

Committee of Privileges and Members' Interests

House of Representatives

Report concerning the registration and declaration of members' interests during
2012

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Membership of the committee – 43rd Parliament

Chair	Hon Nicola Roxon MP	(member from 5 February 2013; Chair from 6 February 2013)
	Ms Yvette D’Ath MP	(Chair until 5 February 2013)
Deputy Chair	Mr Patrick Secker MP	
Members	Hon Joel Fitzgibbon MP Mr Geoff Lyons MP Hon Robert McClelland MP Mr Don Randall MP Hon Philip Ruddock MP Ms Laura Smyth MP Hon Alex Somlyay MP	(nominee of Leader of the House) (nominee of Deputy Leader of the Opposition)
	Mr Mike Symon MP Mr Tony Windsor MP	

Committee secretariat

Secretary	Mr David Elder
Research Officer	Ms Claressa Surtees
Assistants	Ms Laura Gillies Ms Lynnette Eager

The Registrar of Members’ Interests, Mr Elder, assists the committee in respect of members’ interests matters.

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 during that year.
2. This is the report of the committee for the calendar year 2012.

Responsibilities of the Committee

3. Standing order 216 sets out the following terms of reference for the committee:
 - (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.

A report in accordance with these terms of reference follows.

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

4. 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.
5. The publication of the statements of Members' Interests on the Parliament House website was implemented at the commencement of the 43rd Parliament. This has been a very significant change to accessibility of the statements.
6. In total the Register was inspected on only 14 occasions during 2012. 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 on line. A total of only 30 people have accessed the hard copy Register since it went on line on 25 October 2010.
7. The report on operations of the committee for 2011 was tabled on 13 February 2012. Statements of interests of members were tabled as follows:
 - alterations from 24 November 2011 to 21 March 2012 were tabled on 22 March 2012;
 - alterations from 22 March 2012 to 27 June 2012 were tabled on 28 June 2012; and
 - alterations from 28 June 2012 to 28 November 2012 were tabled on 29 November 2012.
8. No changes were made in respect of the form and content of the Register, however as noted above, the committee has made the Register available on the Australian Parliament House website.

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

9. Two complaints were raised with the committee during 2012 about the returns of members. On 20 August 2012 the Chair reported to the House that the committee had considered the matters raised and had obtained information from the members concerned. The committee had concluded there were no grounds for further action.

Changes to any code of conduct

10. The House has not adopted any code of conduct for members. However, the House referred to the Committee on 23 November 2010 an inquiry into the development of a Code of Conduct for Members.
11. The committee has presented to the House a comprehensive discussion paper on the possible implementation of a Code of Conduct for Members and can be found at <http://www.aph.gov.au/house/committee/pmi/cocreport.htm>.

Registration of interests by other classes of person

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

Hon Nicola Roxon MP
CHAIR

February 2013