



9 December 2020

Senators' qualifications – Statement in relation to section 44 and 45 of the Constitution – For senators appointed to fill casual vacancies

SENATOR'S NAME

Ben Small

1. Do you know the place of birth of each of your parents and grandparents (whether biological or adoptive)?

YES NO

1a. Please provide any relevant details:

(for example, why you do not know the place of birth of a parent or grandparent)

Other relevant details relating to your knowledge of your parents' and grandparents' places of birth

Please provide particulars of, or documents related to, any details provided in response to question 1a. These will be published with this Statement on the Register of Senators' Qualifications.

2. Do you have a parent or grandparent that you know was born in another country? This may be a biological or adoptive parent or grandparent.

(If you do not know any of your parents' or grandparents' places of birth, please mark the 'N/A' box.)

YES NO N/A

2a. If 'yes', please provide the following details, to the extent known:

Relationship to you (eg mother or adoptive father)	Place of birth	Date of birth
Father	New Zealand	28 September 1955
Paternal Grandmother	New Zealand	1930
Paternal Grandfather	New Zealand	1932
Maternal Grandfather	United Kingdom	1921

NOTES

- (1) This statement is required by resolution of the Senate of 3 April 2019, paragraph (7).
- (2) If there is insufficient space on this form for the information you are required to provide, you may attach additional pages for that purpose. An electronic file of this form is available on www.aph.gov.au/senators_interests.
- (3) Email a signed copy of this statement to the Registrar of Senators' Interests: senators_interests@aph.gov.au.

2b. Please provide any other relevant details:

Other relevant details relating to your parents' and grandparents' places and dates of birth

Father was a Permanent Resident of Australia at the time of my birth

Please provide particulars of, or documents related to, any details provided in response to questions 2a and 2b. These will be published with this Statement on the Register of Senators' Qualifications.

3. Have you provided details in question 2a in relation to each parent and grandparent that you know was born in another country?

(If you do not know any of your parents' or grandparents' places of birth, please mark the 'N/A' box.)

YES NO N/A

3a. If 'no', please explain why you have not provided those details:

Explanation of why you have not provided details relating to each parent and grandparent that you know was born in another country

4. Do you know which citizenships have been held by each of your parents and grandparents (whether biological or adoptive)?

YES NO

4a. Please provide any relevant details:

(for example, why you do not know the citizenships held at a particular time by a particular parent or grandparent)

Other relevant details relating to your knowledge of your parents' and grandparents' citizenships

Please provide particulars of, or documents related to, any details provided in response to question 4a. These will be published with this Statement on the Register of Senators' Qualifications

5. Do you have a parent or grandparent that you know acquired citizenship of another country by descent, naturalisation or other means? This may be a biological or adoptive parent or grandparent.

(If you do not know any of your parents' or grandparents' citizenship, please mark the 'N/A' box.)

YES NO N/A

5a. If 'yes', please provide the following details, to the extent known:

Relationship to you (eg mother or adoptive father)	Country of foreign citizenship	Period foreign citizenship held

5b. Please provide any other relevant details:

Other relevant details relating to your parents' and grandparents' foreign citizenships

Please provide particulars of, or documents related to, any details provided in response to questions 5a and 5b. These will be published with this Statement on the Register of Senators' Qualifications.

6. Have you provided details in question 5a in relation to each parent and grandparent that you know acquired citizenship of another country by descent, naturalisation or other means?

(If you do not know any of your parents' or grandparents' citizenship, please mark the 'N/A' box.)

YES NO N/A

6a. If 'no', please explain why you have not provided those details:

Explanation of why you have not provided details relating to each parent and grandparent that you know acquired citizenship of another country

7. Do you know which citizenships have been held by each of your current and former spouses and similar partners?

(If you do not have a current or former spouse or similar partner, please mark the 'N/A' box.)

YES NO N/A

7a. Please provide any relevant details:

(for example, why you do not know the particular citizenships held at a particular time by a current or former spouse or similar partner)

Other relevant details relating to your knowledge of the citizenships of your current and former spouses and similar partners

Please provide particulars of, or documents related to, any details provided in response to question 7a. These will be published with this Statement on the Register of Senators' Qualifications.

8. Do you have a current or former spouse or similar partner who you know is or was a citizen of another country?

(If you do not have a current or former spouse or similar partner, or you do not know the citizenship of any of your current or former spouses or similar partners, please mark the 'N/A' box.)

YES NO N/A

8a. If 'yes', please provide the following details, to the extent known:

Relationship to you (eg wife or former de facto partner)	Country of foreign citizenship	Was foreign citizenship held at the time of marriage? (if applicable)

8b. Please provide any other relevant details:

(for example, whether you acquired foreign citizenship because of a spouse's foreign citizenship)

Other relevant details relating to your knowledge of the citizenships of your current and former spouses and similar partners

Please provide particulars of, or documents related to, any details provided in response to questions 8a and 8b. These will be published with this Statement on the Register of Senators' Qualifications.

9. Have you provided details in question 8a in relation to each current or former spouse or similar partner that you know is or was a citizen of another country?

(If you do not have a current or former spouse or similar partner, or you do not know the citizenship of any of your current or former spouses or similar partners, please mark the 'N/A' box.)

YES NO N/A

9a. If 'no', please explain why you have not provided those details:

Explanation of why you have not provided details relating to each current or former spouse or similar partner that you know is or was a citizen of another country

10. Have you ever been a subject or citizen of any country other than Australia?

YES NO UNKNOWN

10a. If 'yes', please provide the following details, to the extent known:

Country of foreign citizenship	Manner in which foreign citizenship was lost (if applicable)	Date of losing foreign citizenship (if applicable)

If you contend that you have renounced or lost your foreign citizenship, you **must provide at least one document** that you are satisfied supports your contention. (The document may be an official document, or if you have no official document, a statutory declaration.) This will be published with this Statement on the Register of Senators' Qualifications.

10b. Please provide any other relevant details:

(for example, how you lost your foreign citizenship, or why the response to question 10 is unknown)

Other relevant details relating to the loss of your foreign citizenship

In addition to the requirement to provide at least one document mentioned under question 10a, please provide particulars of, or documents related to, any other details provided in response to questions 10a and 10b. These will be published with this Statement on the Register of Senators' Qualifications.

11. Are you now a subject or citizen of any country other than Australia?

YES NO UNKNOWN

11a. If 'yes', please provide the following details, to the extent known:

Country of foreign citizenship	Date of acquiring foreign citizenship

11b. Please provide any other relevant details:

(for example, why you are prevented from renouncing your foreign citizenship, or why the response to question 11 is unknown)

Other relevant details relating to possible disqualification by reason of section 44(i) of the Australian Constitution

Please provide particulars of, and documents related to, any details provided in your response to questions 11a and 11b. These will be published with this checklist on the Committee's website.

12. Are you under sentence or subject to be sentenced, for an offence for which you have been convicted, which is punishable by imprisonment for one year or longer?

NOTE: A person convicted of an offence with a maximum penalty of imprisonment for one year or longer may be disqualified even if the sentence imposed on the person for the offence is less than the maximum penalty.

YES NO

12a. If 'yes', please provide any relevant details:

Relevant details relating to possible disqualification by reason of section 44(ii) of the Australian Constitution

Please provide particulars of, and documents related to, any details provided in your response to question 12a. These will be published with this Statement on the Register of Senators' Qualifications.

13. Are you an undischarged bankrupt or insolvent?

YES NO

13a. If 'yes', please provide any relevant details:

Relevant details relating to possible disqualification by reason of section 44(iii) of the Australian Constitution

Please provide particulars of, and documents related to, any details provided in your response to question 13a. These will be published with this Statement on the Register of Senators' Qualifications.

14. Do you hold an office of profit under the Crown, other than an office expressly exempt from section 44(iv) of the Australian Constitution?

(Offices of profit under the Crown include, for example, many public sector jobs in Australia.)

YES NO UNKNOWN

14a. Please provide any relevant details, to the extent known

(for example, the relevant body in which you hold the office of profit and your role, or why the response to question 14 is unknown)

Relevant details relating to possible disqualification by reason of section 44(iv) of the Australian Constitution

Please provide particulars of, and documents related to, any details provided in your response to question 14a. These will be published with this Statement on the Register of Senators' Qualifications.

15. Do you have a direct or indirect financial interest in any contract or other agreement with the Commonwealth public service? Do not count an interest that is expressly excluded from section 44(v) of the Australian Constitution, such as a shareholding in a company that has 25 or more other shareholders.

NOTE: Section 44(v) may disqualify you even if you are not a party to the relevant contract or agreement. A disqualifying financial interest may arise, for example, from an agreement between the Commonwealth public service and a trustee of a family trust of which you are a beneficiary.

YES NO UNKNOWN

15a. Please provide any relevant details, to the extent known:

(for example, your direct or indirect financial interests, or why the response to question 15 is unknown)

Relevant details relating to possible disqualification by reason of section 44(v) of the Australian Constitution

Please provide particulars of, and documents related to, any details provided in your response to question 15a. These will be published with this Statement on the Register of Senators' Qualifications.

- 16. Since becoming a senator, have you taken the benefit whether by assignment, composition, or otherwise, of any law relating to bankrupt or insolvent debtors?**

YES NO

16a. Please provide any relevant details, to the extent known:

Relevant details relating to benefit taken of any law relating to bankrupt or insolvent debtors

Please provide particulars of, and documents related to, any details provided in your response to question 16a. These will be published with this Statement on the Register of Senators' Qualifications.

- 17. Since becoming a senator, have you, directly or indirectly taken any fee or honorarium for services rendered to the Commonwealth?**

YES NO

17a. Please provide any relevant details, to the extent known:

Relevant details relating to any fee or honorarium taken for services rendered to the Commonwealth

Please provide particulars of, and documents related to, any details provided in your response to question 17a. These will be published with this Statement on the Register of Senators' Qualifications.

- 18. Since becoming a senator, have you, directly or indirectly taken any fee or honorarium for services rendered in the Parliament to any person or State?**

YES NO

18a. Please provide any relevant details, to the extent known:

Relevant details relating to any fee or honorarium taken for services rendered in the Parliament to any person or State

Please provide particulars of, and documents related to, any details provided in your response to question 18a. These will be published with this Statement on the Register of Senators' Qualifications.

19. Please provide any additional details relating to your qualification under the Australian Constitution or the *Commonwealth Electoral Act 1918*:

Please provide particulars of, and documents related to, any details provided in your response to question 16. These will be published with this Statement on the Register of Senators' Qualifications.

I confirm the information in the statement provided above, and any additional information provided in support of my statements, to be true and correct, to the best of my knowledge.



Signature of senator

03 DECEMBER 2020

Date

