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The Parliament of the Commonwealth of Australia

# **Report concerning the registration and declaration of Members' interests during 2019**

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

February 2020  
Canberra

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# Membership of the Committee

## 45th Parliament

**Chair** Mr Ross Vasta MP

**Deputy Chair** Mr Pat Conroy MP

**Members** Hon Kevin Andrews MP

Hon Joel Fitzgibbon MP

Mr Andrew Giles MP

Mr Ian Goodenough MP

Mr Steve Irons MP (to 28 August 2018)

Ms Michelle Landry MP (to 28 August 2018)

Mrs Nola Marino MP

Mr Ted O'Brien MP (from 10 September 2018)

Hon Warren Snowdon MP (nominee of the Deputy Leader of the Opposition)

Hon Wayne Swan MP

Mr Trent Zimmerman MP (from 11 September 2018)  
(nominee of the Leader of the House)

— *membership information reflects changes in reporting year, 2019, only*

## **46th Parliament**

**Chair** Mr Russell Broadbent MP

**Deputy Chair** Mr Patrick Gorman MP

**Members** Hon Kevin Andrews MP

Hon Anthony Byrne 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)

Mr Llew O'Brien MP

Hon Warren Snowdon MP

Ms Anika Wells MP

Mr Trent Zimmerman MP

## **Committee secretariat**

**Secretary** Ms Claressa Surtees (to 11 April 2019)  
Mr Peter Banson (from 2 July 2019)

**Registrar of Members' Interests** Ms Claressa Surtees (to 18 September 2019)  
Ms Catherine Cornish (from 18 September 2019)

**Research Officer** Mr Peter Banson (to 11 April 2019)  
Ms Peggy Danaee (from 2 July 2019)

**Assistant** Ms Debbie Hardie

## Introduction

1. Under the provisions of standing order 216 by which the committee is established, the committee is required, as soon as practicable after each 31 December, to prepare and table in the House a report on its operations in connection with the registration and declaration of Members' interests during that year.
2. This is the report of the committee for the calendar year 2019.

## Responsibilities of the committee

3. Standing order 216 sets out the following terms of reference for the committee:
  - (a) A Committee of Privileges and Members' Interests shall be appointed to:
    - (i) inquire into and report on complaints of breach of privilege or contempt which may be referred to it by the House under *standing order 51* or by the Speaker under *standing order 52*, or any other related matter referred to it by or in accordance with a resolution of the House;
    - (ii) inquire into and report on the arrangements made for the compilation, maintenance and accessibility of a Register of Members' Interests;
    - (iii) consider proposals by Members and others on the form and content of the Register of Members' Interests;
    - (iv) consider specific complaints about registering or declaring interests;
    - (v) consider possible changes to any code of conduct adopted by the House; and
    - (vi) consider whether specified persons (other than Members) ought to be required to register and declare their interests.
  - (b) The committee shall consist of 11 members: the Leader of the House or his or her nominee, the Deputy Leader of the Opposition or his or her nominee and nine other members, five government and four non-government Members. When the Opposition is composed of two parties, the non-government Members shall consist of at least one member of the smaller opposition party.
  - (c) The committee may call for witnesses and documents, but when considering a matter concerning the registration or declaration of Members' interests it must not exercise that power or undertake an investigation of a person's private interests unless the action is approved by at least 6 members of the committee other than the Chair.

(d) The committee may report when it sees fit, and must report to the House on its operations in connection with the registration and declaration of Members' interests during the year as soon as possible after 31 December each year.

4. A report in accordance with these terms of reference follows.

### **Arrangements made for the compilation, maintenance and accessibility of the Register**

5. Since 1986 arrangements approved by the committee provide that the Register may be inspected, by appointment, between 10 am and 12 noon and 2 pm and 4 pm on working days in the office of the Registrar. In addition the Registrar may grant permission for the Register to be inspected outside of those hours if the Registrar is satisfied that the circumstances surrounding the request warrant the exercise of such a discretion.

6. The publication of the statements of Members' interests on the Parliament's website was implemented at the commencement of the 43rd Parliament. This has been a very significant change to accessibility of the statements.

7. In total the Register was inspected on five occasions in 2019. These inspections take no account of the use of copies of statements of interests and notifications of alterations of interests tabled by the Chair and made available through the Table Office nor of the number of visits to the committee's electronic version of the Register. The number of inspections continues to fall as a result of making the Register available online.

8. On 14 February 2019, copies of statements of registrable interests and notifications of alterations of interests received during the period 27 June 2018 and 4 December 2018 were tabled by the Chair. On 1 August 2019 the Chair tabled copies of notifications of alterations of interests received during the period 4 December 2018 to 10 April 2019. On 9 September 2019 the Chair tabled a copy of the Register of Members' Interests for the 46th Parliament.

9. At its last meeting in the 45th Parliament the Committee resolved to implement online registration of Members' interests from the commencement of the 46th Parliament, and to make the committee's explanatory notes in relation to registrable interests to be made available on the website. This was implemented.

10. At its first meeting in the 46th Parliament the Committee considered clause (3)(c) of the resolution of the House *Registration of Members' interests—Requirements of the House of Representatives* that requires the Committee to table in the House copies of the full register and alterations received from Members from time to time. Because all statements are routinely published on the parliamentary website, the Committee concluded there was no longer a benefit in retaining the requirement to table hard copies of the full register and

alterations in the House. The Committee wrote to the Leader of the House asking that the proposed amendments to the resolution be put to the House for consideration. On 19 September 2019 the amendments were proposed and adopted, along with amendments recommended by the Committee in its report presented on 14 February 2019 in relation to the form and content of the Register.

### **Proposals made by Members and others on the form and content of the Register**

11. One proposal, from a Member, was received for an alteration of the form and content of the Register. In November 2018 the Member for Indi, Ms Cathy McGowan, wrote to the Committee to propose an alteration of the resolutions to allow Members to choose the term ‘partner’ in preference to the term ‘spouse’. In its report presented on 14 February 2019 the Committee noted the language used in the resolutions largely reflected the form used in 1984 when the first resolution was adopted. The Committee recommended that the resolutions be amended to replace the term ‘spouse’ with ‘spouse/partner’. On 19 September 2019 amendments to replace the term ‘spouse’ with ‘spouse/partner’ were proposed and adopted. The Explanatory Notes for Members were updated accordingly, along with an explanation that this change was not considered to change the scope of registration requirements, but to modernise the language.

### **Specific complaints made about the registering or declaring of interests**

12. In February 2019 the Committee received a specific complaint about a Member’s compliance with the House resolutions on registration of Members’ interests. The Committee considered the complaint at its final meeting for the 45th Parliament but did not reach a conclusion. The re-established Committee of the 46th Parliament noted that the complaint raised in the letter had been addressed by other means and decided not to pursue the matter further.

### **Changes to any code of conduct**

13. The House has not adopted a code of conduct for Members.

### **Registration of interests by other classes of person**

14. No issues were considered in this area during the year.

Russell Broadbent MP  
CHAIR