

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates 24-28 February 2014

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Outcome/Program: 1.1 Prime Minister and Cabinet

Topic: Cabinet processes – declarations of interests

Senator: Senator the Hon Penny Wong

Question reference number: 71

Type of Question: Written

Date set by the committee for the return of answer: 11 April 2014

Number of pages: 2

Question:

Can the process for declaring conflicts of interest in connection with Cabinet deliberations be outlined?

Are Ministers required to take into account family interests when determining whether a conflict should be declared?

Was the Department asked for advice before the Prime Minister adopted ministerial standards which permit Ministers to maintain direct shareholdings?

Does the Department maintain a record of shareholdings of Cabinet Ministers drawn from declarations to the Prime Minister, public declarations to the Parliament, or other sources?

How many declarations have been made in relation to actual, or potential, conflicts of interest since 18 September 2013?

Are ministerial staff attending Cabinet and Cabinet committee meetings required to make declarations?

Are officials attending Cabinet meetings required to make declarations?

Answer:

As outlined in the Cabinet Handbook, ministers and parliamentary secretaries attending Cabinet or Cabinet committee meetings must, in relation to the matters under discussion, declare any private interests, pecuniary or non-pecuniary, held by them, or by members of their immediate family of which they are aware, which give rise to, or are likely to give rise to, a conflict with their public duties. It is then open to the meeting to excuse a minister from the discussion or to agree expressly to his or her taking part. Any such declarations will be recorded by the Cabinet note takers.

The Department of the Prime Minister and Cabinet provided advice on the draft Statement of Ministerial Standards prior to its adoption by the Prime Minister.

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates 24-28 February 2014

Prime Minister and Cabinet Portfolio

The department does not maintain a record of shareholdings of Cabinet ministers.

Any declaration of an actual or potential conflict of interest is considered part of the deliberations of the Cabinet. The confidentiality of Cabinet deliberations is a fundamental and long standing principle of Australia's Cabinet system and, therefore, it would be inappropriate to reveal matters considered by the Cabinet.

Ministerial staff and officials adhere to the Statement of Standards for Ministerial Staff and the Australian Public Service Code of Conduct respectively. These documents require staff to disclose, and take reasonable steps to avoid, any conflicts of interest, real or apparent, in connection with their employment.