



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

**Report concerning the registration and declaration
of members' interests during 2008 and 2009**

March 2010

Committee of Privileges and Members' Interests

House of Representatives

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Membership of the committee – 42nd Parliament

Chair	Mr Brett Raguse MP
Deputy Chair	Hon Wilson Tuckey MP
Members	Mrs Joanna Gash MP Mr Georganas MP Ms Jennie George MP (nominee of Leader of the House) Mr Petro Georgiou MP (nominee of Deputy Leader of the Opposition) Mr Daryl Melham MP Hon Roger Price MP Mr Don Randall MP Hon Alex Somlyay MP Mr Craig Thomson MP

Committee secretariat

Secretary	Mr David Elder
Research Officer	Ms Claressa Surtees
Assistant	Ms Laura Gillies

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

Mr Bernard Wright was Registrar of Members' Interests until 22 February 2010 when Mr Elder was appointed.

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 years 2008 and 2009.

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. During the two years the committee considered the arrangements for the compilation and maintenance of the register and to the question of access. Following consideration at meetings earlier in the Parliament no change was determined in respect to the arrangements, so that the key conditions remains as follows: inspections between 10 am and 12 noon and 2 pm and 4 pm on working days, but with appointments able to be made outside these hours, and with persons inspecting the register being allowed to make notes but not make photocopies of the declarations. (Copies of returns and alterations are available, after tabling, through the Table Office – see below).
6. In total the register was inspected on 77 occasions during 2008 and on 118 occasions during 2009. 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.
7. The report on operations of the committee for 2007 was tabled on 20 March 2008. Copies of notifications of alterations of interests received during the period:
 - 17 March to 25 June 2008 were tabled on 26 June 2008;
 - 25 June to 3 December 2008 were tabled on 4 December 2008;
 - 4 December 2008 to 18 March 2009 were tabled on 19 March 2009;
 - 19 March to 24 June 2009 were tabled on 25 June 2009;
 - 25 June to 25 November 2009 were tabled on 26 November 2009, and
 - 27 November 2009 to 17 March 2010 were tabled on 18 March 2009.
8. No changes were made in respect of the form and content of the register, however as noted below, the committee has been considering making the register available on the Australian Parliament House website.

Publication of Members' Interests Register on website

9. After some consideration of the desirability of the publication of members' interests on the Australian Parliament House website, the committee presented a report to the House in November 2009 outlining a proposal to implement online publication. The committee also consulted with the Committee of Senators' Interests which is considering a similar proposal.
10. The proposal is that, commencing in the next Parliament, each members' initial statement of interests would be scanned and posted to the Australian Parliament House website at the same time they are first tabled in the House. Subsequently, notices of alterations would be posted every one or two weeks. The alterations will be consolidated with the original return so that each members' full return can be easily accessed.
11. Following consideration of responses to the proposal, the committee will finalise the proposed arrangements and advise the House. Implementation of the proposal will allow greater transparency and ease of access to the register.

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

12. No specific complaints were raised with the committee.

Changes to any code of conduct

13. The House has not adopted any code of conduct for members, although a draft code was tabled by the Speaker, on behalf of a working group, on 21 June 1995. The committee was, therefore not required to consider this matter.

Registration of interests by other classes of person

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

Brett Raguse
CHAIR

March 2010