



This letter is a translation of the Maltese original.

27 April 2026

Hon. Dr Anġlu Farrugia
Speaker of the House of Representatives

By email through the Clerk of the House

Mr Speaker,

**AMENDMENTS PROPOSED TO THE ETHICAL
FRAMEWORK BY MEANS OF MOTION 464**

I refer to motion number 464 which is before the House of Representatives, and which proposes amendments to the Code of Ethics for Members of the House of Representatives and the Code of Ethics for Ministers and Parliamentary Secretaries.

I am writing to present my views on these amendments since they are a matter of direct concern to my office, so much so that article 13(1)(g) of the Standards in Public Life Act (chapter 570 of the laws of Malta) empowers me to make recommendations for the improvement of any code of ethics that applies to persons who are subject to the Act.

1. The inclusion of values

I welcome the inclusion of the values of loyalty, objectivity, honesty, accountability, transparency and confidentiality in the proposed amendments to the code of ethics for members of Parliament. The inclusion of these values should considerably strengthen the code.

With regard to honesty, this Office has noted on various occasions that this value should apply to all MPs and not just to ministers.

2. The register of assets

I also appreciate the proposal for MPs to include their income as part of their annual declarations of assets, as well as to declare intangible assets and to provide more details regarding their immovable property.



However, I should note that the amendments eliminate the obligation for MPs to declare immovable property held by their spouses within a community of acquests.

The amendments also eliminate the obligation for ministers and parliamentary secretaries to declare financial investments and bank accounts held by their spouses within a community of acquests. This information used to be included in asset declarations by ministers, which were discontinued from the year 2024 onwards, and which will be formally eliminated by means of the motion.

In a letter dated 6 January 2026 to the Prime Minister,¹ I stated that the elimination of this information represented a setback for public transparency. This remains my opinion.

I understand the concern about privacy with respect to persons who are not in public life but who are the spouses or relatives of persons in politics. In this context I refer to a report published by the Organisation for Economic Cooperation and Development (OECD) in October 2023. I have already referred to this report in my correspondence with the Prime Minister. It proposes among other things that the Commissioner for Standards should have the power to obtain information from the relatives of an MP should this be necessary to verify the MP's declaration of assets as required by law.² This proposal reconciles transparency and privacy, because this Office would keep the information gathered by it confidential if it found no irregularity in the MP's declaration. In the absence of such a mechanism, the elimination of the obligation to declare spouses' assets is a matter of serious concern.

In my letter to the Prime Minister, I stated that the elimination of the ministerial declaration of assets was a setback for transparency also because these declarations used to be laid on the table of the House, whereas declarations by MPs were not published.

For this reason I was pleased when, during a meeting of Parliament's Standards Committee on 23 March 2026, the Minister for Justice and Reform of the Construction Sector committed himself to introducing an amendment that would require declarations of assets by MPs to be laid on the table of the House. This amendment is not yet reflected in the text of the motion, so I understand that the Minister will present it for the consideration of the House when the motion is discussed.

¹ Available from <https://standardscommissioner.mt/wp-content/uploads/letter-to-pm-2026-01-06-en.pdf>.

² OECD, *Public Integrity in Malta: Improving the Integrity and Transparency Framework for Elected and Appointed Officials*, pages 132–133. This report is available from https://www.oecd.org/en/publications/public-integrity-in-malta_0eccc469e-en.html.



3. The register of interests

I welcome the inclusion of an obligation for MPs to avoid conflicts between their duties as MPs and their private interests.

In its current form, however, this provision can be interpreted too narrowly. In my opinion, it should be revised to make it clear that it will apply not only to the personal interests of MPs but also to those of other persons close to them. Similarly, articles 5.1 and 8.6 of the ministerial code of ethics contain explicit references to family members and other persons close to ministers.

I also welcome the proposal to introduce a register of interests that will be separate from the register of assets and will be updated according to need, not just once a year. I am pleased to note as well that the obligation to declare interests will apply not only to conflicts relating to legislation before the House, as is the case with the current code, but also conflicts relating to any other business of Parliament.

However, I note that there is no clear relationship between clause 5A(1) of the amendments, which obliges MPs to **avoid** conflicts of interest, and clause 5A(2), which obliges them to **declare** such conflicts.

It is not always possible to avoid conflicts of interest. In such situations, MPs should know with certainty what action they need to take to resolve conflicts. The amendments do not indicate whether declaring a conflict is sufficient to this end, or whether further action is necessary, for instance abstaining from a vote in the House or absenting oneself from a committee meeting.

4. Pending reforms

The OECD report which I have already mentioned includes important proposals that have yet to be addressed. Among other things, this report proposes the introduction of a register of gifts received by MPs and ministers; restrictions on the jobs that ministers can accept after they cease to hold office; and the regulation of contacts between ministers and lobbyists.

The reforms proposed by the OECD concern not only the code of ethics for MPs but also that for ministers. As I stated in my letter of 6 January 2026 to the Prime Minister, it is particularly important for ministers to be governed by a solid ethical framework, given their powers and the resources they control.

However, motion 464 includes no changes to the ministerial code of ethics, other than eliminating the requirement for ministers to draw up declarations of assets separate from those by MPs. It would be a pity to miss the opportunity for an extensive reform of the ethical framework of public life in Malta as proposed by the OECD.



5. The schedule to Cap. 113

The code of ethics for MPs appears in both the Standards in Public Life Act and the House of Representatives (Privileges and Powers) Ordinance (chapter 113 of the laws of Malta). There are already minor discrepancies between the two versions of the code. These discrepancies will naturally increase if motion 464 is approved but no changes are made to the version of the code that appears in Cap. 113.

In my opinion, the House of Representatives can if it wishes amend the two versions of the code by means of a single motion adopted for the purposes of both Cap. 570 and Cap. 113.

6. Publication of this letter

I would be grateful if you can circulate this letter to all members of the House of Representatives and lay it on the table of the House before motion 464 is discussed.

On my part, I intend to publish this letter on the website of my office, but out of respect for your office I prefer to wait until the letter is laid on the table of the House.

With thanks and regards,

Chief Justice Emeritus Joseph Azzopardi
Commissioner for Standards in Public Life