluded-but-not-in-force/pacer/>

- New Zealand Aid Programme policy and guidelines documents on cross-cutting issues, in particular:
 - Cross-cutting Issues Strategy
 - Gender Analysis Guideline
 - Gender Equality Knowledge Note: Agriculture and Gender Equality
 - Environmental and Social Impacts Operational Policy
 - Environmental and Social Impacts Guideline
 - Human Rights Mainstreaming Guideline

source: <https://mfat.govt.nz/en/aid-and-development/>

- www.safetravel.govt.nz a New Zealand Government website that provides public information on overseas travel and security.
- New Zealand Health and Safety at Work Act 2015 <http://www.worksafe.govt.nz/worksafe>
- New Zealand's Vulnerable Children Act 2014

Governance and Management

The contract will be managed jointly by MFAT and DFAT.

The design developed by the design team will be subject to a formal appraisal process, the nature of which will be determined by the value and risk level of the proposed activities.

Appendix A: Technical Adviser Code of Conduct

In addition to the requirements of the Technical Advisor to deliver the Services in accordance with the terms and conditions of this Contract,⁴ MFAT wishes to ensure that all Technical Advisors maintain proper standards of integrity, conduct, and behaviour whilst working overseas. This Code⁵ prescribes the standards required by MFAT of all Technical Advisors whilst undertaking the Services. Any breach of this Code could lead to the termination of the Contract.

The three principles of conduct that all Technical Advisors are expected to observe are:

1. Technical Advisors shall fulfil all lawful obligations to government⁶ with professionalism and integrity.
2. Technical Advisors shall perform their duties honestly, faithfully and efficiently respecting the rights of the public and their colleagues.
3. Technical Advisors shall not bring MFAT, nor the government into disrepute through their private activities.

Where a Technical Advisor is subject to a Code of Conduct of another department or agency that Code shall continue to apply to the extent that it is stricter and/or there is no conflict with the provisions of this Code.

Political Neutrality

Technical Advisors are required to show political neutrality in serving MFAT and the government. In so doing they should conduct their relationships professionally and impartially.

In developing and implementing policy a Technical Advisor is expected to provide honest, impartial and comprehensive advice, and must not withhold relevant information nor seek to obstruct, or delay a decision nor attempt to undermine or improperly influence government policy, for example by an unauthorised release of information. Where a Technical Advisor holds strong personal beliefs

⁴ If there is any conflict between this Code of Conduct and Schedule 2 Standard Terms and Conditions, Schedule 2 Terms and Conditions will prevail.

⁵ This Code is based on the New Zealand State Services Commission 'New Zealand Public Service Code of Conduct' and the Ministry of Foreign Affairs and Trade 'Code of Conduct'.

⁶ For the purpose of this Code 'government' may mean the government of New Zealand or the host government in the country where the assignment is carried out.

on certain issues these must be managed so as to avoid conflict with their duties.

Technical Advisors need to ensure that their private participation in political matters does not bring them into conflict with their primary duty to serve the government in a politically neutral manner.

Public Comment

Technical Advisors must not provide responses to media or other requests for comment on government policy unless specifically authorised to do so. Generally when on assignment overseas Technical Advisors have the same rights of free speech and independence in the conduct of their private affairs as other members of the public. However, they also have a duty not to compromise the government by public criticism of, or comment on policies which they have been professionally involved or associated.

Participation on Voluntary or Public Bodies

Technical Advisors are free to stand for, or be appointed to any office, or position on any voluntary body. However they should first inform MFAT of their intentions if there is any doubt or potential conflict of interest between such participation and their duties and responsibilities as a Technical Advisor. Strong conflicts are likely if the Technical Advisor is appointed to a public body.

Political Participation

In order to protect bi-lateral relationships between New Zealand and other governments Technical Advisors shall not on their own account participate in any political activity in a foreign state. This prohibition includes membership of any pressure group, political party, or other political or lobby organisation.

Publications

Any Technical Advisor who wishes to publish an article or a book which is based in whole, or in part upon their experience whilst working as a Technical Advisor shall first submit a draft manuscript for MFAT's approval, and shall not publish any material before that approval is granted.

Official Information

The disclosure of official information is subject in New Zealand to the Official Information Act 1982, and may be subject to legislation or rules in other countries. Technical Advisors must comply with the relevant host country rules in relation to the release of official information and must be authorised to respond to a request. Technical Advisors have a duty not to release or communicate, in an unauthorised way, information which may result in damage to New

Zealand's, or the governments' foreign relations. This duty extends to reckless or negligent communication.

Security

Technical Advisors shall comply with all security notices, instructions, guidelines, practices or requirements issued by the host country and by MFAT.

Performance of Duties

Technical Advisors shall carry out their duties in an efficient and competent manner, and avoid behaviour that might impact on their effectiveness. This includes a duty to:

1. obey the law;⁷
2. obey all lawful instructions;
3. ensure competence and efficiency in the performance of assigned duties;
4. refrain from conduct that might impair work performance, including being under the influence of alcohol, illegal drugs or solvents during working hours;
5. not to bring illegal drugs into the workplace;
6. seek MFAT's approval before undertaking additional paid work in-country whilst on full time assignment; and
7. show reasonable care in the use of property, resources or funds.

Health and Safety Responsibilities

Technical Advisors are required to enter into a Health and Safety Acknowledgment form and prepare a Safety Plan in order to ensure you:

- take all reasonable and practicable care with your own and other's health and safety;
- record and report injuries, illnesses, incidents (including near misses) and any other concerns relating to safety, that arise from work;
- regularly consult and collaborate with other members of the Activity team, including MFAT, on health and safety.

Personal Taxes

- _____
- ⁷ Technical Advisors shall obey the laws and regulations of the country in which they are assigned and shall respect the laws of New Zealand while on assignment.

Technical Advisors are responsible for assessing their own personal tax liabilities both in their normal country of residence and in the host country. Each Technical Advisor must ensure that they make payment in full of all tax liabilities. Failure to effect payment of taxes may be grounds to terminate the Contract.

Traffic Accidents

Whilst engaged on assignment overseas Technical Advisors shall comply with local traffic and parking laws and regulations and, where they opt to purchase their own car whilst in-country, shall carry ample and comprehensive vehicle insurance to provide cover regardless of fault for themselves, accompanying family members and any other driver or passenger. Technical Advisors shall obtain a sum of coverage that as a minimum complies with local standards and practices, or normal international standards, whichever is the higher.

Where relevant, Technical Advisors should follow driving recommendations as described in the Safety Plan and only drive where they are competent and feel safe to do so.

Parking Offences

Whilst engaged on assignment overseas Technical Advisors shall pay parking fines promptly and meet their responsibilities in the case of traffic accidents or offences in the host country.

Lawful Conduct

Whilst engaged on assignment overseas Technical Advisors must act lawfully, and in particular, shall not:

1. become involved in black market or parallel market operations;
2. contravene foreign exchange regulations of the host country;
3. seek to use official accounts to transfer non-official or private funds;
4. expend official money or incur official costs without proper authorisation;
5. purchase or export any item of cultural property of a sensitive nature other than in accordance with local regulations; and
6. become involved in any activity which could be construed as illegal, unethical, corrupt, fraudulent, collusive or coercive.

Where a Technical Advisor may be in breach of a local law (excluding parking infringements) they must advise MFAT immediately.

Technical Advisors have no immunity whilst working overseas on behalf of MFAT.

Corruption

Whilst engaged on assignment overseas Technical Advisors should be aware of possible corruption and be diligent in identifying any act of corruption they may encounter. Technical Advisors must immediately report to MFAT any act of corruption of which they have become aware.

Technical Advisors will take specific note of Schedule 2 clause 16.

Anti-Terrorism

Additional to Schedule 2 clause 17, Technical Advisors must not be involved in any organisation or activity that provides direct, or indirect support, or resources to organisation and/or individuals associated with terrorism. If, during the course of the assignment, a Technical Advisor in the carrying out of their duties discovers any link whatsoever with an organisation or individual associated with terrorism they must advise MFAT immediately.

Respect for Others

Technical Advisors have a duty to contribute to the development of effective working relationships by treating their colleagues, stakeholders and the public with courtesy and respect, and conducting themselves in a polite, friendly and helpful manner in all written (including electronic) and oral communications at all time.

Respect for others includes:

1. respecting the privacy of individuals when dealing with personal information
2. not discriminating against or harassing anyone because of their sex, marital status, family status, ethnicity, race, colour, age, sexual orientation, disability, political opinion, religious or ethical beliefs, or employment status
3. avoiding behaviour that might endanger or cause stress to other colleagues
4. having due regard for the safety of others
5. avoiding behaviour that could be construed as bullying, workplace harassment, sexual harassment or victimisation.

Vulnerable Children Act 2014 (if applicable)

When working with children and families:

1. Complying with relevant provisions of the Vulnerable Children's Act including the provision of information to enable Security Vetting to take place.
2. Informing your employees and MFAT of any information which may affect your ability to maintain Security Vetting.

Conflict of Interest

Whilst engaged on assignment overseas Technical Advisors should perform their duties with integrity, honesty, impartiality and act in a manner that will bear the closest public scrutiny. They shall avoid situations that might compromise their integrity and shall ensure that no conflict exists, or appears to exist, between their private interests and their official duties. They must observe the principles of fairness and impartiality in all official dealings so that no individual, or organisation is given preferential treatment.

Where any actual, or potential conflict of interest will be managed in accordance with Schedule 2 clause 9.

Situations of conflict of interest may arise where a Technical Advisor's partner or children takes up local employment and MFAT advice should be sought where any conflict is likely to arise in such cases.

During the course of the assignment the Technical Advisors must not take up secondary employment or be engaged in any other trade, business or occupation without the prior written consent of MFAT.

Gifts

Technical Advisors must not abuse the advantages of their official position for private purposes or personal gain. They must not solicit gifts, rewards, or benefits that might compromise, or be seen to compromise, their integrity or the integrity of the government or MFAT.

Technical Advisors may accept token gifts of appreciation (but not money) where the total value of the gift is NZD100 or less, and which do not, or do not appear to place the Technical Advisor under any obligation.

Koha

A 'koha' is a gift, a token, or a contribution given in money or in kind, as appropriate, in interactions with Māori, whether individuals, kaumatua or iwi. There may be occasions where the local cultural environment in the host country makes it appropriate to give koha in return for traditional hospitality received. In such situations, where official expenditure and public money is involved, the Technical Advisor must first obtain the consent of MFAT or the in-country government department, and the amount and the explanation of the circumstances should be documented in each case.

A koha should not be confused with a payment for goods or services.

Personal Behaviour

Whilst engaged on assignment overseas Technical Advisors should avoid any activities, whether connected with their official duties, personal relationships, or otherwise that might bring the government,

or MFAT into disrepute, or jeopardise its relationship with the public or key stakeholders.

Specifically Technical Advisors must avoid such behaviour which:

1. creates a potential conflict of interest
2. may offend or appear to offend against local laws or customs
3. may offend or appear to offend against broadly acceptable standards of conduct
4. may bring the government of New Zealand into disrepute or its relationship with another government or international organisation
5. may reflect badly against MFAT
6. may lead to a situation giving rise to coercion.