

An  
Coimisiún  
Pleanála

# Code of Conduct

**For Governing Board  
Members, Planning  
Commissioners, Staff and  
Certain Other Persons**

*As Adopted by the Governing Board  
on 25th November 2025*

**Date of Commencement:  
9th December 2025**





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## Document Control

### Location

The latest version of the Code of Conduct will be published on [www.pleanala.ie](http://www.pleanala.ie).

### Approvals

The latest Code of Conduct was adopted by the Governing Board at a meeting on the 25th November 2025.

### Key messages

The Code sets out a number of requirements for persons working in An Coimisiún Pleanála.

These requirements are to ensure that.

- › the Commission's work is carried out in a proper fashion, and
- › to avoid the risk that people working on cases in the Commission will have conflicts of interest, through ownership of property or through professional or personal relationships.

It is your personal responsibility to comply with this Code, which forms part of your contract of employment or office.

You must also ensure that you are familiar with the applicable statutory requirements in respect of conflicts of interests, that you comply with these and that any information you provide for entry into An Coimisiún Pleanála's register of interests is accurate and up to date.

You should also note that failure to comply with disclosure obligations under relevant statutes is an offence.

# Code of Conduct

**For Governing Board Members,  
Planning Commissioners,  
Staff Members and Certain  
Other Persons**



# 1. INTRODUCTION

## 1.1 Background to An Bord Pleanála/An Coimisiún Pleanála

An Bord Pleanála was established in 1977 under the Local Government (Planning and Development) Act, 1976 and was continued in being by the Planning and Development Act 2000 and renamed as An Coimisiún Pleanála by the Planning and Development Act 2024.

An Coimisiún Pleanála is responsible for the determination of appeals and certain other matters under the Planning and Development Act 2000, (to be continued under the 2024 Act upon commencement of relevant sections) as amended, and associated legislation, and determination of applications for strategic infrastructure development including major road and railway cases. It is also responsible for direct applications under the Maritime Area Planning Act 2021. It is also responsible for dealing with proposals for the compulsory acquisition of land by local authorities and others under various enactments. The Commission also has functions to determine appeals under the Local Government (Water Pollution) Acts and the Building Control Acts.

An Coimisiún Pleanála is also the Competent Authority for Project of Commons Interest under the European Regulation No. 347/2013 which deals with trans-European energy infrastructure.

- 1.2** For the purpose of this Code, An Coimisiún Pleanála comprises of the Governing Board, the Planning Commissioners, and the staff of the Commission (including the Chief Executive Officer). Other persons engaged as consultants or advisers to the Commission, to report on planning cases and such other persons are also covered by the Code.

### Mission Statement of An Coimisiún Pleanála

To play our part as an independent body in an impartial, efficient, and open manner, to ensure that physical development and major infrastructure projects in Ireland respect the principles of sustainable development, including the protection of the environment.

## 1.3 Values of An Coimisiún Pleanála

An Coimisiún Pleanála shares common values with the wider Public Service:

- A strong public service ethos of integrity, independence, impartiality, equality, fairness, and respect,
- A culture of transparency, accountability, efficiency, and value for money, and
- A commitment to the highest standards of leadership, professionalism, and rigour.

Specifically, in relation to performing and meeting its functions and responsibilities, An Coimisiún Pleanála adopts the following overarching values:

## **Independence and Impartiality**

An Coimisiún Pleanála is committed to preserving and protecting its independence in its decision-making functions and ensuring that all decisions made are based solely on an impartial assessment of each case.

## **Professionalism, and Integrity**

An Coimisiún Pleanála places great value and reliance on the professional expertise, integrity, dedication and public service ethos of its Planning Commissioners and staff.

## **Participation and Transparency**

An Coimisiún Pleanála is committed to providing the maximum degree of openness and accountability in its operations consistent with the quasi-judicial nature of its statutory functions and ensuring that its procedures facilitate effective participation by the public in the planning system.

## **Respect, Dignity, Equality and Fairness**

An Coimisiún Pleanála is committed to a culture of respect, dignity, equality, and fairness in all dealings with the public and with and between its own Commissioners/staff.

## **Excellent Customer Service and Innovation**

An Coimisiún Pleanála is conscious of the need to ensure that its overall customer service is aligned to current expectations and best practice and is committed to being responsive to seeking new ways to improve service delivery.

## 1.4 Background to this Code of Conduct

Under Section 501 of the Planning and Development Act, 2024 An Coimisiún Pleanála is required to adopt a code of conduct for dealing with conflicts of interest and promoting public confidence in the integrity of the conduct of its business.

In line with this statutory requirement, this Code sets out a written statement of An Coimisiún Pleanála's policies in respect of:

- measures to ensure the avoidance and management of conflicts of interest of persons to whom the code applies,
- disclosures of interests and relationships of persons to whom the code applies where the interests and relationships are of relevance to the work of the Commission,
- membership of persons to whom the code applies of other organisations, associations, and bodies, professional or otherwise,
- membership of persons to whom the code applies of companies, partnerships or other bodies, or the holding by persons to whom the code applies of a financial interest in, companies, partnerships, or other bodies,
- undertaking of work, other than work on behalf of the Commission, by persons to whom the code applies, both during and after any period of employment with the Commission, whether as a consultant, adviser or otherwise,
- acceptance of gifts, sponsorship, considerations, or favours by persons to whom the code applies,
- disclosure of information concerning matters pertaining to the work of the Commission, by persons to whom the code applies,
- the steps to be taken in the event a conflict of interest arises in the course of determining appeal, application, referral, or request,
- the steps to be taken to ensure that no breach of the code of conduct occurs during the course of determining an appeal, application, referral, or request, and
- disclosure by persons to whom the code applies of any representations relating to the functions of the Commission made to such a person by a member of the public, whether in writing or otherwise.

The policies set out in this Code in relation to disclosures of interests and relationships incorporate statutory requirements regarding disclosures of interests under the Planning Act and the Ethics in Public Office Acts 1995 and 2001 (“**EIPO**”).

In addition, this Code takes account of the principles and provisions of the Code of Practice for the Governance of State Bodies, published by the Department of Public Expenditure and Reform (August 2016) (the “**State Bodies’ Governance Code**”).

Having regard to the nature of the quasi-judicial functions carried out by An Coimisiún Pleanála and in order to demonstrate the highest standards of integrity and impartiality in the carrying out of An Coimisiún Pleanála's functions, this Code of Conduct also contains significant additional policies and provisions beyond and in addition to the requirements under the Planning Act 2024, EIPO and the State Bodies' Governance Code.

Each Governing Board member, Planning Commissioner, and every member of staff of An Coimisiún Pleanála is required to be familiar with the provisions of this Code.



### 1.5 Persons covered by the Code.

This Code applies to members of the Governing Board, Planning Commissioners and to all staff (including the Chief Executive Officer) of the Commission and to any person engaged as a consultant or adviser to the Commission under Section 390 of the Planning and Development Act 2024 in duties relating to its functions to determine planning cases.

Under **section 501(4)** of the Planning and Development Act 2024, it is a **condition** of appointment/employment or engagement of persons covered by the Code that they shall comply with the Code to the extent required in its various provisions.

### 1.6 Governing Board exemptions

**Under Section 497(5)** of the Planning and Development Act 2024 it provides that the Governing Board **cannot be involved** in considering or determining any planning case which is before the Commission for a decision as that decision-making function is solely reserved to the Planning Commissioners. In that regard, the Governing Board members have no access to information on appeals or direct applications during the life cycle of those cases and will have no access to the Commission's Case Management Systems (CMS). In that context, those elements of the Code focussed on the planning casework consideration and determination processes are not relevant or applicable to the members of the Governing Board.

### 1.7 Conflicts of Interest and Objective Bias Declarations for Governing Board Members

Code provisions relating to conflicts of interests or objective bias can however relate to any matter that may arise for a Governing Board member from the agenda items at Governing Board meetings. Where a Governing Board member considers any such issues could arise at such a meeting then the Governing Board member should follow the protocols of non-participation from involvement or consideration of any such agenda items.

The Chairperson of the Governing Board shall ask at the start of each meeting if any member considers there may be a conflict of interest and/or objective bias arising from any agenda item and if this arises the member should follow the protocols of non-participation or consideration of any such agenda items. Where there is a doubt about whether non-participation is warranted then the Chairperson shall make a ruling on the matter. Details of all instances of non-participation or consideration of non-participation including any ruling by the Chairperson, shall be recorded, and preserved as appropriate.

It is therefore both a matter of personal responsibility for each individual to ensure that they comply with this Code, and a condition of their holding office or employment, breaches of which may lead to disciplinary action.

### 1.8 Duty to be independent and impartial.

Under section 571, Planning Commissioners and staff members of the Commission are required when making a decision in the performance of their duties under this Act, to do so in an independent and impartial manner.

### 1.9 Compliance with the Code

There is a personal duty on each Governing Board member, Planning Commissioner, and staff member of An Coimisiún Pleanála:

- to be competent, honest, efficient, courteous, and professional in the execution of their duties and their interaction with both external and internal personnel in the discharge of their work,
- to maintain proper standards of integrity, to perform all duties in a manner consistent with the common good, and to adhere to public service values, including loyalty to the values of An Coimisiún Pleanála and,
- to ensure that their conduct does not bring the standing of An Coimisiún Pleanála into disrepute or is not prejudicial to the effective performance by An Coimisiún Pleanála of its functions.

All interests and relationships, professional or personal, where the interests and relationships are, or are likely to be perceived to be, of relevance to the work of An Coimisiún Pleanála must be considered in accordance with this Code and disclosed when appropriate. The test to be applied should not just be what an individual Planning Commissioner or staff member might consider a relevant interest or relationship, but rather whether a reasonable person might reasonably think that the interest or relationship concerned could influence the individual in the performance of their functions. If so, then the interest or relationship should be disclosed in accordance with this Code so that appropriate procedures can be followed<sup>1</sup>.

### 1.10 Fiduciary Duty of Governing Board Members

All Governing Board members have a fiduciary duty to the organisation in the first instance which is to act in good faith and in the best interests of the organisation.

The principal fiduciary duties of Governing Board members are:

- to act honestly and responsibly in relation to the conduct of the affairs of the organisation within an overarching strong public service ethos of integrity and impartiality.
- to act in accordance with the statutory provisions and other governing requirements relating to discharge of their role within the organisation.
- not to benefit from or use the organisation's property, information, or opportunities for their own or anyone else's benefit.
- not to agree to restrict any Governing Board member's power to exercise an independent judgement.
- to avoid any conflict between the Governing Board member's duties to the organisation and the Governing Board member's personal interest.

### 1.11 Circulation of Code of Conduct

This Code of Conduct (and any updated version) will be circulated to all personnel and the Code will also be published on the website of An Coimisiún Pleanála. All Governing Board members, Planning Commissioners and staff will be asked to acknowledge receipt and understanding of the Code.

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1. If necessary, certain relationships may be disclosed on a strictly confidential/need to know basis to the Human Resources Section so that any necessary mitigations to prevent conflict of interest and/or perception of objective bias can be implemented in respect of operational business matters.

### 1.12 Periodic Review of the Code

The Governing Board may review and update this Code from time-to-time (and any related policies, guidance, or procedures), in which case the updated Code will be circulated to all personnel and published on the website of An Coimisiún Pleanála. On-going review and updating of overall ethical requirements and associated governance procedures will be a focus of the organisation as a whole and this will be facilitated by the work of a dedicated governance and ethics unit within the organisation.

### 1.13 Point of Contact for Queries

If any Governing Board member, Planning Commissioner or staff member or external person engaged by the Commission has any queries, whether in relation to this Code generally or as to whether disclosure of an interest or relationship might be required in specific circumstances (in respect of their own interests or those of another Commission member/employee), they should **without delay** seek advice as follows:

- In the case of Governing Board members, from the Chairperson or Secretary.
- In the case of Planning Commissioners, staff or external person from the Chief Executive Officer or Chief Officer or Ethics Officer.

In relation to the specific obligations on Planning Commissioners and designated employees under EIPO, it is open to anyone who comes under the provisions of EIPO to seek advice directly from the Standards in Public Office Commission in relation to their obligations.

## 2. DISCLOSURE OF INTERESTS/CONFLICTS

### 2.1 Overview

There are a number of statutory requirements relating to the declaration of certain interests. Under the Planning Act and EIPO:

- (i) all Governing Board members, Planning Commissioners, and staff of the Commission, are subject to requirements to make an annual declaration of interests; and
- (ii) all Planning Commissioners and all staff and external persons engaged by it are required to make case-by-case disclosures of any interests which are material to any appeal, determination or other matter relating to a particular function of An Coimisiún Pleanála.

In addition to the disclosure obligations under legislation, in order to maintain the highest level of public confidence and trust in An Coimisiún Pleanála and to ensure the independence and impartiality of its operations, this Code also contains policies which seek to avoid the possibility of any “objective bias” (or indeed any perception of objective bias) in the decision-making processes of An Coimisiún Pleanála. These policies are detailed in paragraph 2.3 below.

External personnel engaged by An Coimisiún Pleanála on duties relating to planning cases will be requested to complete and document the outcome of a conflict-of-interest check prior to confirmation of engagement.

### 2.2 Statutory Declarations and Disclosures under the Planning Act and equivalent provisions of the Ethics in Public Office Acts.

Compliance with the legislative requirements under the Planning Act and EIPO is a matter for each individual to manage as the obligation to comply rests on the individual. An Coimisiún Pleanála facilitates this process by the circulation of relevant forms and issuing reminders/guidance in respect of these obligations. For ease of reference, the legislative requirements regarding disclosures under the Planning Act and EIPO are summarised below.

#### 2.2.1 Annual disclosures under Planning legislation

Section 523 of the Planning and Development Act 2024, as amended (“the **Planning Act**”) requires that Governing Board members, Planning Commissioners and employees shall give an annual declaration of interests in land (other than private home), and any business or involvement in dealing in or developing land.

“interests” for the purposes of s.523 include any<sup>2</sup> interests of the person and of any nominee of the person or of any company or other body of which the person’s nominee is a member.

There is a **prescribed form** for s.523 annual declarations, which can be obtained from the Secretary to the Governing Board or Ethics Officer at any time. This form is also circulated to each Governing Board member, Planning Commissioner, and prescribed employee annually for completion.

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2. There are some exceptions to this requirement – e.g. for remote or insignificant interests or a shareholding in a company/other body where the value is less than €13,000 or 1% of the issued share capital. Further information on these exceptions is set out in the notes accompanying the section 523 form.

S.523(1)(b) provides that where a person has no such interest to declare, he/she shall sign and give to the Commission a declaration stating that to be the case.

An Coimisiún Pleanála is obliged to maintain a register of interests declared, which is open for **public inspection**. Information entered on this register must be maintained for a period of up to 5 (five) years after the relevant person ceases to be a relevant person.

**Change in circumstances:** If your personal circumstances change during the year in such a way that it would alter a previously completed declaration under section 523 (i.e. any change in existing interest(s) or acquisition of a new interest(s)), a revised declaration may be required. If in doubt, you should consult the nominated points of contact as set out in paragraph 1.9 of this Code.

S.523 of the Planning Act provides that a person shall be regarded as complying with the requirements to notify a change in circumstances if the person gives to the Commission a declaration **within 10 working days of the day** on which the change occurs, or the other interest is acquired. Governing Board members, Planning Commissioners and staff should keep this in mind when progressing any transaction which may result in a change in circumstances that needs to be declared.

An Coimisiún Pleanála also considers it prudent that where an interest declared in a declaration at a point in time ceases to be such an interest, the reason for its omission from subsequent declarations be explained in a memo to the organisation.

#### 2.2.2 Ad-hoc/case-by-case disclosures under Planning legislation

Section 574 of the Planning Act 2024 requires Planning Commissioners and staff members, or certain other persons engaged by the Commission to disclose the nature of any pecuniary<sup>3</sup> (i.e. financial) or other beneficial interest<sup>4</sup> any such person has in, or which is material to, any appeal, contribution, question, determination, or dispute which falls to be decided or determined by the Commission.

The person will then be excluded from any discussions or consideration of the matter and must not influence or seek to influence any decision of the Commission relating to that matter and must comply with any directions the Commission may give in relation to the matter.

Unlike s.523 there is no form prescribed under law for s.574 disclosures.

Information provided pursuant to s.574 is placed on an **internal register** maintained in Secretariat in respect of all such notifications.

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3. There are some exceptions to the requirements in section 574 – e.g. for remote or insignificant interests or a shareholding in a company/other body where the value is less than €13,000 or 1% of the issued share capital.
  4. A person is regarded as having a “beneficial interest” in a matter if he/she/they or their spouse/civil partner (or any nominee of him/her/their spouse or civil partner):
    - is a member of a company or any other body which has a beneficial interest in, or which is material to, a resolution, motion, question, or other matter to be determined or decided by the Commission.
    - is in partnership with or is in the employment of a person who has a beneficial interest in, or which is material to, such a resolution, motion, question, or other matter.
    - is a party to any arrangement or agreement (whether or not enforceable) concerning land or maritime site to which such a resolution, motion, question, or other matter relates; or
    - he/she/they have any other beneficial interest in, or which is material to, such a resolution, motion, question, or other matter.

Section 578 provides that a Planning Commissioner or a staff member found guilty of an offence under s.574 shall be liable on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months or both. Proceedings for an offence under s.574 shall not be instituted except by or with the consent of the Director of Public Prosecutions.

### 2.2.3 Ethics in Public Office Acts provisions

In addition to the disclosure requirements under the Planning Act as summarised above, there are similar disclosure requirements under the Ethics Acts. Each Governing Board member, Planning Commissioner and each person holding a “designated position”<sup>5</sup> with An Coimisiún Pleanála must also ensure compliance with the relevant provisions of the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001 (together, “the Ethics in Public Office Acts”).

As with the Planning Act, the disclosure obligations under EIPO rest on the individual in question, rather than the organisation. To assist with compliance, the Standards in Public Office Commission (“SIPO”) has published “Guidelines on Compliance with the provisions of the Ethics in Public Office Acts 1995 and 2001” which can be accessed on SIPO’s website.

#### (a) Annual declaration of interests under Ethics in Public Office

Under Section 17(1)(a) of the Ethics in Public Office Act 1995, Governing Board members and Planning Commissioners and, under s.18(1)(a) of the same Act, “designated persons”, are obliged to prepare an **annual** statement of their “interests”<sup>6</sup> which could materially influence the person in or in relation to the performance of the person’s functions because such performance could so affect those interests as to confer on or withhold from a substantial benefit to the person (or the person’s spouse/civil partner/child).

“interests” for these purposes includes any interests of which the person has **actual** knowledge of the person’s spouse/civil partner or of the person’s child(ren) or of the child(ren) of the person’s spouse/civil partner.

Forms for annual disclosures under EIPO must be completed each year and, in the case of Governing Board members and Planning Commissioners, furnished to An Coimisiún Pleanála and to SIPO. Designated persons (i.e. those who are not Governing Board members or Planning Commissioners) are only required to return declarations to An Coimisiún Pleanála. There is a prescribed form which is circulated by An Coimisiún Pleanála for completion to relevant personnel annually and which can be obtained from the Ethics Officer at any time. An Coimisiún Pleanála can arrange any necessary transmission of declarations to SIPO.

While there is no statutory requirement to do so, the Commission recommends that relevant personnel should file a “**nil**” statement if there are no interests to declare for a particular year.

Where a change in interests arises, a revised statement may be furnished at any time.

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5. All inspectorate staff and all administrative staff at EO grade and higher come within this definition.

6. “interests” for the purposes of EIPO means the categories of registrable interests as set out in the Second Schedule to EIPO: [Second Schedule of EIPO 1995](#)



(b) Disclosures in respect of functions of the Board/Designated Persons - Section 17(1)(b) and Section 18(1)(b) of the Ethics in Public Office Act, 1995.

In addition to the annual statement of interests referred to above, s.17 and s.18 of the Ethics in Public Office Act, 1995 also require Governing Board members and Planning Commissioners and designated persons to furnish a statement at the time when an official function falls to be performed by the person, and the person has actual knowledge that the person, or a “connected person” of the person, has a “material interest” in a matter to which the function relates.

Where a Planning Commissioner/designated person has a material interest in a particular matter relating to a function to be performed by that person, the 1995 Act provides that:

- **Planning Commissioners** must, as soon as possible, prepare and furnish a statement in writing of the relevant facts, and:
  - (i) shall not perform the function unless there are compelling reasons requiring the member to do so, and
  - (ii) shall, if it is proposed to perform the function, prepare, and furnish to the other Planning Commissioners and to SIPO, before or, if that is not reasonably practicable, as soon as may be after such performance, a statement in writing of the compelling reasons.
- **Designated persons** must, as soon as possible, prepare and furnish a statement in writing of the relevant facts, and:
  - (i) shall not perform the function unless there are compelling reasons requiring the person to do so, and
  - (ii) shall, if the person proposes to perform the function, prepare, and furnish to An Coimisiún Pleanála, before or, if that is not reasonably practicable, as soon as may be after such performance, a statement in writing of the compelling reasons.

As is the case for annual statements under the Ethics in Public Office Acts, section 29(2) of the Ethics in Public Office Act, 1995 provide that, where a change in material interests arises, a revised statement may be furnished at any time.

### Objective Bias

In addition to the disclosure obligations under legislation described above, this Code contains provisions which seek to avoid the possibility of, or of a perception of, “**objective bias**” in the decision-making processes of An Coimisiún Pleanála.

The concept of “objective bias” is difficult to define and is very much case-specific and fact-specific. The general test that is applied is whether a reasonable person, who is *in possession of all the relevant facts*, would *reasonably* believe that there is a risk that the decision-making process will not be fair and impartial.

To assist all persons in An Coimisiún Pleanála in undertaking their work duties, including dealing with cases as expeditiously as possible and in accordance with the principles of proper planning and sustainable development, whilst minimising the risks associated with ‘objective bias’ the following provisions are set out.

It would be generally expected that Planning Commissioners, staff, and external personnel engaged by An Coimisiún Pleanála should not knowingly deal with or participate in any case which falls to be decided or determined by An Coimisiún Pleanála:

- within a person's identified "immediate neighbourhood" (see (a) below).
- involving a person's family or other person(s) who is well known on a personal basis; (see(b) below).
- where they have previously had any involvement in the case, on a personal basis, or on behalf of a previous employer, or as a member of any other organisation or body.
- involving a case relating to a planning authority or any work organisation where the person was previously employed during the previous two-year period or any voluntary or professional organisation of which the person is or was a member during the previous two-year period; or
- where the case could have any implications for any land, business/financial or professional interests of the person, their family or other person(s) who is well known on a personal basis.

In approaching consideration of any of the above circumstances a **precautionary approach** should be adopted having regard to the particular circumstances of each case where questions of conflict or objective bias may arise. This can in circumstances be particularly relevant to assessment of the potential for objective bias beyond the previous employer two-year period as other factors, such as the nature and extent of the past association or work done or views expressed in a previous employment, can also be a relevant determinative factor in whether objective bias may be found to exist.

**(a) The meaning of "immediate neighbourhood"**

The potential for conflict of interest/objective bias may arise if a Planning Commissioner, or other staff member, deals with or participates in any case relating to a proposed development which is close to a property interest of the person concerned.

In this context, there is a **general requirement** that a Planning Commissioner or staff member should not be involved in any case that is in close proximity to any property with which they have a personal or business interest. This includes the private home(s) of the person, and those property interests which are disclosable by reference to the relevant provisions of the Planning and Development Act and the Ethics in Public Office Act.

On appointment/engagement, each Planning Commissioner and all staff must identify their full home address(es) and properties that they occupy (including Eircode) to the Human Resource Section. This information shall be held within An Coimisiún Pleanála and shall remain fully confidential.

For the purposes of this Code of Conduct, the following meaning of 'immediate neighbourhood' applies:

- In an urban setting, within a 0.5 km radius of the private home or other property interest of that person,
- In a rural setting, within a 5km radius of the private home or other property interest of that person.



Within the above context, a proportionate approach should in all cases be taken on the facts of the particular case and in order to ensure that the business of the Commission can be conducted effectively, but as a general rule, it would be expected that a Planning Commissioner, inspector, or other staff member should not normally be involved in any case within their identified immediate neighbourhood(s).

In the case of any queries/doubt on a particular case, a Planning Commissioner should seek a ruling from the Chief Planning Commissioner, and an employee should seek a ruling from the Chief Executive Officer to determine whether the person concerned should be excluded from any involvement in a particular case.

Where any such question arises, the matter must be documented in memo form including any ruling on the question and a copy forwarded to the Ethics Officer for recording.

(b) “Close personal relationship” and “persons well known”

An actual or perceived conflict/bias may also arise in circumstances where a family member of a Planning Commissioner/staff member (e.g. their spouse/partner, parents, siblings, children, spouse/partner’s parents or children and partners of adult children) or a person who is well known on a personal basis to a Planning Commissioner/staff member whom has a property or financial interest or an association with persons or organisations with close connections to the case in question.

In this context, there is a **general requirement** that a Planning Commissioner or staff member shall not deal with or participate in the decision-making process in any case where it is considered that such involvement could give rise to a perception of objective bias.

A proportionate approach as to whether the relationship or connection falls within this category should be taken on the facts of the particular case.

In the case of any doubt/queries on a particular case, a Planning Commissioner should seek a ruling from the Chief Planning Commissioner, and an employee should seek a ruling from the Chief Executive Officer.

Where any such question arises, the matter must be documented in memo form including any ruling on the question and a copy forwarded to the Ethics Officer for recording.

### 3. ASSIGNMENT OF FILES OR CASES

- 3.1** The general approach of An Coimisiún Pleanála is that Planning Commissioners, inspectors and other staff should not be (and should not be asked to become) involved with cases in respect of which they have an “interest” which is disclosable under the Planning Act and/or the Ethics in Public Office Acts or in respect of which there is a risk of (or of a perception of) objective bias.

However, given the geography and population of Ireland, inevitably, there is a risk that staff and Planning Commissioners could be assigned case files related to places with which they have some level of personal connection. An Coimisiún Pleanála has therefore adopted internal administrative protocols regarding assignment of cases to minimise this risk.

- 3.2** For the purposes of this paragraph 3, “assign”/“assignment” means:

- the assignment of work including a file or other matter to an inspector, consultant, adviser, or other person whose services are availed of by An Coimisiún Pleanála for the preparation of a report/recommendation or other matter connected with a case; and/or
- the allocation of a file or other matter to a Planning Commissioner for consideration or for presentation to the Commission.

- 3.3** As part of ensuring adherence to avoidance of conflict of interest or any perception of objective bias, Planning Commissioners are asked to nominate any areas or organisations/ companies which they consider might trigger conflict of interest/objective bias concerns so that cases that fall within such listings may not be allocated to them in the first instance.

- 3.4** This list is consulted as part of the administrative process for case assignment and used as a guide to avoid the allocation of files in a manner which may potentially cause a conflict of interest or any perception of objective bias.

- 3.5** The entries in the list should be amended as required, and should be formally reviewed by each person involved, and approved by the Chief Executive Officer at least annually or as required.

- 3.6** Any Planning Commissioner who is inadvertently assigned a file which may fall within the list or within any of the categories outlined in paragraph 3.3 above should immediately return it to the relevant administrative personnel for re-allocation, together with a memo of why it is being returned. The Ethics Officer will maintain a record of all such memos.

- 3.7** In circumstances where Commission meeting composition for a known upcoming case is being contemplated in advance of allocation then any matters involving consideration and decisions on potential exclusions of any members arising from concerns relating to conflict of interest/objective bias should be recorded in memo form. The Ethics Officer will maintain a record of all such memos.

- 3.8** Where it is considered that an employee, fee-per-case Inspector, consultant, adviser, or other person whose services are availed of by the Commission has a pecuniary or other beneficial interest in or relationship which is material to, any appeal, or other matter assigned to that person, this shall be recorded in memo form and the file shall be returned to the appropriate supervisor. The memo should be forwarded to The Ethics Officer who will maintain a record of such memos.

- 3.9** Where any query/doubt arises in relation to assignment of files/cases, the matter shall be determined and documented by the Chief Planning Commissioner for Planning Commissioners and the Chief Executive Officer for staff/consultants. The Ethics Officer will maintain a record of all such memos.

## 4. CONFLICT OF INTEREST

- 4.1.1** When a file is being presented at a Commission meeting, every Planning Commissioner present should disclose (if not already disclosed in advance of consideration of the case) any possible conflict of interest, including pecuniary or beneficial interests (within the meaning of s.574 of the Planning Act) and/or any relationships or other connections which may be relevant to the case. A record of no conflicts of interest must also be kept in respect of files presented at each Commission Meeting.
- 4.1.2** Where a question arises as to whether or not there is a conflict of interest or objective bias, the chairperson of the Commission meeting shall determine the matter. If considered appropriate, the chairperson of a Commission meeting may request the Chief Planning Commissioner or the Deputy Planning Commissioner to determine and document the matter. In relation to matters relating to the interests of the Chief Planning Commissioner, the Deputy Planning Commissioner shall determine and document the matter.
- 4.1.3** Where the chairperson of a meeting, Chief Planning Commissioner, or Deputy Planning Commissioner, determines that a conflict exists, the Planning Commissioner in question shall not thereafter participate in or attend any meeting (or part thereof) at which the case is discussed or determined. Commission documents on any deliberations regarding any matter in which a Planning Commissioner has a conflict or material interest should not be made available/accessible to the Planning Commissioner concerned.
- 4.1.4** Where a possible conflict of interest is raised by a Planning Commissioner at a Commission meeting and the chairperson of the meeting, or the Chief Planning Commissioner, or Deputy Planning Commissioner, as applicable, determines that a conflict of interest does or does not exist, the outcome of this determination shall be noted in the Commission meeting record and a memo of the determination shall be sent to the Ethics Officer.
- 4.1.5** Where a possible conflict of interest is raised by a Planning Commissioner outside of a Commission meeting, and a determination is made by the Chief Planning Commissioner or Deputy Planning Commissioner, a memo of the outcome of this determination shall be sent to The Ethics Officer.
- 4.1.6** In respect of 4.1.2., 4.1.4 and 4.1.5 above a brief explanation of the circumstances, determination and general rationale for the determination must be completed in writing by the determining person. The Ethics Officer will maintain a record of all such determinations.

## 5. IMPROPER COMMUNICATIONS

- 5.1** Under section 575 of the Planning Act it is unlawful for a person to communicate (whether in writing or otherwise) with the Chief Planning Commissioner, Deputy Planning Commissioner, Planning Commissioner, staff member, consultant or adviser or other person whose services are availed of by An Coimisiún Pleanála, for the purpose of influencing improperly the consideration of matters with which An Coimisiún Pleanála is concerned or a decision of An Coimisiún Pleanála in regard to any such matter.
- 5.2** It is the duty of any such person, on receipt of such a communication, not to entertain it further and, in respect of Planning Commissioners, to bring it to the attention of the Chief Planning Commissioner. Staff members, consultants or advisers or other people whose services are availed of by An Coimisiún Pleanála should bring it to the attention of an appropriate supervisor/manager/contact person.
- 5.3** Communication with external participants in relation to current live cases should not occur outside of the standard administrative or formal statutory channels and, in particular, under no circumstances should any personnel give any information in respect of the content or recommendation of an inspector's report prior to a board decision being made. Any breach of this requirement may be unlawful if breaching the statutory provisions set out at section 573 of the Planning Act and, in those circumstances, would also attract activation of disciplinary procedures.
- Any disclosure of information post a Commission decision shall be completed in accordance with standing operational policies and procedures.
- 5.4** The exercise of independent professional judgement by planning inspectors in making reports and recommendations to the Commission is fully acknowledged and endorsed as a fundamental cornerstone to the integrity of the decision-making process of the organisation and must be respected and protected by all in the organisation. In relation to internal communications and, in particular, in respect of live cases the subject of inspectors reporting processes, there must be clear, transparent, and documented lines of communication between Planning Commissioners and planning inspectors (including supervisory inspectorate managers) in relation to such planning cases where any such communication is necessary. All in-house policies and procedures in relation to such communications must be followed by all in the organisation.

## 6. MEMBERSHIP OF ORGANISATIONS, ASSOCIATIONS AND OTHER BODIES

- 6.1 The Chief Executive Officer, Chief Planning Commissioner, Chief Officer, Deputy Planning Commissioner, a person at the salary level of Director or above and the Secretary of the Governing Board may not be a member of a political party.
- 6.2 Where an employee, other than the holder of a position referred to in paragraph 6.1, is or becomes a member of a political party, they must make a written declaration to this effect to The Ethics Officer. Furthermore, where such an employee is or becomes an office holder or holder of any other nominated or elected position in a political party or is elected to any public office, this must be declared in writing to the Ethics Officer.
- 6.3 Planning Commissioners and employees may be members of their professional bodies/ institutes and/or of a trade union, and participate in the activities of these bodies, but should take care to ensure that those activities do not conflict with any other provisions of this Code.
- 6.4 A Planning Commissioner or employee's involvement in outside organisations should generally be confined to membership of a professional body and/or trade union and membership of clubs, organisations or groups whose aims, objectives and regular activities and programmes are not aimed at influencing policies relating to planning or the environment and/or planning decisions. This restriction does not apply to membership of local residents' associations. Where a question arises as to whether any organisation falls within the scope of this paragraph, the question should be referred to the Chief Executive Officer in all instances.
- 6.5 Notwithstanding the provisions of 6.2 to 6.4 above, Planning Commissioners or employees shall not engage in the activities of **any** organisation which would result in a potential conflict of interest between their own interests and the interests of An Coimisiún Pleanála. A member or employee shall not engage in the activities of any outside organisation in a manner which could reasonably be interpreted as compromising their potential to carry out their duties with An Coimisiún Pleanála in an impartial manner or as compromising An Coimisiún Pleanála in carrying out its functions in an impartial and objective manner.

## **7. MEMBERSHIP/FINANCIAL INTERESTS IN COMPANIES, PARTNERSHIPS OR OTHER BODIES**

- 7.1** Ownership of any financial interest in companies, or membership in partnerships or other bodies must be declared where there could be, or could be perceived to be, a conflict of interest in respect of any particular case. Planning Commissioners and designated employees should follow the procedures set out in paragraph 2 in respect of declaring their involvement/membership in accordance with the relevant statutory provisions.

## **8. UNDERTAKING OF WORK DURING AND AFTER MEMBERSHIP/EMPLOYMENT**

- 8.1** A Planning Commissioner is employed in a whole-time capacity. No Planning Commissioner shall accept emolument for any outside employment, consultancy, or advisory service.
- 8.2** No employee shall accept emolument for any outside employment which may in any way represent or may be reasonably interpreted as representing a conflict of interest on any matters pertaining to the functions undertaken by An Coimisiún Pleanála. Where a question arises on any such proposal, the matter must be referred to the Chief Executive Officer who shall make a decision in writing on the matter.
- 8.3** On leaving office or employment, no Planning Commissioner or former prescribed employee should, accept employment connected with, act as a consultant or otherwise advise in relation to, any specific case which was with the Commission during their period of office or employment or which could lead to a conflict of interest, or the perception of same.

## **9. GIFTS**

- 9.1** A Governing Board member, Planning Commissioner or staff member should not accept or obtain, or agree to accept or attempt to obtain from any person or body for themselves or for any other person, any gift, invitation, sponsorship, consideration or favour, including any which may be interpreted as an inducement or reward for doing or forbearing to do any act or exert influence in relation to the functions or business of An Coimisiún Pleanála<sup>7</sup>.
- 9.2** A Governing Board member, Planning Commissioner or employee who is offered any such gift, invitation, sponsorship, consideration, or favour where this may be perceived to be in any way connected to their role in An Coimisiún Pleanála should inform the appropriate officer. Governing Board members should inform the Secretary to the Board, and Planning Commissioners and employees should inform the Ethics Officer in writing of any such offers.

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7. Part 2 of the Criminal Justice (Corruption Offences) Act 2018 which covers An Coimisiún Pleanála sets out specific offences relating to these and other matters.

## 10. FINANCIAL EFFICIENCY, EXPENSES CLAIMS AND FRAUD PREVENTION

- 10.1** As part of their concern for the public interest, including the proper use of public funds, every Governing Board member, Planning Commissioner, and staff member should ensure that none of An Coimisiún Pleanála's resources (including staff time) is used for personal gain or for activities unconnected with the organisation.
- 10.2** In carrying out their duties, Governing Board members, Planning Commissioners and staff shall endeavour to ensure that the best possible use is made of the organisation's financial, environmental, and human resources.
- 10.3** Expenses claimed by and paid to Governing Board members, Planning Commissioners or staff must relate only to appropriate business needs of the organisation and should be in accordance with good practice and relevant circulars and guidelines in the public service generally.
- 10.4** An Coimisiún Pleanála shall maintain controls to prevent fraud including adequate procedures to ensure compliance with prescribed procedures in relation to the claiming of expenses for business travel and all members and employees shall ensure compliance with such controls and procedures. Detailed anti-fraud procedures and safeguards are covered in An Coimisiún Pleanála's Anti-Fraud Policy and Procedures.

## 11. USE/DISCLOSURE OF INFORMATION/PUBLICATION OF OPINIONS/VIEWS

- 11.1** Section 573 of the Planning and Development Act, 2024 prohibits the disclosure of specified information by Planning Commissioners or employees without the consent of the Commission save for certain exceptions specified by law.<sup>8</sup> The restrictions on disclosure of information continue to apply after Commission membership or employment has ceased.
- 11.2** Planning Commissioners or staff shall not use legitimate internal access to information relating to inspectors' reports or Commission decisions for any improper use or for the purpose of any personal advantage and shall keep any such information fully confidential until publicly released.
- 11.3** Nothing concerning disclosure of information in this Code shall be interpreted as prohibiting, restricting or in any way preventing the disclosure of information in relation to possible fraud, malpractice or irregularities dealt with in the Commission's Policy and Procedures on Anti-Fraud and Protected Disclosures in accordance with the provisions set out in those policies and procedures.

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8. The restrictions under section 573 does not apply to information disclosed by the Commission:

- (a) to the Minister for Housing, Local Government and Heritage,
- (b) in accordance with the provisions of the Freedom of Information Act, 2014, and
- (c) in accordance with the European Communities (Access to Information on the Environment) Regulations 2007.



- 11.4** Planning Commissioners and employees should not express an opinion to any member of the public relating to any matter which is before the Commission, other than the giving of information in relation to procedures and the status of cases which it is proper to give.
- 11.5** Information in relation to the Commission's business should not be given by any Planning Commissioner or employee to any party, applicant, observer, or other member of the public, in particular-
- the names of the Planning Commissioners or the Inspector dealing with or likely to be dealing with particular cases,
  - specific information in relation to Commission meetings,
  - attendance at future Commission meetings,
  - future leave arrangements of Commission members,
  - the contents of an Inspector's recommendation/report, or the terms of a Commission direction, during the currency of a case until they are generally available in accordance with proper procedures.
- 11.6** Any enquiry from the media to a Governing Board member, Planning Commissioner or staff member should be directed to the Communications Unit in the first instance.
- 11.7** Except with the written consent of the Chairperson of the Governing Board for Board members or the Chief Executive Officer for Planning Commissioners and staff members - none shall
- (i) make a statement or give an interview to the media about the performance of the functions of An Coimisiún Pleanála,
  - (ii) prepare for publication, publish, or otherwise cause or permit to be published or broadcast by radio or television or other media any matter relating to the performance of the functions of the An Coimisiún Pleanála,
  - (iii) deliver a paper about the performance of the functions of An Coimisiún Pleanála,
- Subparagraphs (i) to (iii) above shall not apply to presidents (or equivalents) of professional bodies for the period of their offices.
- 11.8** Governing Board members, Planning Commissioners or staff members shall not publish or publicly express personal views or opinions or participate in public meetings or discussions (including virtually) which could reasonably be interpreted as compromising their ability to carry out their official duties with An Coimisiún Pleanála in an impartial manner or as compromising An Coimisiún Pleanála in carrying out its functions in an impartial and objective manner.
- 11.9** Planning Commissioners should not retain documentation obtained during their terms as Commissioners and should return all such documentation to the Ethics Officer or otherwise indicate to the Ethics Officer that all such documentation has been disposed of in an appropriate manner. In the event that former Planning Commissioners require access to papers from their time on the Commission this can be facilitated.



## 12. GOVERNING BOARD MEMBERS/PLANNING COMMISSIONERS/STAFF OBSERVATIONS AND SUBMISSIONS

- 12.1** From time to time, Governing Board Members, Planning Commissioners, staff members or Consultants may wish to make submissions or observations on specific planning cases or development plans in a personal capacity or as a member of a residents' association.
- 12.2** In such situations, the Governing Board members, Planning Commissioners, staff members and consultants in question should inform the Secretary or Ethics Officer of their intention to do so **in advance of** making the submission or observation. The matter will then be treated as a material interest/conflict of interest in relation to that case.

If a Governing Board Member, Planning Commissioner, staff member or Consultant becomes aware or expects that a family member/other person with whom they have a close personal relationship/person(s) or is well known to them on a personal basis, has or intends to make an appeal, application or submission/observation in respect of a particular case, they should notify the Ethics Officer or the Chief Executive Officer as appropriate, and should not be involved in any consideration of that case. The Ethics Officer will keep a record of all such notifications.

## 13. PUBLIC PROCUREMENT

- 13.1** All purchasing of goods/services shall be done in accordance with An Coimisiún Pleanála Public Procurement Guidelines. Governing Board members, Planning Commissioners and staff members must be conscious of their responsibilities in relation to commercially sensitive information obtained in relation to tenders and not release such information other than in accordance with established practices.

## 14. ACCURACY OF INFORMATION

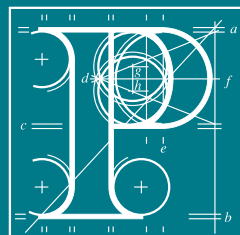
Governing Board members, Planning Commissioners and staff members shall take care to ensure that all accounts, reports, or statistics relating to the business of An Coimisiún Pleanála are accurate and are not misleading.

## 15. WORK/EXTERNAL ENVIRONMENT - RESPECT FOR OTHERS AND FOR COMMUNITY

- 15.1** An Coimisiún Pleanála is committed to maintaining a workplace environment that encourages and supports the right to dignity at work in accordance with its Dignity in the Workplace Charter. All who work here are required to respect the right of each individual to dignity in their working life and all personnel will be treated equally and respected for their individuality and diversity. Bullying or harassment in any form will not be tolerated as such behaviours breach the values of the organisation and this Code. All individuals, whether directly employed or contracted to the organisation have a duty and responsibility to uphold these workplace values.
- 15.2** As required under section 42 of the Irish Human Rights and Equality Commission Act, the Commission shall, in the performance of its functions, have regard to the need to -
- (a) eliminate discrimination,
  - (b) promote equality of opportunity and treatment of its staff and the persons to whom it provides services, and
  - (c) protect the human rights of its members, staff, and the persons to whom it provides services.
- 15.3** An Coimisiún Pleanála conducts its operations in such a manner so as to ensure that local community concerns in the area of where its offices are located are fully considered and that its practices are in accordance with the sustainability of the environment.

**ADOPTED BY THE GOVERNING BOARD  
OF AN COIMISIÚN PLEANÁLA 25 NOVEMBER 2025.**





An  
Coimisiún  
Pleanála

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