
The Parliament of the Commonwealth of Australia

Committee of Privileges and Members' Interests

House of Representatives

Report concerning the registration and declaration of members' interests during
2018


February 2019

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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, 2018, only*

Committee secretariat

Secretary and Registrar of Members’ Interests	Ms Claressa Surtees
Research Officer	Mr Peter Banson
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 2018.

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 only two occasions during 2018. 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 62 people have accessed the hard copy Register since it went on line on 25 October 2010.
8. The report on the registration and declaration of members' interests during 2017 was tabled on 8 February 2018. A Statement of Registrable Interests and notifications of alteration of interests received during the period 21 June 2017 to 27 February 2018 were tabled on 1 March 2018. Further Statements of Registrable Interests were tabled on 10 May 2018. Notifications of alteration of interests received during the period 28 February to 26 June 2018, were tabled on 28 June 2018.
9. The committee considered possible changes to facilitate a process of notification of alteration of interests which would be more convenient for members. It agreed to changes, so that a member may email a copy of a signed alteration of interests notification to the Registrar from a parliamentary account of the member, or of the member's staff, as an alternative to the previous process of notifying the Registrar of an alteration of interests by lodging a signed original advice only. A further, consequential, change is that if the Registrar receives a member's alteration of interests notification as an email, the standard practice will be to email the receipt to the same account. These changes took effect from 1 January 2019.

Proposals made by members and others on the form and content of the Register

10. One proposal, from a member, was received for an alteration of the form and content of the Register.
11. The committee had not reported to the House on the matter before the conclusion of 2018.

Specific complaints made about the registering or declaring of interests

12. As reported in the 2017 annual report, the Member for Isaacs, the Hon Mark Dreyfus QC MP, had written to the committee, under SO 216(a)(iv) raising a complaint relating to the member for Dunkley in the 44th Parliament, the Hon Bruce Billson. The complaint was considered by the committee together with a matter of breach of privilege which related to the same circumstances. The committee reported to the House on its inquiry into both matters on 26 March 2018.
13. The committee concluded that Mr Billson had acted contrary to House resolutions on the registration of members' interests in failing to notify the Registrar of his interests within 28 days of changes occurring; while as the Member for Dunkley he took up paid employment services to represent the interests of an organisation. The committee accepted Mr Billson's comments that his failure to comply with requirements was due to error and oversight and that he did not intend to interfere improperly with the authority or functions of the House.
14. The committee recommended that the House censure Mr Billson for failing to discharge his obligations as a member of the House, and that the standing orders be amended to include an express prohibition on a member from engaging in services of a lobbying nature for reward or consideration while still a member of the House. The following day, 27 March 2018, the House resolved to censure Mr Billson in the terms recommended by the committee.

Changes to any code of conduct

15. The House has not adopted a code of conduct for members.

Registration of interests by other classes of person

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

Ross Vasta MP
CHAIR

February 2019