



**COMMITTEE OF
SENATORS' INTERESTS**

REGISTRATION OF SENATORS' INTERESTS

**A HANDBOOK FOR SENATORS, ALSO INCORPORATING
RELATED INFORMATION ON REGISTERING GIFTS
TO THE SENATE AND THE PARLIAMENT**

2008 EDITION

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Introduction

This booklet brings together in one source for easy reference, the resolutions and explanatory notes for the declaration of senators' interests, together with the relevant forms. It includes information on the separate regime for the declaration of gifts to the Senate or the Parliament.

Administrative arrangements for maintaining the register, agreed to by the Committee of Senators' Interests, contain important information about how senators will be reminded about their obligations under the resolutions.

The booklet also includes the conditions of access to the register and the terms of reference of the Committee of Senators' Interests.

This information is also available on the Senate website at:

http://www.aph.gov.au/Senate/committee/interests_ctte/index.htm

Copies of the forms may be printed or downloaded from the website.

For further assistance, contact:

Registrar of Senators' Interests
The Senate
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

Phone: +61 2 6277 3360

Fax: +61 2 6277 3199

Email: Senators.Interests@aph.gov.au

PART 1 — SENATORS' INTERESTS

Resolutions relating to senators' interests

1. Registration of Senators' Interests

(1) Within:

- (a) 28 days after the first meeting of the Senate after 1 July first occurring after a general election; and
- (b) 28 days after the first meeting of the Senate after a simultaneous dissolution of the Senate and the House of Representatives; and
- (c) 28 days after making and subscribing an oath or affirmation of allegiance as a senator for a Territory or appointed or chosen to fill a vacancy in the Senate;

each senator shall provide to the Registrar of Senators' Interests a statement of:

- (a) the senator's registrable interests; and
- (b) the registrable interests of which the senator is aware:
 - (i) of the senator's spouse or partner, and
 - (ii) of any children who are wholly or mainly dependent on the senator for support;

in accordance with this resolution and in a form determined by the Committee of Senators' Interests from time to time, and shall also notify any alteration of those interests to the Registrar within 35 days of that alteration occurring.

(2) Any senator who:

- (a) knowingly fails to provide a statement of registrable interests to the Registrar of Senators' Interests by the due date;
- (b) knowingly fails to notify any alteration of those interests to the Registrar of Senators' Interests within 35 days of the change occurring; or
- (c) knowingly provides false or misleading information to the Registrar of Senators' Interests;

shall be guilty of a serious contempt of the Senate and shall be dealt with by the Senate accordingly, but the question whether any senator has committed such a serious contempt shall first be referred to the Privileges Committee for inquiry and report and may not be considered by any other committee.

2. Registrable interests of spouses or partners and dependants

Statements of the registrable interests of a senator's spouse or partner or of any dependent children submitted in accordance with paragraph (1) shall be maintained in a separate part of the register and shall remain confidential to the Committee of Senators' Interests except where the committee considers that a conflict of interest arises, at which time the committee may table the declaration.

3. Registrable interests

The statement of a senator's registrable interests to be provided by a senator shall include the registrable interests of which the senator is aware of the senator's spouse or partner and of any children who are wholly or mainly dependent on the senator 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 and the nature of its operation and beneficial interest, and
 - (ii) in which the senator, the senator's spouse or partner, or a child who is wholly or mainly dependent on the senator for support, is a trustee (but not including a trustee of an estate where no beneficial interest is held by the senator, the senator's spouse or partner 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 more than \$7,500;
- (j) the nature of any other substantial sources of income;
- (k) gifts valued at more than \$750 received from official sources (such sources being an Australian or foreign national, state, provincial or local government or a person holding an office in such a government) or at \$300 or more where received from other than official sources, provided that a gift received by a senator, the senator's spouse or partner or dependent children from family members or personal friends in a purely personal capacity need not be registered unless the senator judges that an appearance of conflict of interest may be seen to exist;
- (l) any sponsored travel or hospitality received where the value of the sponsorship or hospitality exceeds \$300;
- (m) being an office holder of or financial contributor donating \$300 or more in any single calendar year to any organisation; and
- (n) any other interests where a conflict of interest with a senator's public duties could foreseeably arise or be seen to arise.

4. Register and Registrar of Senators' Interests

- (3) At the commencement of each parliament, and at other times as necessary, the President shall appoint an officer of the Department of the Senate as the Registrar of Senators' Interests and that officer shall also be secretary of the Committee of Senators' Interests.
- (4) The Registrar of Senators' Interests shall, in accordance with procedures determined by the Committee of Senators' Interests, maintain a Register of Senators' Interests in a form to be determined by that committee from time to time.
- (5) As soon as possible after receipt of statements of registrable interests in accordance with resolution 1(1), the chairman of the Committee of Senators' Interests shall table in the Senate a copy of the completed Register of Senators' Interests and shall also table every 6 months any notification by a senator of alteration of those interests.
- (6) The Register of Senators' Interests shall be available for inspection by any person under conditions to be laid down by the Committee of Senators' Interests from time to time.
- (7) That part of the Register of Senators' Interests relating to spouses or partners and dependent children shall remain confidential to the Committee of Senators' Interests as provided for in paragraph 2.

5. Interpretation

For the purposes of paragraphs 1 to 4 of this resolution 'partner' means a person who is living with another person in a bona fide domestic relationship.

(17 March 1994 J.1421, amended 21 June 1995 J.3473, 13 May 1998 J.3753, 22 November 1999 J.2008, 15 September 2003 J.2365, 10 August 2006 J.2458)

Explanatory notes for statement of registrable interests

(AGREED TO BY COMMITTEE OF SENATORS' INTERESTS ON 19 JUNE 2002;
AMENDED 18 JUNE 2003, 13 OCTOBER 2003, 29 MARCH 2006, 10 AUGUST 2006,
6 SEPTEMBER 2006 AND 20 MARCH 2007)

PART 1 – GENERAL

Statement of registrable interests

The purpose of the statement of registrable interests is to advise of senators' interests in accordance with a resolution of the Senate of 17 March 1994, as amended on 21 June 1995, 13 May 1998, 22 November 1999, 15 September 2003 and 10 August 2006.

The statement, in two parts, is kept in a Register of Senators' Interests, similarly divided. The registrable interests of a senator are declared in Form A, and comprise that part of the register which is available for public inspection from the date of receipt, and which is also eventually tabled in the Senate. The registrable interests, of which the senator is aware, of a senator's spouse or partner, or any children who are wholly or mainly dependent on the senator for support, are declared in Form B. The senator is not required to disclose the name(s) of a spouse, partner or children. Nor is there a requirement to return Form B if a senator does not have a spouse, partner or dependent children, or is not aware of their interests. Form B constitutes the part of the Register of Senators' Interests which is NOT available for public inspection. The interests recorded in Form B remain confidential to the Committee of Senators' Interests unless the committee considers that a conflict of interest arises, at which time the committee may table the declaration.

Requirement to submit statement of registrable interests

The resolution requires that all senators must provide a statement of registrable interests within 28 days of making or subscribing an oath or affirmation of allegiance as a senator AND within 28 days after the first meeting of the Senate after 1 July first occurring after a general election.

Senators who are elected or appointed for the first time to the Senate should declare any benefits received from the date of their election or appointment as a senator, as well as interests as at the date of making and subscribing an oath or affirmation of allegiance.

In the case of re-elected or continuing senators, the statement of interests should include details of benefits received since the last notification of alterations of interests, as well as interests as at the date of the first meeting of the Senate following a simultaneous dissolution, or after 1 July following a general election.

'Dependent children' means dependent children under 16 years of age or dependent full-time students under 25 years of age. 'Partner' means a person who is living with another person in a bona fide domestic relationship.

When interests are held jointly with a spouse or partner, former spouse or partner, or dependent children the interests need to be included only as interests of the senator with an appropriate notation such as 'jointly owned with [former] spouse or partner'.

Where interests could be included under more than one heading, they need to be included only under the most specific heading unless two aspects need to be disclosed (e.g. real estate, plus a mortgage liability on that real estate or savings or investment accounts, plus a deposit by a third party that is also a registrable gift).

Both Form A and Form B must be completed as appropriate, in typescript if possible, signed by the senator, and returned to the Registrar of Senators' Interests as originals, not faxes. For the purposes of meeting the 28-day deadline, signed faxed copies may initially be sent, followed by the signed originals.

Each question on each form should be answered in some definitive way even if only, for example, nil.

Any senator may make a new, full declaration of interests at any time.

Notification of alteration of interests

Any alteration to a senator's registrable interests, or those of the senator's spouse or partner, or dependent children, must be notified to the registrar within 35 days of the change occurring. All notifications of alteration of senators' interests, too, are public from date of receipt. Notifications of alteration of spouses', etc., interests remain confidential under the same conditions as Form B of the statement of interests.

Senators with investments or other registrable interests managed by a financial or other agent are responsible for arranging their affairs to ensure that they receive timely information to enable them to comply with the 35 day notification requirements for alterations of interests.

Relevant forms are available in hard copy or electronically, and alterations are notified to the registrar in the same manner as statements of registrable interests

Publication of statements and alterations of interests

A copy of that part of the Register of Senators' Interests which is publicly available (Form A) is tabled in the Senate in each Parliament (in practice, as soon as possible after the swearing-in of State senators after a periodical or simultaneous dissolution election). Notifications of alterations of interests declared on Form A are tabled at least every six months (towards the end of the winter and summer sittings).

PART 2 – GUIDANCE ON INTERESTS TO BE DECLARED

Senators' responsibility for statement of registrable interests

While these notes are intended to give some guidance to senators in compiling their statement, final decisions on the appropriate interpretation of the resolution are the responsibility of individual senators.

An asterisk (*) after the phrase 'the senator's spouse or partner, or dependent children' signifies that a senator is required only to declare the separate holdings of spouse, partner or dependent children on Form B, and only if the senator is aware of such holdings.

Note: It is not necessary to declare the actual number or value of shares, or the value of assets, sponsored travel, hospitality or gifts. Nor is it necessary to declare the actual amounts held in savings or investment accounts, amounts of liabilities, or amounts received as income, including income from investments.

Registrable interests

1. Shareholdings in public and private companies (including holding companies) indicating the name of the company or companies
 - Notify any relevant interest in any shares including equitable as well as legal interests, whether held directly or indirectly, which enables a senator, the senator's spouse or partner or dependent children* to exercise control over the right to vote or dispose of those shares.
 - This includes shares held by a family or business trust, a nominee company, a partnership or a self-managed superannuation fund where a senator, the senator's spouse or partner or dependent children (or two or more of the senator, the senator's spouse or partner, or a dependent child or dependent children acting together)* are able to exercise control over the right to vote or dispose of those shares.
 - Where interests are held in a private holding company (i.e. a proprietary company formed for the purpose of investing in subsidiary companies) all such subsidiary companies, and any subsidiary companies held by those subsidiary companies, should be named.
 - Where shareholdings held amount to a controlling interest in a company it is necessary to register any shareholdings held by that company in another company or other companies.
 - It is not necessary to notify shareholdings held as an executor or trustee of a deceased estate where the senator, the senator's spouse or partner or dependent children are not beneficiaries of that estate.
 - It is not necessary to notify an alteration in the quantity of shares held in a particular company. Notify an alteration when shares are bought in a new company, or a shareholding in a particular company is wholly disposed of.
2. 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 senator, the senator's spouse or partner, or a child who is wholly or mainly dependent on the senator for support,* is a trustee (but not including a trustee of an estate where no beneficial interest is held by the senator, the senator's spouse or partner or dependent children), indicating the name of the trust, the nature of its operation and the beneficiary of the trust
 - Both beneficial interests and trustee responsibilities (except as trustee of a deceased estate where neither the senator, the senator's spouse or partner nor dependent children are beneficiaries of the estate) should be specified.
 - In respect of shareholdings held by a family or business trust or nominee company, see the note under '1. Shareholdings,' etc.
3. Real estate, including the location (suburb or area only) and the purpose for which it is owned
- 'Location'—There is no need to specify street address—general location (e.g. suburb or area, and State or Territory) is adequate.
 - 'Purpose for which owned'—Specify whether property is used as a residence, as a holiday home, as a farm, or is held for investment or other business purposes.
 - In the case of the purchase or disposal of real estate, the date of settlement is to be considered the date of alteration of interests, and notification should be made within 35 days of that date.
 - It is not necessary to notify legal title to real estate held as an executor or trustee of a deceased estate where the senator, the senator's spouse or partner or dependent children are not beneficiaries of that estate.
4. Registered directorships of companies
- Indicate the name of the company and the activities of the company.
5. Partnerships, indicating the nature of the interests and the activities of the partnership
- Under 'nature of the interests' specify level of current involvement in partnership (e.g. 'financial/sleeping partner'), 'consultant').
 - Specify the purpose or operations of the partnership (e.g. investment, consultancy).
6. Liabilities, indicating the nature of the liability and the creditor concerned
- Include all liabilities in excess of \$10,000 (e.g. mortgages, hire-purchase and lease arrangements, personal loans, overdrafts and contingent liabilities).
 - Include trading accounts of a nature which might be sensitive to implications of conflict of interest.
 - Liabilities incurred on a department store account or on a credit card need not be disclosed.

7. The nature of any bonds, debentures and like investments
 - 'Investments' means all investments, including placement of monies, which attract interest or other benefits.
8. Savings or investment accounts, indicating their nature and the name of the bank or other institutions concerned
 - Ordinary, non-interest-bearing cheque accounts need not be included, but savings accounts and investment accounts of the senator, the senator's spouse or partner or dependent children* should be included.
9. The nature of any other assets (excluding household and personal effects) each valued at more than \$7,500
 - List all personal possessions of value other than ordinary household or personal effects.
 - Motor vehicles for personal use need not be included.
 - Collections need not be included.
 - Items which might be listed under more specific headings (e.g. investments, gifts received) need not be included here.
 - Private life assurance and superannuation, including self-managed superannuation funds, should be included but parliamentary superannuation under a State or the Commonwealth scheme need not be included.
 - As a general rule of thumb, items of under \$7,500 in value may not require inclusion under this heading unless they are of a nature which might be sensitive to implications of conflict of interest.
10. The nature of any other substantial sources of income
 - The senator's own salary and allowances as a senator need not be included.
 - Include in Form A the source of any income of the senator, including income held jointly from investments, annuity arrangements, pensions or under government assistance schemes (but not including family allowance).
 - Include in Form B the source of a spouse or partner's income, of which the senator is aware, from employment or a business undertaking, and the source of any income, of which the senator is aware, of the senator's spouse, partner or dependent children from investments, annuity arrangements, pensions or under government assistance schemes (but not including family allowance).
 - Note that no minimum income is specified as notifiable and senators will need to use their discretion in this regard. As a general rule of thumb, income of less than \$5,000 per annum need not be notified unless, in the judgment of the senator, it might be sensitive to implications of conflict of interest.
11. Gifts valued at more than \$750 received from official sources (such sources being an Australian or foreign national, State, provincial or local government or a person holding an office in such a government), or at \$300 or more

where received from other than official sources, provided that a gift received by a senator, the senator's spouse or partner or dependent children from family members or personal friends in a purely personal capacity need not be registered unless the senator judges that an appearance of conflict of interest may be seen to exist

- Senators, when first elected, should include any relevant gifts received from the date of their election. Senators re-elected should include any relevant gifts not previously notified to the registrar.
- The source of any gift should be identified by name.
- A special declaration is required relating to gifts intended by the donor to be given to the Senate or the Parliament (see Part 2 of this booklet).

12. Any sponsored travel or hospitality received where the value of the sponsorship or hospitality exceeds \$300

- 'Sponsored travel' means any free, upgraded or concessional travel undertaken by the senator, the senator's spouse or partner or dependent children* sponsored wholly or partly by any person, organisation, business or interest group or foreign government or its representative. It does not include concessional travel entitlements, or travel undertaken using frequent flyer points, generally available to the public. Nor does it include the travel entitlements received by the senator, the senator's spouse or partner or dependent children under any determination of the Remuneration Tribunal or travel undertaken as a member of an official parliamentary delegation. The purpose for which the travel was undertaken should be shown.
- 'Hospitality' refers to free or concessional accommodation provided to the senator, the senator's spouse or partner or dependent children wholly or partly by any person, organisation, business or interest group or foreign government or its representative. It includes the provision of free or concessional meals as part of an accommodation arrangement but does not include hospitality provided in a purely social way by friends or colleagues. There is no need to include entertainment or benefits received in common with significant numbers of other senators or other persons, such as a reception or dinner hosted by a High Commissioner or Ambassador, or access to airline lounges.
- Serial receipt of hospitality, eg, regular receipt of free theatre tickets or tickets from sporting organisations, should be declared each six months if the collective value exceeds \$300.

13. Being an officeholder of, or financial contributor donating \$300 or more in any single calendar year to, any organisation

- Membership of organisations should be disclosed where the senator, the senator's spouse or partner or a dependent child* is an officeholder (excluding being a patron).
- The names of any organisations to which the senator, the senator's spouse or partner or a dependent child* contributes \$300 or more in any single calendar year (excluding membership subscriptions) should also be listed.

14. Any other interest where a conflict of interest with a Senator's public duties could foreseeably arise or be seen to arise.

March 2007



STATEMENT OF REGISTRABLE INTERESTS

FORM A – SENATORS

Surname: Other Names:
(please print)

State/Territory:

Signature: Date:

Send the original, signed form to the Registrar of Senators' Interests, Parliament House, Canberra, ACT 2600. Please sign and date both this form, and Form B if required, which together constitute your statement of registrable interests. If there is insufficient space on the form, you may attach additional pages. Please date, and either sign or initial, each page of any attachment.

Do not use this form to notify an alteration of registrable interests

PLEASE READ THE ATTACHED EXPLANATORY NOTES BEFORE COMPLETING THE FORM

1. SHAREHOLDINGS IN PUBLIC AND PRIVATE COMPANIES (INCLUDING HOLDING COMPANIES) INDICATING THE NAME OF THE COMPANY OR COMPANIES (See Explanatory Notes)

(Note: It is NOT necessary to declare the size or value of the shareholding)	
Self	Name of company – (including holding and subsidiary companies if applicable)
	Example—AMP, Telstra, XYZ Pty Ltd

2. FAMILY AND BUSINESS TRUSTS AND NOMINEE COMPANIES – (See Explanatory Notes) in which a beneficial interest is held, indicating the name of the trust and the nature of its operation and beneficial interest

	Name of trust/nominee company	Nature of its operation	Beneficial interest
Self	Example—Brown Family Trust	Property investment	Joint beneficiary

in which the Senator, the Senator’s spouse or partner, or a child who is wholly or mainly dependent on the Senator for support, is a trustee (but not including a trustee of an estate where no beneficial interest is held by the Senator, the Senator’s spouse or partner or dependent children), indicating the name of the trust, the nature of its operation and the beneficiary of the trust

	Name of trust/nominee company	Nature of its operation	Beneficiary of the trust
Self	Example—Black Family Trust	Share investment	Children

3. REAL ESTATE, INCLUDING THE LOCATION (SUBURB OR AREA ONLY) AND THE PURPOSE FOR WHICH IT IS OWNED (See Explanatory Notes)

(Note: The full street address of property is NOT required to be specified)		
	Location	Purpose for which owned
	Example—Ainslie, ACT	Residential
Self		

4. REGISTERED DIRECTORSHIPS OF COMPANIES (See Explanatory Notes)

	Name of company	Activities of company
	Example—QRS Pty Ltd	Property services
Self		

5. PARTNERSHIPS, INDICATING THE NATURE OF THE INTERESTS AND THE ACTIVITIES OF THE PARTNERSHIP (See Explanatory Notes)

	Name	Nature of interest	Activities of partnership
	Example—Green & Sons	Financial partner	Farming
Self			

6. LIABILITIES, INDICATING THE NATURE OF THE LIABILITY AND THE CREDITOR CONCERNED (See Explanatory Notes)

(Note: It is NOT necessary to declare the amount of any liability)		
	Nature of liability	Creditor
Self	Example—mortgage on investment property	Commonwealth Bank

7. THE NATURE OF ANY BONDS, DEBENTURES AND LIKE INVESTMENTS (See Explanatory Notes)

(Note: It is NOT necessary to declare the value of such investments)		
	Type of investment	Body in which investment is held
Self	Example—managed funds	CDE

8. SAVING OR INVESTMENT ACCOUNTS, INDICATING THEIR NATURE AND THE NAME OF THE BANK OR OTHER INSTITUTIONS CONCERNED (See Explanatory Notes)

(Note: It is NOT necessary to declare actual amounts held in accounts)		
	Nature of account	Name of bank/institution
Self	Example—savings	Commonwealth

9. THE NATURE OF ANY OTHER ASSETS (EXCLUDING HOUSEHOLD AND PERSONAL EFFECTS) EACH VALUED AT MORE THAN \$7,500 (See Explanatory Notes)

(Note: It is NOT necessary to declare the value of any other asset)	
Self	Nature of any other assets
	Example—life insurance

10. THE NATURE OF ANY OTHER SUBSTANTIAL SOURCES OF INCOME (See Explanatory Notes)

(Note: It is NOT necessary to declare the amount of the income)	
Self	Nature of income
	Example—shareholdings

11. GIFTS VALUED AT MORE THAN \$750 RECEIVED FROM OFFICIAL SOURCES (such sources being an Australian or foreign national, State, provincial or local Government or a person holding an office in such a Government) OR AT \$300 OR MORE WHERE RECEIVED FROM OTHER THAN OFFICIAL SOURCES, provided that a gift received by a Senator, the Senator's spouse or partner or dependent children from family members or personal friends in a purely personal capacity need not be registered unless the Senator judges that an appearance of conflict of interest may be seen to exist. (See Explanatory Notes)

(Note: It is NOT necessary to declare the value of the gift)	
Self	Details of gifts
	Example—laptop computer from ABC Pty Ltd

12. ANY SPONSORED TRAVEL OR HOSPITALITY RECEIVED WHERE THE VALUE OF THE SPONSORSHIP OR HOSPITALITY EXCEEDS \$300 (See Explanatory Notes)

(Note: It is NOT necessary to declare the value of the sponsored travel etc.)	
Self	Details of travel/hospitality
	Example—Upgrade from business to first class on QF123, Sydney to LA on [date]; tickets and hospitality, Australian Open tennis final on [date], Kenbank

13. BEING AN OFFICE HOLDER OF OR FINANCIAL CONTRIBUTOR DONATING \$300 OR MORE IN ANY SINGLE CALENDAR YEAR TO ANY ORGANISATION (See Explanatory Notes)

Self	Name of organisation
	Example—President, NSW Women’s Guild; Donor—UNICEF

14. ANY OTHER INTERESTS WHERE A CONFLICT OF INTEREST WITH A SENATOR’S PUBLIC DUTIES COULD FORESEEABLY ARISE OR BE SEEN TO ARISE (See Explanatory Notes)

Self	Nature of interest



NOTIFICATION OF ALTERATION OF INTERESTS DECLARED

FORM A – SENATORS

Surname: (please print)	Other Names:
State/Territory:	
Signature:	Date:

I wish to alter my statement of interests as follows:

ADDITION

Item No.*	Details
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DELETION

Item No.*	Details
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*See Statement of Registrable Interests form or Explanatory Notes for the item no.

Send the original, signed form to the Registrar of Senators' Interests, Parliament House, Canberra, ACT 2600



STATEMENT OF REGISTRABLE INTERESTS

FORM B – SPOUSES OR PARTNERS AND DEPENDENT CHILDREN

Surname: Other Names:
(please print)

State/Territory:

Signature: Date:

Send the original, signed form to the Registrar of Senators' Interests, Parliament House, Canberra, ACT 2600. Please sign and date both this form, and Form B if required, which together constitute your statement of registrable interests. If there is insufficient space on the form, you may attach additional pages. Please date, and either sign or initial, each page of any attachment.

Do not use this form to notify an alteration of registrable interests

PLEASE READ THE ATTACHED EXPLANATORY NOTES BEFORE COMPLETING THE FORM

Senators complete Form B on behalf of their spouse or partner and/or dependent children to the extent that senators are aware of their interests. The forms remain confidential unless the Committee of Senators' Interests considers that a conflict of interest arises. In those circumstances, the committee may table a Form B declaration.

Senators are not required to identify persons covered by Form B by name.

1. SHAREHOLDINGS IN PUBLIC AND PRIVATE COMPANIES (INCLUDING HOLDING COMPANIES) INDICATING THE NAME OF THE COMPANY OR COMPANIES (See Explanatory Notes)

(Note: It is NOT necessary to declare the size or value of the shareholding)	
Spouse or partner	Name of company – (including holding and subsidiary companies if applicable)
	Example—AMP, Telstra, XYZ Pty Ltd
Dependent children	

2. FAMILY AND BUSINESS TRUSTS AND NOMINEE COMPANIES – (See Explanatory Notes)

(i) in which a beneficial interest is held, indicating the name of the trust and the nature of its operation and beneficial interest

Spouse or partner	Name of trust/nominee company	Nature of its operation	Beneficial interest
	Example— Brown Family Trust	Property investment	Joint beneficiary
Dependent children			

(ii) in which the Senator, the Senator’s spouse or partner, or a child who is wholly or mainly dependent on the Senator for support, is a trustee (but not including a trustee of an estate where no beneficial interest is held by the Senator, the Senator’s spouse or partner or dependent children), indicating the name of the trust, the nature of its operation and the beneficiary of the trust

Spouse or partner	Name of trust/nominee company	Nature of its operation	Beneficiary of the trust
	Example— Black Family Trust	Share investment	Children
Dependent children			

3. REAL ESTATE, INCLUDING THE LOCATION (SUBURB OR AREA ONLY) AND THE PURPOSE FOR WHICH IT IS OWNED (See Explanatory Notes)

(Note: The full street address of property is NOT required to be specified)		
	Location	Purpose for which owned
	Spouse or partner	Example—Ainslie, ACT
Dependent children		

4. REGISTERED DIRECTORSHIPS OF COMPANIES (See Explanatory Notes)

	Name of company	Activities of company
	Spouse or partner	Example—QRS Pty Ltd
Dependent children		

5. PARTNERSHIPS, INDICATING THE NATURE OF THE INTERESTS AND THE ACTIVITIES OF THE PARTNERSHIP (See Explanatory Notes)

	Name	Nature of interest	Activities of partnership
	Spouse or partner	Example—Green & Sons	Financial partner
Dependent children			

6. LIABILITIES, INDICATING THE NATURE OF THE LIABILITY AND THE CREDITOR CONCERNED (See Explanatory Notes)

(Note: It is NOT necessary to declare the amount of any liability)		
Spouse or partner	Nature of liability	Creditor
	Example—mortgage on investment property	Commonwealth Bank
Dependent children		

7. THE NATURE OF ANY BONDS, DEBENTURES AND LIKE INVESTMENTS (See Explanatory Notes)

(Note: It is NOT necessary to declare the value of such investments)		
Spouse or partner	Type of investment	Body in which investment is held
	Example—managed funds	CDE
Dependent children		

8. SAVING OR INVESTMENT ACCOUNTS, INDICATING THEIR NATURE AND THE NAME OF THE BANK OR OTHER INSTITUTIONS CONCERNED (See Explanatory Notes)

(Note: It is NOT necessary to declare actual amounts held in accounts)		
Spouse or partner	Nature of account	Name of bank/institution
	Example—savings	Commonwealth
Dependent children		

9. THE NATURE OF ANY OTHER ASSETS (EXCLUDING HOUSEHOLD AND PERSONAL EFFECTS) EACH VALUED AT MORE THAN \$7,500 (See Explanatory Notes)

(Note: It is NOT necessary to declare the value of any other asset)	
Spouse or partner	Nature of any other assets
	Example—life insurance
Dependent children	

10. THE NATURE OF ANY OTHER SUBSTANTIAL SOURCES OF INCOME (See Explanatory Notes)

(Note: It is NOT necessary to declare the amount of the income)	
Spouse or partner	Nature of income
	Example—shareholdings
Dependent children	

11. GIFTS VALUED AT MORE THAN \$750 RECEIVED FROM OFFICIAL SOURCES (such sources being an Australian or foreign national, State, provincial or local Government or a person holding an office in such a Government) OR AT \$300 OR MORE WHERE RECEIVED FROM OTHER THAN OFFICIAL SOURCES, provided that a gift received by a Senator, the Senator's spouse or partner or dependent children from family members or personal friends in a purely personal capacity need not be registered unless the Senator judges that an appearance of conflict of interest may be seen to exist. (See Explanatory Notes)

(Note: It is NOT necessary to declare the value of the sponsored travel etc.)	
Spouse or partner	Details of gifts
	Example—laptop computer from ABC Pty Ltd
Dependent children	

12. ANY SPONSORED TRAVEL OR HOSPITALITY RECEIVED WHERE THE VALUE OF THE SPONSORSHIP OR HOSPITALITY EXCEEDS \$300 (See Explanatory Notes)

(Note: It is NOT necessary to declare the value of the sponsored travel etc.)	
Spouse or partner	Details of travel/hospitality
	Example—Upgrade from business to first class on QF123, Sydney to LA on [date]; tickets and hospitality, Australian Open tennis final on [date], Kenbank
Dependent children	

13. BEING AN OFFICE HOLDER OF OR FINANCIAL CONTRIBUTOR DONATING \$300 OR MORE IN ANY SINGLE CALENDAR YEAR TO ANY ORGANISATION (See Explanatory Notes)

Spouse or partner	Name of organisation
	Example—President, NSW Women’s Guild; Donor—UNICEF
Dependent children	

14. ANY OTHER INTERESTS WHERE A CONFLICT OF INTEREST WITH A SENATOR’S PUBLIC DUTIES COULD FORESEEABLY ARISE OR BE SEEN TO ARISE (See Explanatory Notes)

Spouse or partner	Nature of interest
Dependent children	

CONFIDENTIAL
FORM B



NOTIFICATION OF ALTERATION OF INTERESTS DECLARED

FORM B – SPOUSE OR PARTNER AND DEPENDENT CHILDREN

Surname:	Other Names:
(please print)	
State/Territory:	
Signature:	Date:

I wish to alter my statement of interests as follows:

ADDITION

Item No.*	Details
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DELETION

Item No.*	Details
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*See Statement of Registrable Interests form or Explanatory Notes for the item no.

Send the original, signed form to the Registrar of Senators' Interests, Parliament House, Canberra, ACT 2600

Administrative arrangements for the compilation and maintenance of the register

The Committee of Senators' Interests, in accordance with the resolution of the Senate relating to the registration of senators' interests, has determined the following arrangements for the compilation and maintenance of the Register of Senators' Interests.

Compilation

- (1) A senator's statement of registrable interests is to be provided on two forms –
 - (a) Form A – Senators, on which shall be recorded the registrable interests of the senator; and
 - (b) Form B – Spouses or Partners and Dependent Children, on which shall be recorded, to the extent that the senator is aware of them, the registrable interests of a spouse or partner and any dependent children.

If a senator does not have a spouse or partner, or dependent children, Form B does not need to be completed or lodged. To assist senators, the Registrar of Senators' Interests will issue a notice in hard copy and by email to all senators when a new statement is due and one further reminder by the same means.

Form A, and as applicable, Form B together shall comprise a senator's statement of interests but, in accordance with the Senate's resolution, only Form A will be tabled and be available for public inspection.

- (2) Amendments to either form should be notified to the Registrar of Senators' Interests on the 'Notification of Alteration of Interests Declared' form, where possible. Amendments may be notified by letter but, in either case, must be in writing.
- (3) All forms are published on the committee's website at:
http://www.aph.gov.au/Senate/committee/interests_ctte/index.htm
either for printing and completing by hand or for completing electronically before printing.
- (4) A statement of interests or notification of alteration of interests must be signed by a senator and lodged, as an original document (i.e., not faxed), with the:

Registrar of Senators' Interests
The Senate
Parliament House
CANBERRA ACT 2600.

Senators who use the electronic version of the forms should print a hard copy and sign that.

- (5) Notifications of alterations of interests, declared on Form A or by letter, will form part of the register. Such notifications will be placed in the register after the statement of interests of the senator concerned, in the order of receipt.
- (6) The Registrar of Senators' Interests will, by email, acknowledge receipt of all statements and notifications of alterations.
- (7) Statements of interests will be placed in the register in alphabetical order by senators' surname.

- (8) To assist senators, the committee has prepared Explanatory Notes. These are for the guidance of senators and are not meant to cover every situation. The attention of senators is drawn to the following statement in the Explanatory Notes:

No form can cover all possible circumstances and senators should consequently bear in mind the purpose and spirit of the return in deciding which matters should be registered.

- (9) The Explanatory Notes explain the list of registrable interests set out in the Senate resolution and provide examples of interests which, in the opinion of the committee, need or need not be declared under the terms of the Senate's resolution. The Explanatory Notes will be revised from time to time to reflect the views of the committee on the interpretation of the resolution, but the committee's views are for the guidance of senators. In the end, each senator must make his or her own decision as to interests which fall within the terms of the resolution. Note that it is not the role of the Registrar of Senators' Interests to give advice on the interpretation of the resolution.

Maintenance

- (10) The original statements of interests, and notifications of alterations, will be kept on individual files for each senator. Correspondence with the senator will also be kept on the individual file. Only the senator concerned, the committee and the Registrar of Senators' Interests will have access to the file.
- (11) Forms A and B, and notifications of alterations of interests, are to be date stamped with the registry stamp. Two copies will be made of Form A and any notifications of alterations of interests declared on Form A. One copy is for tabling, and the other is for the register available for public inspection.
- (12) The register available for public inspection will be available from the 28th day after any of the events identified in paragraphs 1(a), (b) or (c) of resolution 1 until the date of tabling of the next full register and will contain all material provided to the Registrar of Senators' Interests during that period.
- (13) The register will be closed off and prepared for tabling immediately after the deadline for receipt of statements has passed. Any statements not lodged by the deadline will be available for inspection on receipt by the Registrar and will be included in the next tabled volume of alterations.
- (14) Notifications of alterations of interests will become public from the date of receipt. In accordance with the Senate's resolution, notifications of alterations of interests will be tabled at least every six months.
- (15) The responsibility for notifying alterations to a statement of interests is, under the terms of the Senate's resolution, that of each senator. To assist senators, the Registrar of Senators' Interests will, at least twice a year, issue a reminder notice in hard copy and by email.
- (16) New statements of interests are to be provided at the times specified in resolution 1. The new statement should include details of benefits received since the last notification of alterations of interests, and interests as at the date of making and subscribing an oath or affirmation of allegiance.

- (17) New senators should declare any benefits received which fall within the terms of the Senate's resolution from the date of their election or choice as a senator, and other interests from the date of making and subscribing an oath or affirmation of allegiance.
- (18) Access to the register available for public inspection will continue during and after an election until such time as a new register is tabled. A senator's statement of interests will be removed from the register from the date that the senator ceases to be a senator. The public will, however, continue to have access to statements of past senators which have been tabled in the Senate through the Table Office.

Notification by email

- (19) Email notifications referred to in the preceding paragraphs will be sent to senators' Parliament House email addresses and to any other email address notified to the Registrar. It is the responsibility of individual senators to inform the Registrar of any changes to these additional email addresses. The Registrar's email address is: senators.interests@aph.gov.au.

**PART 2 — GIFTS TO THE SENATE AND THE
PARLIAMENT**

Resolution relating to declaration of gifts to the senate and the parliament

- (1) (a) Any senator, including any Senate officer-holder and any senator who is a leader or a member of a parliamentary delegation, who in any capacity receives any gift which is intended by the donor to be a gift to the Senate or the Parliament must, as soon as practicable, place the gift in the custody of the Registrar of Senators' Interests and declare receipt of the gift to the Registrar.
- (b) A gift is to be taken as intended to be a gift to the Senate or the Parliament where:
 - (i) the donor expressly states that the gift is to the Senate or to the Parliament; or
 - (ii) the identity of the donor, the nature of the occasion, or the intrinsic significance or value of the gift is such that it is reasonable to assume that the gift was intended for the Senate or the Parliament.
- (ba) In the absence of express intent, it will not be assumed that a gift was intended for the Senate or the Parliament where the gift has a value below the following thresholds:
 - (iii) \$750 when given by an official government source; or
 - (iv) \$300 when given by a private person or non-government body on any occasion when the senator is present in his or her capacity as a senator, Senate office-holder or delegation leader or member.
- (bb) In the absence of express intent, it will not be assumed that a gift was intended for the Senate or the Parliament merely because the gift has a value above those thresholds.
- (c) The Registrar of Senators' Interests is to maintain a public Register of Gifts to the Senate and the Parliament.
- (d) The Committee of Senators' Interests is to recommend to the President whether, and how, the gift may be used or displayed in Parliament House, including in the office of any senator, or used or displayed on loan elsewhere, including in a museum, library, gallery, court building, government building, government office or other place.
- (e) Where a gift given to a senator is intended to be for the Parliament, the President is to consult with the Speaker prior to agreeing to a recommendation of the committee as to its use, display or loan.
- (f) Where the President disagrees with a recommendation of the committee, the President is to report the disagreement to the Senate, which may determine the use, display or loan of the gift in question.
- (g) In making recommendations the committee is to take into account the intention of the Senate that gifts are to be used, displayed or loaned in a way which:
 - (i) reflects proper respect for the intentions of the donor and the dignity of the Senate or the Parliament;

- (ii) recognises the interest of the public in gifts to the Senate or the Parliament; and
 - (iii) takes account of practical issues including space, custody, preservation and propriety in the use, display or loan of such gifts.
 - (h) Where a senator is uncertain of the nature of a gift the senator may request advice from the committee.
 - (i) When a senator who is using or displaying a gift ceases to be a senator, he or she may retain the gift:
 - (i) if its value does not exceed the stated valuation limits of \$750 for a gift received from an official government source, or \$300 from a private person or non-government body; or
 - (ii) if the senator elects to pay the difference between the stated valuation limit and the value of the gift, as obtained from an accredited valuer selected from the list issued by the Committee for Taxation Incentives for the Arts. The Department of the Senate will be responsible for any costs incurred in obtaining the valuation.
 - (j) If the senator does not retain the gift in accordance with paragraph (i), the senator must return the gift to the registrar, who shall:
 - (i) dispose of it in accordance with instructions from the Committee of Senators' Interests, as set out in paragraph 1(d); or
 - (ii) arrange its donation to a nominated non-profit organisation or charity, at the discretion of the senator who has returned the gift and the Committee of Senators' Interests.
 - (k) Any senator subject to paragraph (j) must formally acknowledge relinquishment of the senator's claim to ownership of any surrendered gifts.
 - (l) Where a senator disagrees with the advice of the committee the senator is to report the disagreement to the Senate, which may determine the nature of the gift and its use, display or loan, if any.
 - (m) In paragraph (1) a reference to a gift to the Parliament includes a gift given to a senator for the House of Representatives.
- (2) This resolution applies to a gift received by the spouse, family member or staff member of a senator on any occasion when the senator is present in his or her capacity as a senator, Senate office-holder or delegation leader or member, as if the gift had been received by the senator.
- (2) The committee:
- (a) is empowered to consider any matter placed before it pursuant to this resolution, and for the purposes of this resolution the committee has the powers provided in the resolution of 17 March 1994 establishing the committee; and
 - (b) may make, and must as soon as practicable thereafter table, procedural rules to facilitate the operation of this resolution.
- (3) Any senator who:

- (a) knowingly fails to tender and declare a gift that is taken to be a gift to the Senate or the Parliament as required by this resolution; or
- (b) knowingly fails to return to the Registrar a gift which it was agreed or determined the senator might use or display; or
- (c) knowingly provides false or misleading information to the Registrar or the committee,

is guilty of a serious contempt of the Senate and is to be dealt with by the Senate accordingly, but the question whether any senator has committed such a contempt is to be referred to the Privileges Committee for inquiry and report and may not be considered by any other committee.

(26 August 1997 J.117, amended 8 December 1999 J.2212, and 15 September 2003)

Procedural rules for declaration and preservation of gifts

(agreed to by Committee of Senators' Interests 15 May 2002; amended 9 February 2005)

On 26 August 1997, the Senate adopted new rules for the declaration by senators of gifts presented to them but intended by the donor to be for the Senate or the Parliament. The new rules apply to all senators. However, they will mostly affect Senate office-holders (for example, the President or the Deputy President) and senators who are leaders or members of parliamentary delegations travelling overseas.

It is the responsibility of senators to declare and surrender gifts that are intended to be institutional rather than personal. Uncertainty as to whether a gift is an institutional gift rather than a personal gift will be resolved by the Committee of Senators' Interests or the Senate.

Compilation of the register

1. A senator who receives a gift intended by the donor for the Senate (or the Parliament) is to declare receipt of it to the Registrar of Senators' Interests by completing and signing the approved form. To preserve both an audit and an historical record of such institutional gifts, the form is to be completed in full. The form is to be returned to the registrar within 28 days of receipt of the gift.
2. Where a senator's spouse, family member or staff member receives such a gift on an occasion when the senator is present in his or her capacity as a senator, the senator is to declare receipt of the gift on the approved form as if it had been received by the senator.
3. The gift must, as soon as possible, be placed in the custody of the Registrar of Senators' Interests until the President or the Senate, on the recommendation of the committee, determines how the gift is to be used, displayed or loaned.
4. Declarations of receipt of gifts will be placed in the Register of Gifts to the Senate and the Parliament in alphabetical order under the name of the senator receiving the gift.
5. The register will also contain a chronological list of gifts received with the name of the recipient senator, the name of the donor, and a description of the gift and its current location.

Maintenance of the Register

6. The original of a senator's declaration of receipt of a gift to the Senate or the Parliament will be kept on a registry file. A copy, date stamped with the registry stamp, will be placed on the register.
7. Declarations are public from the date of receipt.
8. New declarations will be tabled in the Senate within six months of receipt, preferably in June and December.
9. The registrar will write to the Parliamentary Relations Office (PRO) at least twice a year to remind PRO officers assisting senators on delegations and travelling abroad of the requirements of the Senate resolution. Senate officers who accompany senators overseas should familiarise themselves with the terms of the resolution and these explanatory notes.

- 9A. Any proposed changes to handbooks prepared by the Parliamentary Relations Office (PRO) concerning receipt of gifts by senators should be sent to the registrar, to enable consideration by the Committee of Senators' Interests.
- 9B. Any changes to these rules, or to Senate resolutions relating to declarations of gifts by senators, should be advised to the PRO as soon as possible after such changes are made.
- 9C. Senate officers who accompany senators overseas should familiarise themselves with the terms of the resolution and these explanatory notes.
10. A declaration will remain on the register as long as the gift remains in the possession, custody or control of the Senate or the Parliament. Declarations in the name of senators who are former members of the Senate will be held in a volume of the register separate from the volume holding declarations of serving senators.
11. A signed statement by the registrar of the current location of the declared gift will be displayed in the register with each senator's declaration of receipt of a gift.
12. Superseded statements of location will be retained on file with the original copy of the declaration.

Preservation of gifts declared in the register

13. Before recommending to the President whether and how a gift is to be used or displayed in Parliament House or used or displayed on loan elsewhere, the committee will, if appropriate, seek the advice of the Department of Parliamentary Services on how best the gift might be physically preserved, and used, displayed or loaned.
14. A person or body (including a senator) to whom the President or the Senate grants the right to use or display a gift will give an undertaking to observe the appropriate duty of care and return the gift on request of the President to the custody of the registrar.

THE SENATE

REGISTER OF GIFTS TO THE SENATE AND THE PARLIAMENT

SENATOR'S DECLARATION OF RECEIPT OF A GIFT INTENDED OR ASSUMED TO BE FOR THE SENATE OR THE PARLIAMENT

Senator's name:

State/Territory:

Gift received by:

(Self or spouse or family member or staff member)

Donor:

(Name and position)

Occasion:

(date, place and circumstances of donation)

Description of gift:

.....

The gift is taken to be a gift to the Senate or the Parliament because:

(either there was a statement of intention by the donor or this is assumed from the circumstances of the donation).

.....
.....

.....
.....

Senator's signature: _____ Date: ____/____/____

PART 3 — ACCESS TO REGISTERS

Conditions of access to registers of senators' interests and gifts to the senate and the parliament

The conditions of public access to the Register of Senators' Interests and the Register of Gifts to the Senate and the Parliament are as follows:

- (1) Public access to the registers is by appointment with the Registrar of Senators' Interests, Room SG39, Parliament House Canberra, phone 6277 3360, fax 6277 3199, generally between the hours of 10.00am and 12.00 noon and 2.00pm and 4.00pm, Monday to Friday (public holidays excepted). Access is to be supervised.
- (2) Access is to the whole register.
- (3) Inquirers may make notes. A photocopy of a senator's statement or declaration may be supplied if requested. In all cases, a photocopy will be supplied only of a senator's complete statement or declaration, and not extracts. A copy of a statement or declaration may be collected in person or may be sent by post or facsimile.

Note: If the amount of photocopying involved becomes excessive, the committee reserves the right to levy a charge for the provision of photocopies.

- (4) The following access records will be maintained: name of inquirer (and organisation, if relevant), date and time of inspection, and total number of pages photocopied.
- (5) Details from the register (eg advice as to whether a particular senator has or has not declared a particular interest or notified a particular alteration) will not be provided over the telephone.

Access to the registers available for public inspection will continue during and after an election until such time as new registers are tabled.

A senator's statement of interests will be removed from the register from the date that the senator ceases to be a senator. Declarations of gifts in the name of senators who are former members of the Senate will be held in a volume of the register separate from the volume holding declarations of serving senators. The public will, however, continue to have access to past senators' statements and declarations which have been tabled in the Senate, through the Table Office.

**PART 4 — COMMITTEE OF SENATORS'
INTERESTS**

Committee of Senators' Interests

Standing Order 22A

The committee is established under standing order 22A which provides -

- (1) A Committee of Senators' Interests shall be appointed at the commencement of each Parliament:
 - (a) to inquire into and report upon the arrangements made for the compilation, maintenance and accessibility of a Register of Senators' Interests;
 - (b) to consider any proposals made by senators and others as to the form and content of the register;
 - (c) to consider any submissions made in relation to the registering or declaring of interests;
 - (d) to consider what classes of person, if any, other than senators ought to be required to register and declare their interests; and
 - (e) to make recommendations upon these and any other matters which are relevant.
- (2)
 - (a) The membership of the committee shall as closely as possible reflect the composition of the Senate and, until modified by a subsequent resolution, shall consist of 8 senators, 3 nominated by the Leader of the Government in the Senate, 4 nominated by the Leader of the Opposition in the Senate and 1 nominated by any minority groups or independent senators.
 - (b) The nominations of the minority groups or independent senators shall be determined by agreement between the minority groups and independent senators, and, in the absence of agreement duly notified to the President, the question of the representation on the committee shall be determined by the Senate.
- (3) The committee shall elect as its chair one of its members nominated by the Leader of the Opposition in the Senate.
- (4) The quorum of the committee shall be 3 members.
- (5) The chairman may from time to time appoint a member of the committee to be deputy chairman, and the member so appointed shall act as chairman of the committee when there is no chairman or the chairman is not present at a meeting of the committee.
- (6) Where votes on a question before the committee are equally divided, the chairman, or the deputy chairman when acting as chairman, shall have a casting vote.
- (7) The committee shall have power to send for persons or documents, but shall not exercise that power, nor undertake an investigation of the private interests of any person, except in accordance with a decision agreed to by not less than 3 members of the committee other than the chairman.
- (8) The committee shall have power to confer with a similar committee of the House of Representatives.

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

Membership of the committee is listed on the committee's website:
http://www.aph.gov.au/Senate/committee/interests_ctte/index.htm