
The Parliament of the Commonwealth of Australia

Register of Members' Interests

Complaint concerning the Member for Pearce

**House of Representatives
Committee of Privileges and Members' Interests**

November 2021
Canberra

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Membership of the Committee

Chair Mr Russell Broadbent MP

Deputy Chair Mr Patrick Gorman MP

Members Hon Kevin Andrews MP

Hon Damian Drum MP

Hon Joel Fitzgibbon MP (nominee of the Deputy Leader of the Opposition)

Mr Ian Goodenough MP

Mr Julian Leeser MP (nominee of the Leader of the House)

Ms Joanne Ryan MP

Hon Warren Snowdon MP

Ms Anika Wells MP

Mr Trent Zimmerman MP

Committee Secretariat

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Terms of reference

Pursuant to standing order 216(a)(iv), the Committee of Privileges and Members' Interests shall consider specific complaints about registering or declaring interests.

Consideration of specific complaint

- 1.1 The Standing Committee of Privileges and Members' Interests received correspondence from the Member for Isaacs on 18 October 2021, conveying a complaint under standing order 216(a)(iv) regarding the alteration to the Statement of Registerable Interests of the Member for Pearce lodged on 13 September 2021.
- 1.2 The alteration lodged by the Member for Pearce identified the part contribution by a blind trust to his personal legal fees, without disclosing any details about the contributors to the trust.
- 1.3 The Committee requested a response to this complaint, from the Member for Pearce, which was received on 17 November 2021.
- 1.4 As with all members, it is a matter for the Member for Pearce if he wishes to provide further information to the Parliament.
- 1.5 Having carefully considered the information provided, the Committee concludes that the declaration by the Member for Pearce was consistent with his obligations under the Resolution¹ on the Registration of Members' Interests. However, the Committee considers all Members should seek to provide the greatest level of transparency in the disclosure of the source of gifts received by them.

¹ The resolution is reproduced in full at Appendix A.

1.6 The Explanatory Notes on the Statement of Registrable Interests, published under the authorisation of this Committee, state:

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

1.7 As the current arrangements are inadequate, the Committee considers that additional detail within the requirements of the Register would assist Members in meeting the expectations of the House. Therefore, as a result of our deliberations the Committee has begun work on changes we believe are necessary to the requirements of the Register of Members' Interests, in order to ensure the requirements more comprehensively reflect the intent and integrity of the Register.

Mr Russell Broadbent MP
Chair
29 November 2021



Appendix A: Resolution relating to the registration of Members' interests

Registration of Members' interests

Requirements of the House of Representatives

Resolution adopted 9 October 1984 a.m., amended 13 February 1986, 22 October 1986, 30 November 1988, 9 November 1994, 6 November 2003, 13 February 2008 a.m. and 19 September 2019

(1) Registration of Members' interests

That—

- (a) 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—
 - (i) the Member's registrable interests, and
 - (ii) the registrable interests of which the Member is aware (a) of the Member's spouse/partner 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 or by the Committee of Privileges and 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, and
- (b) the statement to be provided by a Member shall include:
 - (i) in the case of a Member who was not a Member of the House of Representatives in the immediately preceding Parliament, interests held at the date of his or her election and any alteration of interests which has occurred between that date and the date of completion of the statement, and
 - (ii) in the case of a Member who was a Member of the House of Representatives in the immediately preceding Parliament, interests held at the date of dissolution of the House of Representatives in the previous Parliament and any alteration of interests which has occurred between that date and the date of completion of the statement.

(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/partner 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/partner, 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/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 over \$7,500;
- (j) the nature of any other substantial sources of income;
- (k) gifts valued at more than \$750 received from official sources, or at more than \$300 where received from other than official sources provided that a gift received by a Member, the Member's spouse/partner 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 where the value of the sponsored travel or hospitality exceeds \$300;
- (m) membership of any organisation where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise, 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 assist the Committee of Privileges and Members' Interests in relation to matters concerning Members' interests;
- (b) the Registrar of Members' Interests shall, in accordance with procedures determined by the Committee of Privileges and 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 Registrar of Members' Interests shall publish online the completed Register of Members' Interests and shall also publish online 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 Privileges and Members' Interests from time to time.

Additional resolution adopted 13 February 1986

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
- (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.

