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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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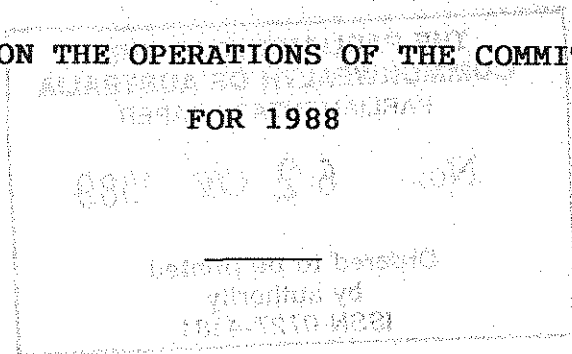
HOUSE OF REPRESENTATIVES

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COMMITTEE OF MEMBERS' INTERESTS

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REPORT ON THE OPERATIONS OF THE COMMITTEE



PROVISIONAL PARLIAMENTARY PAPER

in accordance with

PROVISIONAL PARLIAMENTARY PAPER

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COMMONWEALTH OF AUSTRALIA  
PARLIAMENTARY PAPER**

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## COMMITTEE OF MEMBERS' INTERESTS

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### Membership

Dr R E Klugman, MP (Chairman)

Hon. A E Adermann, MP

Mr D M Cameron, MP

Mr L Kent, MP

Mr E J Lindsay, RFD, MP

Mr P M Ruddock, MP

Mr J L Scott, MP

### Clerk to the Committee

Mr L M Barlin

INTERNATIONAL CONFERENCE ON THE HISTORY OF THE AMERICAN WEST

PROGRAM

Monday, September 15, 1986

9:00 AM Registration

10:00 AM Breakfast

1:00 PM Lunch

2:00 PM Session I

4:00 PM Session II

Tuesday, September 16, 1986

9:00 AM Breakfast

10:00 AM Session III

11:00 AM Session IV

1:00 PM Lunch

2:00 PM Session V

4:00 PM Session VI

6:00 PM Dinner

8:00 PM Reception

9:00 PM Entertainment

10:00 PM End of Conference

## COMMITTEE OF MEMBERS' INTERESTS

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### STANDING ORDER 28A

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#### **Committee of Members' Interests**

28A. (a) A Committee of Members' Interests shall be appointed at the commencement of each Parliament—

- (i) to inquire into and report upon the arrangements made for the compilation, maintenance and accessibility of a Register of Members' Interests;
- (ii) to consider any proposals made by Members and others as to the form and content of the register;
- (iii) to consider any specific complaints made in relation to the registering or declaring of interests;
- (iv) to consider what changes to any code of conduct adopted by the House are necessary or desirable;
- (v) to consider what classes of person (if any) other than Members ought to be required to register and declare their interests, and
- (vi) to make recommendations upon these and any other matters which are relevant.

(b) The committee shall consist of 7 members, 4 Members to be nominated by either the Prime Minister, the Leader of the House or the Government Whip and 3 Members to be nominated by either the Leader of the Opposition, the Deputy Leader of the Opposition or the Opposition Whip.

Provided that, where the Opposition is composed of 2 parties, the committee shall consist of 4 Members to be nominated by either the Prime Minister, the Leader of the House or the Government Whip, 2 Members to be nominated by either the Leader of the Opposition, the Deputy Leader of the Opposition or the Opposition Whip, and 1 Member to be nominated by either the Leader of the Third Party, the Deputy Leader of the Third Party or the Third Party Whip.

(c) The committee shall elect as chairman of the committee one of the Members nominated either by the Prime Minister, the Leader of the House or the Government Whip.

(d) The committee shall have power to send for persons, papers and records but shall not exercise that power, nor undertake an investigation of the private interests of any person, unless approved by not less than 4 members of the committee other than the chairman.

(e) The committee shall have power to confer with a similar committee of the Senate.

(f) The committee shall, as soon as practicable after 31 December in each year, prepare and table in the House a report on its operations during that year and shall also have power to report from time to time.

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**HOUSE OF REPRESENTATIVES**  

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**REGISTRATION AND DECLARATION OF  
MEMBERS' INTERESTS**  

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**Requirements of the House of Representatives  
from 22 October 1986**  

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*Resolutions adopted by the House on 9 October 1984 a.m. as amended on 13 February  
1986 and 22 October 1986*

That the following resolutions relating to the registration and declaration of Members' interests be adopted, such resolutions to have effect from the commencement of the 34th Parliament and to continue in force unless and until amended or repealed by the House of Representatives in this or a subsequent Parliament:

**(1) Declaration of Members' interests**

That within 28 days of making and subscribing an oath or affirmation as a Member of the House of Representatives each Member shall provide to the Registrar of Members' Interests, a statement of—

- (1) the Member's registrable interests, and
- (2) the registrable interests of which the Member is aware (a) of the Member's spouse and (b) of any children who are wholly or mainly dependent on the Member for support,

in accordance with resolutions adopted by the House and in a form determined by the Committee of Members' Interests from time to time, and shall also notify any alteration of those interests to the Registrar within 28 days of that alteration occurring.

**(2) Registrable interests**

That the statement of a Member's registrable interests to be provided by a Member shall include the registrable interests of which the Member is aware (1) of the Member's spouse and (2) of any children who are wholly or mainly dependent on the Member for support, and shall cover the following matters:

- (a) shareholdings in public and private companies (including holding companies) indicating the name of the company or companies;
- (b) family and business trusts and nominee companies—
  - (i) in which a beneficial interest is held, indicating the name of the trust, the nature of its operation and beneficial interest, and
  - (ii) in which the Member, the Member's spouse, or a child who is wholly or mainly dependent on the Member for support, is a trustee (but not including a trustee of an estate where no beneficial interest is held by the Member, the Member's spouse or dependent children), indicating the name of the trust, the nature of its operation and the beneficiary of the trust;
- (c) real estate, including the location (suburb or area only) and the purpose for which it is owned;
- (d) registered directorships of companies;
- (e) partnerships indicating the nature of the interests and the activities of the partnership;
- (f) liabilities indicating the nature of the liability and the creditor concerned;
- (g) the nature of any bonds, debentures and like investments;

- (h) saving or investment accounts, indicating their nature and the name of the bank or other institutions concerned;
- (i) the nature of any other assets (excluding household and personal effects) each valued at over \$5,000;
- (j) the nature of any other substantial sources of income;
- (k) gifts valued at more than \$250 received from official sources, or at more than \$100 where received from other than official sources provided that a gift received by a Member, the Member's spouse or dependent children from family members or personal friends in a purely personal capacity need not be registered unless the Member judges that an appearance of conflict of interest may be seen to exist;
- (l) any sponsored travel or hospitality received;
- (m) membership of any organisation, and
- (n) any other interests where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise.

**(3) Register and Registrar of Members' Interests**

That—

- (a) at the commencement of each Parliament, and at other times as necessary, Mr Speaker shall appoint an officer of the Department of the House of Representatives as the Registrar of Members' Interests and that officer shall also be clerk to the Committee of Members' Interests;
- (b) the Registrar of Members' Interests shall, in accordance with procedures determined by the Committee of Members' Interests, maintain a Register of Members' Interests in a form to be determined by that committee from time to time;
- (c) as soon as possible after the commencement of each Parliament the chairman of the Committee of Members' Interests shall table in the House a copy of the completed Register of Members' Interests and shall also table from time to time as required any notification by a Member of alteration of those interests, and
- (d) the Register of Members' Interests shall be available for inspection by any person under conditions to be laid down by the Committee of Members' Interests from time to time.

\*

**(4) Declaration of interest in debate and other proceedings**

That, notwithstanding the lodgment by a Member of a statement of the Member's registrable interests and the registrable interests of which the Member is aware (1) of the Member's spouse and (2) of any children who are wholly or mainly dependent on the Member for support, and the incorporation of that statement in a Register of Members' Interests, a Member shall declare any relevant interest—

- (a) at the beginning of his or her speech if the Member should participate in debate in the House, committee of the whole House, or a committee of the House (or of the House and the Senate), and
- (b) as soon as practicable after a division is called for in the House, committee of the whole House, or a committee of the House (or of the House and the Senate) if the Member proposes to vote in that division, and

the declaration shall be recorded and indexed in the *Votes and Proceedings* or minutes of proceedings (as applicable) and in any *Hansard* report of those proceedings or that division:

Provided that it shall not be necessary for a Member to declare an interest when directing a question seeking information in accordance with standing order 142 or 143.

*Additional resolutions adopted by the House on 13 February 1986*

That this House re-affirms the requirement for the registration and declaration of the interests of Members, their spouses and dependent children adopted by the House of Representatives on 9 October 1984 a.m.

That any Member of the House of Representatives who—

- (a) knowingly fails to provide a statement of registrable interests to the Registrar of Members' Interests by the due date,
- (b) knowingly fails to notify any alteration of those interests to the Registrar of Members' Interests within 28 days of the change occurring, or

\* Note: On 30 November 1988 the House resolved to delete this requirement effective from the first sitting day in 1989.



(c) knowingly provides false or misleading information to the Registrar of Members' Interests,

shall be guilty of a serious contempt of the House of Representatives and shall be dealt with by the House accordingly.

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*Note*

The requirements set out above are those in force from 22 October 1986.

No reference has been made to—

- (1) earlier registration requirements deleted on 13 February 1986, or 22 October 1986, and
  - (2) resolutions of 21 March 1985 and 13 February 1986 which related to the lodgement of initial statements of interests by Members of the 34th Parliament.
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1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the experimental procedures and the tools used for data collection.

3. The third part of the document presents the results of the study, including a comparison of the different methods and techniques used. It discusses the strengths and weaknesses of each method and provides a summary of the findings.

4. The fourth part of the document discusses the implications of the study and provides recommendations for future research. It highlights the need for further investigation into the effectiveness of the different methods and techniques used.

5. The fifth part of the document concludes the study and provides a final summary of the findings. It reiterates the importance of maintaining accurate records and the need for transparency and accountability in financial reporting.

6. The sixth part of the document provides a detailed description of the experimental procedures and the tools used for data collection. It includes a list of the equipment and materials used and a description of the experimental setup.

7. The seventh part of the document presents the results of the study, including a comparison of the different methods and techniques used. It discusses the strengths and weaknesses of each method and provides a summary of the findings.

8. The eighth part of the document discusses the implications of the study and provides recommendations for future research. It highlights the need for further investigation into the effectiveness of the different methods and techniques used.

9. The ninth part of the document concludes the study and provides a final summary of the findings. It reiterates the importance of maintaining accurate records and the need for transparency and accountability in financial reporting.

10. The tenth part of the document provides a detailed description of the experimental procedures and the tools used for data collection. It includes a list of the equipment and materials used and a description of the experimental setup.

11. The eleventh part of the document presents the results of the study, including a comparison of the different methods and techniques used. It discusses the strengths and weaknesses of each method and provides a summary of the findings.

12. The twelfth part of the document discusses the implications of the study and provides recommendations for future research. It highlights the need for further investigation into the effectiveness of the different methods and techniques used.

13. The thirteenth part of the document concludes the study and provides a final summary of the findings. It reiterates the importance of maintaining accurate records and the need for transparency and accountability in financial reporting.

**REPORT**

**Introduction**

(1) Standing order 28A of the House of Representatives by which the Committee of Members' Interests is established, provides that the Committee shall, as soon as practicable after 31 December in each year, prepare and table in the House a report on its operations during that year. This is the 3rd annual report of the Committee and deals with its operations during 1988.

**Membership of Committee**

(2) No changes occurred in the membership of the Committee during 1988. The Committee was fortunate therefore that the knowledge and expertise gained by its members remained available to it throughout the year.

**Meetings of the Committee**

(3) It was necessary for the Committee to meet on 4 occasions only during 1988. Apart from attending to administrative matters, most of the time of these meetings was devoted to a consideration of the resolution of the House requiring the oral declaration of interests by Members if they participated in debate or proceedings in the House or committee. This matter, which was referred to in the

previous annual report of the committee, was the subject of a special report to the House on 23 November 1988 and is referred to later in this report.

(4) It seems to the committee that the need for few meetings of the committee is an indication that the administrative arrangements which have been put in place by it to give effect to the resolutions of the House are working satisfactorily.

Statements of interests and notifications of alterations of interests

(5) The resolutions of the House require the Chairman of the Committee to table in the House copies of the completed Register of Members' Interests and from time to time as required any notification by a Member of alteration of those interests. On 26 May 1988 the Chairman tabled copies of notifications of alterations of interests received during the period 10 December 1987 to 25 May 1988 together with copies of statements of interests lodged by 3 Members elected at by-elections during that period. On 1 December 1988 the Chairman tabled copies of notifications of alterations of interests received during the period 26 May 1988 to 30 November 1988 together with a copy of a statement of interests lodged by a Member elected at a by-election during that period.

Public access to the Register

(6) The resolutions of the House provide that the Register of Members' Interests shall be available for inspection by any person under conditions to be laid down by the Committee. During the reporting period there were 2 requests only to inspect the register. Whilst this may appear to reflect a lack of interest in the register, it

needs to be remembered that copies of the register and of notifications of alterations of interests are tabled in the House and readily available to interested persons. The need to inspect the register itself appears therefore to be confined to persons seeking to check on any alterations of notifications which may have been lodged prior to the Chairman tabling them in the House.

#### Responsibilities of the Committee

(7) In addition to its responsibility in relation to the arrangements made for the compilation, maintenance and accessibility of the Register of Members' Interests, the committee is required to consider a number of other matters. The matters to be considered and comment in relation to the particular matter are set out hereunder.

#### Proposals made by Members and others as to the form and content of the register

(8) Whilst a number of inquiries of a general nature were received by the Registrar in relation to the form of the Register, no proposal was made by a Member or other person as to the form and content of it. Accordingly, the matter was not considered by the Committee.

#### Specific complaints made in relation to the registering or declaring of interests

(9) No complaint was made during the reporting period. The matter of oral declarations of interests which was raised in the House during the previous year was considered by the Committee and reported on to the House on 23 November 1988.

Changes to any code of conduct

(10) Since the House has not adopted any code of conduct to be observed by Members, the committee had no functions to perform in this area.

Requirements for other classes of persons to register and declare their interests

(11) No further formal consideration was given to this matter during 1988.

Oral declarations of interests during proceedings in the House or committee

(12) In its 1987 annual report the Committee advised that it would be giving further consideration to resolution (4) of the House of Representatives which required Members to orally declare any relevant interest if they should participate in debate or proceedings in the House or committee. The Committee's consideration followed the raising of a point of order in the House during proceedings on 17 November 1987.

(13) Following careful consideration of the matter, the Committee reported to the House on 23 November 1988 recommending that (a) resolution (4) requiring oral declarations of interests be removed from the requirements of the House, or alternatively, (b) the resolution be amended to require such a declaration only where a pecuniary interest was held. On 30 November 1988, the House resolved to omit resolution (4) effective from the first sitting day in 1989. The Committee is grateful for the prompt response to its report. A majority of members of the Committee is satisfied that removal of this obligation will relieve Members of an unnecessary burden which, in the view of the majority, was not intended by the House in adopting the registration and declaration requirements.

## Effect of dissolution on the registration requirements

(14) In its 1987 annual report the Committee drew attention to the fact that under the existing requirements, Members who are re-elected to the House are not required to register interests from the date of dissolution in one Parliament to the 28th day after making an oath or affirmation in the next Parliament. In the case of the majority of Members of the 34th Parliament who were re-elected to the 35th Parliament, this period extended from 5 June 1987 to 12 October 1987. Some re-elected Members who were absent overseas on official duties at the commencement of the new Parliament and were sworn in later had an even longer period during which it was not necessary to register interests. As also reported in its 1987 report, of its own initiative the Committee requested re-elected Members to include in their statements, any gifts, sponsored travel or hospitality received during that period. However, the fact remains that under the existing requirements, significant changes of interests which in normal circumstances would have to be registered within 28 days of the alteration occurring, need not be registered at all if those interests are not held at the date of completion of the full statement of interests in the new Parliament.

(15) With almost half of the maximum term of the House of Representatives in the 35th Parliament having now passed, the House may wish to give consideration before the next general elections to amending the resolutions of the House to provide for the registration of any alterations of interests which may occur between the date of dissolution in one Parliament and the date of completion of statements of interests in the next.

Conclusion

(16) As Chairman of the Committee I again record my appreciation of the manner in which members of the Committee have applied themselves to their responsibilities. All have contributed greatly to the workings of the Committee and rendered my task easier.

**R E KLUGMAN**  
CHAIRMAN

7 March 1989



HOUSE OF REPRESENTATIVES

COMMITTEE OF MEMBERS' INTERESTS

35th Parliament - 3rd Meeting

Minutes of Proceedings of meeting held on  
17 February 1988 at 3.55 pm

(1) Present:

Dr R.E. Klugman, MP (Chairman)  
Hon. A.E. Adermann, MP  
Mr D.M. Cameron, MP  
Mr L. Kent, MP  
Mr E.J. Lindsay, RFD, MP  
Mr P.M. Ruddock, MP  
Mr J.L. Scott, MP

(2) Minutes of Proceedings

The Minutes of Proceedings of the meeting held on 8 December 1987 were confirmed.

(3) Annual Report for 1987

The Chairman brought up his Draft Annual Report for 1987.

Report, by leave, taken as a whole, amended and agreed to.

Resolved - On the motion of Mr Kent -

That the draft Annual Report, as amended, be the Annual Report of the Committee for 1987.

(4) Interpretation of aspects of the resolutions of the House

The Committee deliberated in respect of certain aspects of the resolutions of the House for the registration and declaration of Members' Interests.

(5) Adjournment

At 4.28 pm the Committee adjourned until a date and hour to be determined by the Chairman.

Confirmed

CHAIRMAN

HOUSE OF REPRESENTATIVES

COMMITTEE OF MEMBERS' INTERESTS

35th Parliament - 4th Meeting

Minutes of Proceedings of meeting held on  
25 May 1988 at 3.45 p.m.

(1) Present:

Dr R.E. Klugman, MP (Chairman)  
Hon. A.E. Adermann, MP  
Mr D.M. Cameron, MP  
Mr L. Kent, MP  
Mr E.J. Lindsay, RFD, MP  
Mr P.M. Ruddock, MP  
Mr J.L. Scott, MP

(2) Minutes of Proceedings

The Minutes of Proceedings of the meeting held on 17 February 1988 were confirmed.

(3) Tabling of notifications of alterations of interests and statements of registrable interests

The Chairman informed the Committee of his intention to table on 26 May 1988, copies of notifications of alterations of interests and statements of registrable interests received during the period 10 December 1987 to 25 May 1988.

(4) Interpretation of aspects of the resolutions of the House

The Committee deliberated in respect of certain aspects of the resolutions of the House for the registration and declaration of Members' Interests.

Resolved - On the motion of Mr Scott -

- (1) That this Committee believes that the requirement for Members to notify relevant interests for the Register of Members' Interests is sufficient compliance with the intention of the House for the disclosure of Members' interests;

- (2) That the effective duplication of this requirement whereby Members are also required to make oral declaration of interests during proceedings in the House or committee is unnecessary and confusing, and
- (3) That the Clerk to the Committee should write to The Secretary, Attorney-General's Department to seek advice on amendments which should be made to the resolutions of the House to give effect to the Committee's view.

(5) Adjournment

At 4.33 pm the Committee adjourned until a date and hour to be determined by the Chairman.

Confirmed

CHAIRMAN

HOUSE OF REPRESENTATIVES  
COMMITTEE OF MEMBERS' INTERESTS

35th Parliament - 5th Meeting

Minutes of Proceedings of meeting held on  
27 September 1988 at 3.45 p.m.

(1) Present:

Dr R E Klugman, MP (Chairman)  
Hon. A E Adermann, MP  
Mr L Kent, MP  
Mr E J Lindsay, RFD, MP  
Mr P M Ruddock, MP  
Mr J L Scott, MP

(2) Minutes of Proceedings

The Minutes of Proceedings of the meeting held on 25 May 1988 were confirmed.

(3) Advice from Attorney-General

The Chairman presented copies of

- . a letter dated 3 June 1988 from the Clerk to the Committee to the Secretary, Attorney-General's Department, seeking advice in accordance with the resolution of the Committee of 25 May 1988; and
- . a response on behalf of the Secretary, Attorney-General's Department, dated 9 June 1988.

(4) Requirement for oral declaration of interests

Mr Adermann moved - That a Draft Report to the House be prepared containing the Committee's view that

- . the requirement for Members to notify relevant interests for the Register of Members' Interests is sufficient compliance with the intention of the House for the disclosure of Members' interests; and

the effective duplication of this requirement whereby Members are also required to make oral declarations of interests during proceedings in the House or committee is unnecessary and confusing.

The Committee deliberated.

Motion carried.

(5) Adjournment

At 4.33 p.m. the Committee adjourned until a date and hour to be determined by the Chairman.

Confirmed

CHAIRMAN

HOUSE OF REPRESENTATIVES  
COMMITTEE OF MEMBERS' INTERESTS

35th Parliament - 6th Meeting

Minutes of Proceedings of meeting held on  
9 November 1988 at 3.55 p.m.

(1) Present:

Dr R E Klugman, MP  
Mr L Kent, MP  
Mr E J Lindsay, RFD, MP  
Mr P M Ruddock, MP  
Mr J L Scott, MP

(2) Minutes of Proceedings

The Minutes of Proceedings of the meeting held on 27 September 1988 were confirmed.

(3) Requirement for oral declaration of interests

The Chairman brought up his draft report on the Need Oral Declarations of Interests by Members.

Report, by leave, taken as a whole, amended and agreed to.

Resolved - On the motion of Mr Scott -

That the draft report, as amended, be the report of the Committee to the House.

(4) Tabling of notifications of alterations of interests and a statement of registrable interests

The Chairman informed the Committee that it was his intention to table on Wednesday, 30 November or Thursday, 1 December 1988, copies of notifications of alterations of interests and any statement of registrable interests received on or after 26 May 1988.

(5) Adjournment

At 4.25 p.m. the Committee adjourned until a date and hour to be determined by the Chairman.

Confirmed

CHAIRMAN

