

# HUMAN RESOURCES

## Ethics and Code of Conduct

### HR 8.1 Code of Conduct

## 1 Purpose and Scope

The purpose of this policy is to provide a Code of Conduct for the employees of Taronga Conservation Society Australia (Taronga) to strictly adhere to its principles in their day-to-day activities and any other work related activities/events.

The Code of Conduct sets out standards of behaviour expected of employees of Taronga, and provides an Ethical Framework for decisions, actions and conduct at Taronga. The Code of Conduct is consistent with Part 2 of the Government Sector Employment Act 2013 (GSE Act) which is the Ethical Framework for the Government Sector.

Taronga is a public sector agency. Public employment carries with it a unique obligation to the public interest.

Every employee of Taronga must exhibit standards of professional behaviour that will maintain public confidence and trust. It is the aim of Taronga to provide services at the very highest level to the community. Accordingly the integrity, efficiency, impartiality and fairness of its employees must be beyond question.

Employees must familiarise themselves with the Code of Conduct (and other Taronga policies and procedures as varied from time to time), and must ensure compliance with its terms. Employees should also realise that any breach or departure from the provisions of this Code of Conduct may be grounds for disciplinary action. Disciplinary action may vary from counselling, to suspension, termination of employment, laying of criminal charges or taking civil action.

Copies of this Code of Conduct and other Taronga policies and procedures are available on Taronga's intranet. You can also contact the Human Resources Division or your supervisor/manager for this information.

## 2 The Ethical Framework

### 2.1.1 Introduction

Part 2 of the *Government Sector Employment Act 2013* establishes the *Ethical framework for the government sector*.

The objective, core values and principles of the Ethical Framework are to be demonstrated in the conduct of all government sector employees and heads of government sector agencies.

### 2.1.2 Ethical framework for the government sector

#### Objective

- Recognise the role of the government sector in preserving the public interest, defending public value and adding professional quality and value to the commitments of the Government of the day; and
- Establish an ethical framework for a merit-based, apolitical and professional government sector that implements the decisions of the Government of the day.

#### Core values

The core values for the government sector and the principles that guide their implementation are:

#### ***Integrity***

- Consider people equally without prejudice or favour
- Act professionally with honesty, consistency and impartiality
- Take responsibility for situations, showing leadership and courage
- Place the public interest over personal interest.

#### ***Trust***

- Appreciate difference and welcome learning from others
- Build relationships based on mutual respect
- Uphold the law, institutions of government and democratic principles
- Communicate intentions clearly and invite teamwork and collaboration
- Provide apolitical and non-partisan advice.

#### ***Service***

- Provide services fairly with a focus on customer needs
- Be flexible, innovative and reliable in service delivery
- Engage with the not-for-profit and business sectors to develop and implement service solutions
- Focus on quality while maximising service delivery.

#### ***Accountability***

- Recruit and promote employees on merit
- Take responsibility for decisions and actions
- Provide transparency to enable public scrutiny
- Observe standards for safety
- Be fiscally responsible and focus on efficient, effective and prudent use of resources.

#### **General provisions**

The Public Service Commissioner has the function of promoting and maintaining the government sector core values.

There is no hierarchy among the core values and each is of equal importance.

Nothing in the Ethical Framework gives rise to, or can be taken into account in, any civil cause of action.

Taronga recognises that you may have additional ethical obligations associated with your profession such as a legal, scientific, accountancy and engineering. You need to be aware of potential conflicts that may impact on the core values of the NSW Public Service. In such situations you should bring this to the attention of your supervisor or manager.

Behaviour contrary to this Code and to the Ethical Framework (Government Sector Employment Act, 2013) can bring individual employees into disrepute, undermine productive working relationships, hinder customer service delivery and damage public trust in Taronga. If you are unsure what is appropriate conduct discuss the matter with your supervisor, manager or Human Resources.

Along with the government sector core values, the conduct of all employees is to uphold and demonstrate the following Taronga values:

- Be Supportive and Enthusiastic
- Accept and Take Responsibility
- Show Dignity and Respect
- Innovate and Take Initiative
- Communicate clearly and with one voice

## 3 Applying the Ethical Framework

The Ethical Framework is to be applied at all times in working relations with colleagues, clients and customers, stakeholders and the government of the day.

These working relations are depicted in the diagram below:



### 3.1 Personal and Professional Behaviour

In performing their duties for Taronga, all employees must:

- maintain and develop knowledge and understanding of their area of expertise or professional field;
- exercise their best professional and ethical judgment, making decisions without bias using the factual information available;
- perform their duties diligently, honestly and conscientiously;

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- provide relevant and responsive service to Taronga clients, customers and other stakeholders;
- while on duty, give their whole time and attention to ensuring that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on themselves and Taronga;
- treat customers, members of the public and other employees, with respect, honest, impartiality, courtesy and sensitivity;
- maintain a cooperative and collaborative approach to working relationships;
- act fairly and reasonably, carrying out work with integrity and objectivity;
- respect the confidentiality and privacy of information entrusted to them in the course of employment;
- uphold equal opportunity, anti-discrimination, bullying and harassment free workplace and work health, safety and environment policies and practices;
- ensure efficient and effective use of Taronga resources, making improvements wherever possible and reducing waste;
- act within the spirit of Taronga goals, policies and procedures;
- comply with any legislative, industrial or administrative requirements;
- ensure that their participation in non-Taronga activities does not conflict with their employment with Taronga;
- act in the public interest, placing the interests of Taronga before consideration of personal gain and avoid actual or perceived conflicts of interest, including providing transparency to enable public scrutiny
- implement the policies and decisions of the Board in an impartial manner;
- act ethically and professionally;
- communicate with others in a professional, effective and timely manner;
- not misuse, or use for personal gain or advantage, Taronga property;
- uphold law, institutions of government and democratic principles;
- report to an immediate supervisor/manager, the Director and Chief Executive or Director any instance of actual or suspected corrupt conduct; and
- report these attitudes in others.

Employees should give effect to the policy of Taronga and its Board whether they approve of that policy or not. Should an extreme situation arise in which an employee finds the policy, or the steps contemplated to give effect to it, so at a variance with the employee's own view that he or she cannot conscientiously give effect to them, the employee should discuss the matter with a senior officer or the Director and Chief Executive with a view to having the situation resolved. If that is not possible, the employee should consider requesting transfer to another post in which the conflict does not arise or, as a last resort, resigning from Taronga.

### 3.2 Conflict of Interest

Conflicts of interest exist when it is likely that an employee could be influenced, or could be perceived to be influenced, by a personal interest in carrying out their duty. Conflicts of interest that lead to partial decision-making may constitute corrupt conduct as defined by the Independent Commission Against Corruption and may lead to disciplinary action.

Some related interests that *may* give rise to a conflict of interest include:

- financial interests in a matter that Taronga deals with, or having friends or relatives with an interest of which the employee is aware;
- personal beliefs or attitudes that influence the impartiality of advice given;
- personal relationships with the people Taronga is dealing with or investigating that go beyond the level of a professional working relationship;
- secondary employment that compromises the integrity of the employee and Taronga; and
- party political activities or making adverse political comments that relate to Taronga's work.

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An individual employee may often be the only person aware of the potential for conflict. It is therefore their responsibility to avoid any financial or other interest that could compromise the impartial performance of their duties, and disclose any potential or actual conflicts of interest to their manager, a Director or the Director and Chief Executive. Employees should always behave in a way that is consistent with Taronga's responsibilities and functions and should a conflict of interest occur, it should always be resolved in favour of the public interest, not the private interest of the employee.

If employees are uncertain whether a conflict exists, they should discuss the matter with their manager and attempt to resolve any conflicts of interest that may exist.

To resolve any conflicts of interest that occur, a range of options is available including:

- recording the details of the disclosure and taking no further action because the potential for conflict is minimal or can be eliminated by disclosure or effective supervision (*HR 8.1.1 Disclosure Form* is available for this purpose).
- the employee relinquishing the personal interest; or
- the employee transferring (at no disadvantage in their terms and conditions of employment) from the area of work or particular task where the conflict arises.

Disputes over alleged conflicts of interest may be resolved through normal grievance handling procedures (See *HR 4.3 Workplace Grievances*).

To avoid any perceived conflict of interest, Taronga seeks to prevent a situation where a reporting or supervisory relationship occurs between family members or those in a relationship of influence, or perceived influence.

Recruitment action will reflect this principle where possible and in addition, action will be taken when appropriate to ensure similar conflict of interest situations, which may arise as a result of relationships established in the workplace, are avoided. The employment of employees who have a family or personal relationship with a member of the executive will be brought to the attention of Taronga and its Board.

Employees should not provide professional services in the workplace which relate to the duties or responsibilities of their position on a personal basis, for the benefit of other employees or their families or any other person when not work related. Nor should employees seek such services from other employees of Taronga (eg. Veterinary services for animals owned by employees and mechanical services for private motor vehicles). Professional services provided by employees outside the workplace will be covered by normal conflict of interest considerations and approval requirements for outside employment and extra-official activities.

### 3.3 Declaration of private interests for senior executives

A senior executive (including an acting senior executive) must make a written declaration of private financial, business, personal or other interests or relationships that have the potential to influence, or could be perceived to influence, decisions made or advice given by the senior executive.

Where a senior executive has no such private interests to declare they must declare a 'nil return'.

After a senior executive makes an initial decision, a fresh declaration must be made annually or sooner if there is a change in the senior executive's private interests or following the senior executive's assignment to a new role or responsibility.

All information will be stored in accordance with the Privacy and Personal Information Protection Act 1998.

### 3.4 Discrimination, Harassment and Bullying

Taronga Conservation Society Australia (Taronga) is committed to a work environment that is free from harassment, bullying, victimisation, vilification and unlawful discrimination. Taronga has a legal duty under both Work Health and Safety and Anti-discrimination law to provide a healthy and safe working environment and safe systems at work. Employees must treat all colleagues, customers, clients, stakeholders and members of the public with dignity and respect and must not harass or discriminate against them. Taronga is responsible for ensuring appropriate standards of behaviour at work by implementing policies, procedures and guidelines for work, as well as training managers and employees.

Unlawful discrimination or harassment on the grounds of sexuality, gender, sex or intersex status, marital status, pregnancy, carer's responsibilities, age, race, ethnic or national origin, physical or intellectual impairment or any other prohibited ground of discrimination may constitute an offence under the Anti-Discrimination Act 1977, or other relevant federal anti-discrimination legislation. In addition, employees must not harass or discriminate on the grounds of political or religious conviction.

### 3.5 Fairness and Equity

Issues or cases being considered by employees should be dealt with consistently, promptly and fairly. This involves dealing with matters in accordance with approved procedures, in a non-discriminatory manner, and in conformity with natural justice.

When using any discretionary powers, employees should ensure that they take all relevant facts into consideration, have regard to the particular merits of each case, and not take irrelevant matters or circumstances into consideration.

### 3.6 Protecting confidential information

Employees that handle confidential, personally sensitive, commercial or political information must take special precautions to make sure that this information is not disclosed without clear authority. Official information must only be used for the work-related purpose intended, and not for personal benefit.

All employees must make sure that confidential information, in any form (eg. computer files), cannot be accessed by unauthorised people and that sensitive information is only discussed with people, either within or outside Taronga, who are authorised to have access to it.

Employees must never use this information for personal benefit or for an unauthorised purpose.

### 3.7 Political and community participation

Employees must make sure that any participation in party political activities does not conflict with their primary duty as an employee of Taronga to serve in a politically neutral manner. If any potential conflict of interest arises, the employee should inform their Director or the Director and Chief Executive immediately and may have to stop the political activity or withdraw from the areas of their work where the conflict is occurring.

Within the context of the requirements of the Code of Conduct, employees are free to fully participate as volunteers in community organisations and charities, and in professional associations.

### 3.8 Post separation employment

Employees should not use their position to obtain opportunities for future employment. Employees should not allow themselves or their work to be influenced by plans for, or offers of, employment outside Taronga.

Former employees should not use, or take advantage of, confidential information that may lead to gain or profit obtained in the course of their official duties, until it has become publicly available.

All employees should be careful in their dealings with former employees of Taronga and make sure that they do not give them, or appear to give them, favourable treatment or access to privileged information.

### 3.9 Corrupt Conduct

Corrupt conduct includes any dishonest or improper use of a position by a person employed within Taronga and specifically includes misuse of information or material acquired in the course of official duties and the fraudulent misappropriation of funds or assets of Taronga.

Maladministration involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

Serious and substantial waste refers to any uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, which results in significant loss to Taronga's resources.

Examples of Corrupt Conduct include:

- the use of public property for personal purposes, such as the use of Taronga's equipment without authority;
- the falsification of records (e.g. relating to working hours or expenses);
- the misappropriation of funds; and
- the showing of favouritism to a particular person or organisation or the showing of bias in favour the person or organisation in return for a personal benefit.

Employees are urged to report suspected corrupt conduct, as well as maladministration and serious and substantial waste of public resources. The *Public Interest Disclosures Act 1994* provides certain protections against reprisals for employees who voluntarily report such matters. Such protections do not apply in cases of vexatious or malicious allegations, or when made in an attempt to avoid dismissal or disciplinary action.

Taronga has an internal reporting policy (*HR 8.5 Public Interest Disclosure Policy*) consistent with the requirements of the *Public Interest Disclosures Act 1994*, detailing avenues available to any employees to report suspected fraud or corrupt conduct including reporting the matter to the Independent Commission Against Corruption, the Auditor General or the Ombudsman.

### 3.10 Criminal Conduct

Employees must advise their manager if you are charged with a criminal offence, which is punishable by imprisonment or, if found guilty, could reasonably be seen to affect your ability to meet the requirements of the work you are engaged to perform.

### 3.11 Public Comment

Employees, as individual members of the community, have the right to make public comment and enter into debate on political and social issues. However, there are some circumstances in which this is inappropriate. For example, situations where the public comment, although made in a private capacity, may appear to be an official comment on behalf of Taronga. In such circumstances, employees should preface their remarks with a comment that they are made in a private capacity and do not represent the official view of Taronga.

Other than in the course of duty, or when called to give evidence in court, employees should not disclose or publicly comment on matters relating to official business unless authorised to do so.

### 3.12 Contact with the Media

Employees must not make official comment on matters relating to Taronga unless expressly authorised to handle enquiries from the media by the Director and Chief Executive or delegate. All requests for media contact should be directed to the Media Relations department.

All Taronga employees however, should be aware they play a very important role in maintaining good relations with the media and that they may be called upon on numerous occasions to assist the Media Relations department in this role.

Media representatives must be accompanied at all times by a member of Media Relations or a senior employee when on Taronga premises.

### 3.13 Security of Information and Premises

Security of information is critical to achieving successful outcomes and ensuring fairness to individuals. Security of Taronga's premises is vital in this regard and also in regard to the personal safety of employees.

All employees should ensure that they are familiar with and follow security procedures in respect to the handling and disposal of information and access of employees and visitors to Taronga's premises.

#### 3.14 Public Resources

Public resources include financial, material and human resources. All should be utilised effectively, without waste and for the work of Taronga. Employees must ensure they do not use public resources for personal benefit or for an unauthorised purpose.

Taronga's financial resources are subject to the provisions of the *Public Finance and Audit Act 1983* and officers are bound by the Treasurer's Directions, issued under that Act.

Employees incurring expenditure on behalf of Taronga must: be authorised to incur expenditure; adhere to the Treasurer's Regulations and Taronga policies and procedures; and comply with Taronga's Delegation of Authority.

Employees must not obtain or use any stores items (for example stationery, furniture) for a purpose that is unrelated to the work of Taronga.

#### 3.15 Acceptance of gifts, benefits, travel and hospitality

Employees must not accept, or solicit, a gift, benefit, travel or hospitality that is intended to, or is likely to, cause them to act in a partial manner in the course of their duties.

Further information in relation to this issue is contained in Taronga Policy *EO 3.1 Gifts and Benefits Policy*.

#### 3.16 Donations and Sponsorship

There are various types of sponsorship and these can range in form from anonymous donations to large corporate contributions. In most cases, the sponsorship is undertaken in order to obtain a benefit and favourable recognition of the sponsor. Any offer of sponsorship in cash or kind should be directed to relevant Taronga Sponsorship, Fundraising and Finance employees who are familiar with specific incentives in the *Income Tax Assessment Act* that allow for deductions for various forms of sponsorship both by corporate and other bodies, and individuals.

#### 3.17 Dress and Grooming

The standards of dress and grooming adopted by employees have an important impact on the image of Taronga.

Employees required to wear uniforms are responsible for maintaining the uniform to a clean and presentable standard. Uniforms must be worn as issued and in their entirety during work hours. However, if the uniform item is not branded with the Taronga logo, the item may be worn with non-issue uniform items. Certain Taronga branded uniform items may be worn in isolation in accordance with *HR 3.15 Uniform Policy*. As far as practicable, uniforms must not be worn outside Zoo grounds unless the employee is on official business or travelling directly to and from home.

Employees not required to wear a uniform should maintain a neat and tidy appearance at all times. In deciding on an appropriate standard of dress and grooming, the over-riding consideration is whether members of the public would form a favourable opinion about the professional status of Taronga.

#### 3.18 Outside employment and extra-official activities

Approval of the Director and Chief Executive must be obtained to engage in outside employment or extra-official activities.

For further information, employees should refer to Taronga Policy *HR 8.6 Outside Employment*.

#### 3.19 Work Health, Safety and Environment

Taronga seeks to provide a safe and healthy workplace. Workers must ensure that best practice WHS procedures are adopted in all Taronga activities and that all requirements of the *Work Health & Safety Act 2011* are complied with at all times.



Employees must take reasonable care for your own health and safety and do nothing that adversely affects the health and safety of others.

For further information, refer to Taronga Policy *HR 5.1 Work Health, Safety and Environment Policy* and your Positions Description.

### 3.20 Alcohol and Drugs in the workplace

Taronga seeks to provide a safe and healthy workplace. Employees must ensure that they comply with Taronga's requirements in relation to Alcohol and Drugs in the workplace. Employees are encouraged to maintain a zero blood alcohol reading whilst on duty. Employees who work with dangerous animals and operate machinery or who interact with the public must maintain a zero blood alcohol reading, while all other employees must be under the legal limit.

For further information, refer to Taronga Policy *HR 5.15 Alcohol and Other Drugs Policy*.

### 3.21 Environmental Sustainability

Employees and affiliates of Taronga are expected to support Taronga's environmental sustainability policies and initiatives by taking measures to reduce their individual impact on the environment

Employees are encouraged to adopt and implement a range of environmentally responsible actions including but not limited to:

- Using our resources (water and energy) efficiently e.g. turning off lights and limiting the use of air-conditioning
- Buying sustainable products e.g. purchasing recycled content office paper
- Avoiding waste to landfill by reducing, reusing and recycling items & equipment. e.g. not printing emails
- Using sustainable transport e.g. using an electric cart, carpooling, or catching public transport
- Reporting environmental hazards and risks e.g. pollution incidents

## 4 Responsibility and Accountability

### 4.1 Employees, Contracts, Volunteers and Board/Committee members have responsibilities to comply with this Code of Conduct and Ethical Framework policy by:

- Demonstrating high levels of personal conduct consistent with this policy
- Seeking assistance when unsure about how to implement this policy
- Promoting the implementation of this policy to their colleagues
- Reporting possible breaches of this policy

### 4.2 Supervisors/Managers/Executive

Supervisors and Managers at all levels and the Taronga Executive are responsible also for the work related acts and omissions of employees under their supervision.

Supervisors, Managers and the Executive should ensure that procedures in their area of responsibility are established, promoted and followed, and that they are subject to regular review. Supervisors/Managers and Executive should:

- Lead and promote implementation of the Ethical Framework and Code of Conduct Policy in their workplace including ensuring staff understand what their job entails, what their duties are and how they are expected to perform and behave

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- Ensure their workplace culture, practices and systems (including recruitment and promotion) operate consistently with this policy
- Recognise and promote employee and team conduct that exemplifies the Ethical Framework and Code of Conduct
- Act promptly and with due process to prevent and address any breaches of this policy
- In the case of a senior executive (including an acting senior executive), declare in writing private interests that have the potential to influence, or could be perceived to influence, decisions made or advice given by the senior executive
- Ensure that any real or perceived conflicts of interests are avoided or effectively managed.

The Chief Executive, has the responsibility s of senior executives (above), and in addition has responsibilities to:

- Lead and promote implementation of the Ethical Framework and Code of Conduct Policy in Taronga
- Ensure the general conduct and management of the functions and activities of Taronga are in accordance with the core values of this policy

Oversee the implementation of the Ethical Framework and Code of Conduct and make improvements where necessary

The Human Resources Division is responsible for providing support and advice as required.

### 4.3 Human Resources

The Human Resources Division is responsible for:

- Providing advice and assistance to all employees including Supervisors, Managers and the Executive, as necessary on HR 8.1 Code of Conduct and other Human Resource policies and procedures as required;
- Providing copies of the HR 8.1 Code of Conduct to all new employees;
- Providing copies of HR 8.1 Code of Conduct or any other Taronga policy or procedure to any employee who requests it; and
- Reviewing and revising HR 8.1 Code of Conduct as necessary

## 5 References

### 5.1 Relevant Legislation

- Government Sector Employment Act 2013
- Anti-Discrimination Act 1977
- Crimes Act 1900
- Environmental Planning and Assessment Act 1979
- Freedom of Information Act 1989
- Income Tax Assessment Act 1997
- Independent Commission Against Corruption Act 1988
- Industrial Relations Act 1996
- Work Health and Safety Act 2011

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- Ombudsman Act 1974
- Public Interest Disclosures Act 1994 (NSW)
- Public Finance and Audit Act 1983
- Zoological Parks Board Act 1973
- Government Information (Public Access) Act 2009
- Public Interest Disclosure Act 1994
- Privacy and Personal Information Protection Act 1988
- Public Works and Procurement Act 1912
- Government Advertising Act 2011
- State Records Act 1998
- Children and Young Persons (Care and Protection) Act 1998
- Child Protection (Working with Children) Act 2012
- Environment Protection Biodiversity Act 1999 (Cth)
- Prevention of Cruelty to Animals Act 1979 (NSW)
- National Zoo Biosecurity Manual 2011 (DAFF)
- Exhibited Animals Protection Act 1986 (NSW)

### 5.2 Relevant Taronga Policies

- HR 3.15 Uniform Policy
- HR 4.1 Equal Employment Opportunity Policy
- HR 4.2 Anti-Discrimination and Harassment Free Workplace Policy
- HR 4.3 Workplace Grievances
- HR 5.1 Work Health, Safety and Environment Policy
- HR 5.15 Alcohol and Other Drugs Policy
- HR 5.16 Restricted Smoking Policy
- HR 8.1.1 Disclosure Form
- HR 8.3 Security of Personal Information
- HR 8.4 Discipline Procedure
- HR 8.5 Protected Disclosure Policy
- HR 8.6 Outside Employment
- HR 9.1 Industrial Instruments
- 2.2 Social Media Policy
- EO 3.1 Gifts and Benefits Policy

## 6 Definitions

### 6.1 Civil Action

In law, a civil action is a lawsuit brought before a court in which a party (the plaintiff) seeks to protect or enforce a civil right or to compel a civil remedy (as distinguished from criminal prosecution). Via the court, the plaintiff may seek a legal or equitable remedy for the damages they claim to have received from another party's (the defendant's) action, with the defendant being required to respond to the plaintiff's claim, and the court making a judgement on the matter.

**6.2 Natural Justice**

The rules or principles of natural justice, also known as procedural fairness, have developed to ensure that decision-making is fair and reasonable. Natural justice involves decision-makers informing people of the case against them or their interests, giving them a right to be heard (the 'hearing' rule), not having a personal interest in the outcome (the rule against 'bias'), and acting only on the basis of logically probative evidence (the 'no evidence' rule).

**7 Version Control**

Version Control	Date Effective	Drafted by	Approved By	Amendment
2.0	Oct 2015		CEO	

**8 Approval**

Cameron Kerr

Chief Executive and Executive Director

**9 Appendices**

Appendix 1 – HR 8.1.1 Disclosure Form

Appendix 2 – HR 8.1.2 Discussion File Note Form

**10 Employee Sign Off**

I have read and understood my obligations under this policy and agree to abide by the provisions outlined.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

