




Speech By
Hon. Stirling Hinchliffe

MEMBER FOR SANDGATE

Record of Proceedings, 29 October 2015

MOTION

Amendment to Standing Orders

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (10.10 am), by leave, without notice: I move—

That the Standing Rules and Orders of the Legislative Assembly be amended by omitting Schedule 2 and inserting the new Schedule 2 circulated in my name, such amendments being effective from 1 January 2016.

SCHEDULE 2—REGISTERS OF INTERESTS—

Omit, insert—

‘SCHEDULE 2—REGISTERS OF INTERESTS

Establishment

Chapter 4, Part 2A of the *Parliament of Queensland Act 2001* establishes a statutory requirement for a Register of Members' Interest and a Register of Related Persons' Interest. This schedule to Standing Orders provides for the administrative arrangements for the registers and the particulars of interests that must be disclosed.¹

Purpose

The purpose of the Register of Members' Interests is to place on the public record any pecuniary or other relevant interests of a member which may give rise to a conflict of interest or a perception of a conflict of interest between a member's private interests and the public interest. The register seeks to provide information which might be thought by others to affect a member's public duties, or to influence their speeches or votes in the Legislative Assembly.

Preamble

1. It is vital that in a representative democracy the public have confidence in the integrity of their elected representatives.
2. It is also vital that elected representatives be continually reminded that they exercise a public trust which should not be subordinate to any private interest.
3. It is also in the interests of elected representatives that they be able to demonstrate that at all times they have made scrupulous disclosure of their private interests.
4. The Legislative Assembly requires its members to demonstrate a commitment to maintain the highest possible standard of propriety and to avoid, or where required to disclose, register or declare, any potential conflict of interest.
5. The Register of Members' Interests and Register of Related Persons' Interests are mechanisms to encourage and foster transparency, accountability and openness.
6. The Register of Members' Interests is a continually evolving primary record of members' registrable interests as submitted by members under the Standing Orders.

¹ Section 69B(3) of the *Parliament of Queensland Act 2001* provides that a statement of interests and any change in the particulars of the interests must be given in accordance with the Standing Rules and Orders.

7. The tabled Register of Members' Interests gives public notification of members' registrable interests as at the date of publication.
8. The following provisions are the minimum registration required by members and are not intended to be an exhaustive list of all possible financial arrangements which are required, in the spirit of the Standing Orders, to be registered.

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PART 1—PRELIMINARY

Definitions

1. In this schedule, unless the contrary intention appears—

“**asset**” means an item of property or an investment or interest owned by a person, trust or company, regarded as having value but does not include:

 - (a) household and personal effects;
 - (b) motor vehicles unless those motor vehicles have been purchased primarily for an investment purpose;
 - (c) industry, public offer and employer superannuation entitlements;
 - (d) stock, plant or equipment related to an occupation or business activity otherwise disclosed under this Schedule; and
 - (e) a loan to a family member.

“**calendar month**” means a period commencing at the beginning of a day of one of the 12 months of the year and ending immediately before the beginning of the corresponding day of the next month or, if there is no such corresponding day, ending at the end of the next month;

“**child**”, in relation to a member, is defined by s.69A of the *Parliament of Queensland Act 2001*;²

“**Clerk**” means the Clerk of the Parliament;

“**company**” means a company, whether a private company or a public company;

“**debenture**” includes debenture stock, bonds, notes and any other document evidencing or acknowledging indebtedness of a company in respect of money that is deposited with or lent to the company;

“**de facto partner**”, in relation to a member, has the same meaning as s.32DA of the *Acts Interpretation Act 1954*;

² Section 69A of the *Parliament of Queensland Act 2001* provides that **child**, in relation to a member, includes an adopted child, ex-nuptial child or stepchild of the member.

“**donation**”, includes a donation in cash or property and a donation sourced from an allowance provided to a member;

“**gift**” means—

- (a) the transfer of money, property or other benefit—
 - (i) without recompense; or
 - (ii) for a consideration substantially less than full consideration; or
- (b) a loan of money or property made on a permanent, or an indefinite, basis;

but does not include:

- (a) a tangible gift received in an official capacity and which has been dealt with in accordance with the Ministerial Handbook, Opposition Handbook or Speaker’s Guidelines;
- (b) hospitality or sporting or cultural entertainment received when a member who is an office holder, or a member who is representing an office holder, attends an event in an official capacity;
- (c) upgraded travel provided by an airline, or upgraded accommodation;
- (d) a gift received from a family member or family friend where the gift made by the family member or family friend is received in a purely personal capacity, and there is no connection or possible conflict of interest between the member’s duties and the interest of the person providing the gift.

“**joint venture**” means an undertaking carried on by two or more persons in common otherwise than as partners;

“**liability**” means—

An obligation that legally binds a member, or related person to settle a debt and includes a loan of money or guarantee and any instrument pursuant to that loan (such as a mortgage) but does not include:

- (a) department store and credit card accounts;
- (b) a liability arising from the supply of goods or services supplied in the ordinary course of any occupation of the member or business of the trust or private company or partnership in which the member or related person has an interest which is not related to the member’s duties as a member of the Legislative Assembly; or
- (c) a loan owing to or a guarantee from or for a family member where the liability relates to a purely personal matter, and there is no connection or possible conflict of interest between the member’s duties and the interest of the person providing the loan or guarantee.

“**member**” means a member of the Legislative Assembly;

“**month**” means a calendar month;

“**nominee company**” means a company whose principal business is the business of holding marketable securities as a trustee or nominee;

“**officer**”, in relation to a company, means—

- (a) director or secretary of the company; or
- (b) any other person who is concerned, or takes part, in the management of the company.

“**partnership**” includes a joint venture;

“**private company**” means a proprietary company, whether incorporated in Queensland or elsewhere;

“**private superannuation fund**” means a superannuation fund which meets the definition of a self-managed superannuation fund (SMSF) under the *Superannuation Industry (Supervision) Act 1993* (Cth);

“**public company**” means a company, other than a private company, whether incorporated in Queensland or elsewhere;

“**published indexed threshold**” means—

- (a) An amount periodically published by the Registrar (at least every two years) which sets the dollar amounts over which a matter is required to be declared in 7(5).
- (b) The Registrar is to determine the amount by identifying the dollar amount for declaration of the matter at the introduction of the registers in 1990 (the cost base) and increasing the dollar amount by an indexation factor.
- (c) The indexation factor is to be calculated by using the consumer price index (CPI) and the formula:

Indexation factor = $\frac{\text{CPI for beginning quarter ending}}{\text{CPI for last quarter}}$

- (d) The Registrar is to ensure that the published indexed threshold is published to members, tabled in the House and appears on all Forms issued to members.

“**Register**” means the register defined by s.69A of the *Parliament of Queensland Act 2001*;³

“**Registrar**” means the Registrar of Members’ Interests;

“**related person**”, in relation to a member, is defined by s.69A of the *Parliament of Queensland Act 2001*;⁴

³ Section 69A of the *Parliament of Queensland Act 2001* provides that **register** means—(a) the register of members’ interests; or (b) the register of related persons’ interests.

⁴ Section 69A of the *Parliament of Queensland Act 2001* provides that **related person**, in relation to a member, means—

- (a) the member’s spouse; or
- (b) a person who is totally or substantially dependent on the member and—
 - (i) the person is the member’s child; or (ii) the person’s affairs are so closely connected with the member’s affairs that a benefit derived by the person, or a substantial part of it, could pass to the member.

“**reporting period**” means a period commencing immediately after the annual report of the register is tabled in accordance with 11(2) and ending when the next annual report is tabled;

“**share**” means—

- (a) a share in the share capital of a company;
- (b) stock;
- (c) a convertible note; or
- (d) an option.

“**sitting day**”, in relation to the Parliament, means a day on which the Parliament meets;

“**sponsored travel or accommodation**” means any travel undertaken, including accommodation incidental to the travel, or any accommodation benefit received, by the member or a related person in respect of which a contribution (whether in cash or kind) to the cost of the travel (including incidental accommodation) or the accommodation is made by a person other than the member or a related person but does not include:

- (a) travel or accommodation received in an official capacity;
- (b) upgraded travel provided by an airline, or upgraded accommodation;
- (c) meals or sporting or cultural entertainment;
- (d) a benefit received from a family member or family friend where the contribution made by the sponsor is received in a purely personal capacity, and there is no connection or possible conflict of interest between the member's duties and the interest of the sponsor.

“**spouse**”, in relation to a member, includes a de facto partner of a member;

“**statement of interests**” is defined by s.69A of the *Parliament of Queensland Act 2001*;⁵

“**statement of interests (member)**” see s.69B(1)(a) of the *Parliament of Queensland Act 2001*;⁶

“**statement of interests (related persons)**” see section s.69B(1)(b) of the *Parliament of Queensland Act 2001*;⁷

“**trade or professional organisation**” means a body (whether incorporated or unincorporated) of—

- (a) employers or employees; or
- (b) persons engaged in a profession, trade or other occupation;

being a body the object, or an object, of which is the furtherance of its own professional, industrial or economic interests or those of any of its members.

“**year**” means a period of 12 months commencing on 1 January.

Interpretation—terms relating to companies

2.(1) A person is taken to have a controlling interest in shares in a company if the person is able—

- (a) to dispose of, or to exercise control over the disposal of, the shares; or
- (b) where the shares are voting shares—to exercise, or to control the exercise of, any voting powers attached to the shares.

(2) The question whether a company is a subsidiary of another company is to be determined in the same manner as the question whether a corporation is a subsidiary of another corporation is determined for the purposes of the Corporations Law of Queensland.

(3) A reference in this schedule to the holding company of another company is a reference to a company of which that other company is a subsidiary.

Interpretation—forms

3.(1) In this schedule, a reference to a form by number is a reference to the form so numbered in Part 6.

(2) Strict compliance with a form in Part 6 is not necessary and substantial compliance, or such compliance as the circumstances of a particular case allow, is sufficient.

Registrar

4. In accordance with s.69C of the *Parliament of Queensland Act 2001*, the Clerk is to be the Registrar of Members' Interests and keep the register of members' interests and the register of related persons' interests up to date.⁸

⁵ Section 69A of the *Parliament of Queensland Act 2001* provides that **statement of interests** means—

(a) a statement of interests (member); or (b) a statement of interests (related persons).

⁶ Section 69B(1)(a) of the *Parliament of Queensland Act 2001* provides that a member must, within 1 month after taking the member's seat, give to the Registrar a statement of the interest, as at the date of the election, of the member (a **statement of interests (member)**).

⁷ Section 69B(1)(b) of the *Parliament of Queensland Act 2001* provides that a member must, within 1 month after taking the member's seat, give to the Registrar a statement of the interest, as at the date of the election, of which the member is aware of each person who is a related person of the member (a **statement of interests (related persons)**).

⁸ Section 69C of the *Parliament of Queensland Act 2001* provides:

(1) There is to be a Registrar of Members' Interests (**Registrar**).

(2) The Clerk is to be the Registrar.

(3) The Registrar must keep—

(a) a register of members' interests; and (b) a register of related persons' interests.

(4) The Registrar must, in accordance with the Standing Rules and Orders, enter the following particulars in the relevant register and keep the registers up to date—

(a) the particulars of the interests given by a member in a statement of interests (member) and any changes to the particulars notified by the member; (b) the particulars of the interests given by a member in a statement of interests (related persons) and any changes to the particulars notified by the member.

PART 2—STATEMENTS OF INTERESTS

Giving of statements

- 5.(1) Members are required in accordance with s.69B(1) of the *Parliament of Queensland Act 2001* to give to the Registrar statements of interests of the member and related persons within 1 month of taking their seat.⁹
- (2) Members are required in accordance with s.69B(2) of the *Parliament of Queensland Act 2001* to notify the Registrar within 1 month of any changes to their interest or the interests of related persons.¹⁰
- (3) In addition to the requirements in s.69B of the *Parliament of Queensland Act 2001*, each member shall within 1 month of the 30th day of June in each subsequent year during the life of that Parliament, provide to the Registrar a confirmation of correct particulars.

Form of statements and notice of change of details¹¹

- 6.(1) A statement of interests (member)—
 - (a) must be in accordance with clause 7 (Form 1); and
 - (b) is to relate only to interests held by the member—
 - (i) alone; and
 - (ii) jointly or in common with a related person.
- (2) A statement of interests (related persons)—
 - (a) must be in accordance with clause 7 (Form 2); and
 - (b) is to relate only to interests held by related persons otherwise than jointly or in common with the member.
- (3) A notice of change of details contained in a statement of interests must be in accordance with clause 5 (Form 3).
- (4) A confirmation of correct particulars must be in accordance with clause 5 (Form 4).
- (5) The Committee of the Legislative Assembly may, by resolution, alter any forms for use under this schedule, and such forms are to be tabled in the Legislative Assembly by the Chairperson of the Committee of the Legislative Assembly within five sitting days.

Registration of interests

- 7.(1) A member shall not in any declaration specify:
 - (a) the number or monetary value of shares;
 - (b) the monetary value of investments or beneficial interests;
 - (c) the full street address of property;
 - (d) the financial amount of liabilities, donations or other income;
 - (e) the account number of, or financial amounts held in, savings or investment accounts; or
 - (f) the monetary value of assets, sponsored travel or accommodation, or gifts.
- (2) The Registrar is authorised to return to a member any declaration contrary to 7(1) or any other requirement of this Schedule and request that the member resubmit the declaration in a manner that complies with this Schedule.
- (3) The disclosures required to be given by a member under 7(5) operate concurrently, but a member need only declare the same interest once.
- (4) Transitory disclosures required to be given by a member under 7(5) such as gifts (7(5)(i)), sponsored travel or accommodation (7(5)(j)) income (7(5)(k)) and donations (7(5)(m)) need only be disclosed in the reporting period in which they occurred and may be removed from the register published on the Parliament's internet website (12(2)) once they have been included in a tabled annual report (11(1)).
- (5) A statement of interests required to be given by a member must contain the following details—
 - (a) in respect of any company in which the member or a related person is a shareholder or officer or has a controlling interest in shares—
 - (i) the name of the company (if the company is a listed company, the Company Code is sufficient);
 - (ii) the nature of any office held;
 - (iii) where the shareholding or interest is held in a private company, the investments or beneficial interests of the company; and
 - (iv) where the shareholding or interest is held in a private company—
 - (A) the nature of the activities of the company;
 - (B) the assets or beneficial interests of the company;
 - (C) the name of any subsidiary companies; and
 - (D) the assets or beneficial interests of those subsidiary companies;

⁹ Section 69B(1) of the *Parliament of Queensland Act 2001* provides that a member must, within 1 month after taking the member's seat, give to the Registrar the following statements—

(a) a statement of the interest, as at the date of the election, of the member (a **statement of interests (member)**); (b) a statement of the interest, as at the date of the election, of which the member is aware of each person who is a related person of the member (a **statement of interests (related persons)**).

¹⁰ Section 69B(2) of the *Parliament of Queensland Act 2001* provides that a member must, within 1 month after becoming aware of a change in the particulars contained in the last statement of interests given by the member, notify the Registrar in writing of the change.

¹¹ Section 69B(3) of the *Parliament of Queensland Act 2001* provides that a statement of interests and any change in the particulars of the interests must be given in accordance with the Standing Rules and Orders.

- (b) in respect of any family or business trust or nominee company in which the member or a related person is a trustee, office holder or holds a beneficial interest—
 - (i) the name or a description of the trust, or the name of the nominee company, as the case requires;
 - (ii) the nature of the activities of the trust or company;
 - (iii) the nature of the interest of the member; and
 - (iv) the investments or beneficial interests of the trust or company (of which the member is aware);
 - (c) in respect of any private superannuation fund in which the member or a related person is a trustee or director—
 - (i) the name or a description of the fund;
 - (ii) the nature of the activities of the fund;
 - (iii) the investments or beneficial interests of the fund (of which the member is aware);
 - (d) in respect of any partnership in which the member or a related person has an interest—
 - (i) the name or a description of the partnership;
 - (ii) the nature of the activities of the partnership; and
 - (iii) the nature of the interest;
 - (iv) the assets or beneficial interests of the partnership (of which the member is aware);
 - (e) in respect of any real estate in which the member or a related person has an interest—
 - (i) the location of the relevant property, by reference to suburb or locality;
 - (ii) the approximate size of the property;
 - (iii) the purpose for which the property is, and is intended to be, used; and
 - (iv) the nature of the interest;
 - (f) in respect of any liability exceeding the published indexed threshold of the member or a related person or a trust of which a member or a related person is a beneficiary or a private company of which a member or a related person is a shareholder or partnership of which a member or related person is a partner—
 - (i) the nature of the liability; and
 - (ii) the name of the creditor concerned;
 - (g) any debenture, managed fund, or similar investments held by the member or a related person;
 - (h) in respect of any savings or investment account of the member or a related person held with a bank, building society, credit union or other institution—
 - (i) the nature of the account; and
 - (ii) the name of the institution concerned;
 - (i) the source and nature of any gifts valued at more than the published indexed threshold from one source, or where two or more gifts are made from one source during a reporting period exceed, in aggregate, the published indexed threshold;
 - (j) in respect of any sponsored travel or accommodation received by the member or a related person—
 - (i) the source of the contribution concerned; and
 - (ii) the nature and purpose of the travel;
 - (k) the source of any other income over the published indexed threshold received during a reporting period by—
 - (i) the member or a related person;
 - (ii) a private company, or a trust, in which the member or a related person holds an interest;
 or of any other income under the published indexed threshold, where the source of that income raises, appears to raise, or could foreseeably raise, a conflict between the member's private interest and their duty as a member;
 - (l) the nature of any other asset of the member or a related person the value of which exceeds more than the published indexed threshold;
 - (m) the name of any political party, trade or professional organisation of which the member or related person is a member, or the name of any other organisation of which the member is an officeholder or any organisation or person to whom the member makes a donation exceeding the published indexed threshold during the reporting period;
 - (n) any other interest (whether or not of a pecuniary nature) of the member or a related person—
 - (i) of which the member is aware; and
 - (ii) that raises, appears to raise, or could foreseeably raise, a conflict between the member's private interest and their duty as a member.
- (6) A Minister or other Office Holder (recognised by s.112 of the *Parliament of Queensland Act 2001*) is not required to include in a statement of interests details of interests that are imposed upon them in their capacity as Minister or Office Holder.

Example—

Shares held by a Minister in a statutory or company government owned corporation on behalf of the State under the *Government Owned Corporations Act 1993* are not required to be registered.

Questions concerning statements, and explanatory notes

- 8.(1)** If a question relating to whether a matter should or should not be included in a statement of interests is raised by a member with the Registrar, the Registrar must—
- (a) subject to the terms of any Standing Order or resolution of the Legislative Assembly affecting the matter—attempt to resolve the matter without referring it to the Committee of the Legislative Assembly; and
 - (b) if the matter is not so resolved—refer the matter to the Committee of the Legislative Assembly.
- (2)** A reference of a matter to the Committee of the Legislative Assembly.—
- (a) must be made in general terms; and
 - (b) except with the consent of the member, must not disclose the name of the member.
- (3)** The Committee of the Legislative Assembly must—
- (a) consider any matter referred to it; and
 - (b) if the name of the member has been disclosed to it—give the member the opportunity to be heard;
- after which it must decide whether the matter should or should not be included by the member in the statement of interests concerned.
- (4)** The Registrar must immediately notify the member of the decision of the Committee of the Legislative Assembly.
- (5)** If the member informs the Committee of the Legislative Assembly in writing that they do not agree with the decision of the Committee, the Committee must—
- (a) make a report to the Legislative Assembly; and
 - (b) with the report, recommend the action that should be taken in relation to the matter.
- (6)** A report under subclause (5)—
- (a) must be made in general terms; and
 - (b) must not disclose the name of the Member.
- (7)** The Committee of the Legislative Assembly, both on its own initiative or upon the request of the Registrar, may produce and publish explanatory notes to further explain the requirements of this schedule and the information to be included in the Registers.

PART 3—REGISTERS

Keeping of registers

- 9.(1)** The Registrar must keep, in such forms as the Registrar considers appropriate—
- (a) a Register of Members' Interests; and
 - (b) a Register of Related Persons' Interests.
- (2)** As soon as practicable after receiving a statement of interests from a member, the Registrar must—
- (a) in the case of a statement of interests (member)—enter in the Register of Members' Interests the relevant details contained in the statement; and
 - (b) in the case of a statement of interests (related persons)—enter in the Register of Related Persons' Interests the relevant details contained in the statement.
- (3)** As soon as practicable after receiving a notice of change of details under subclause 5(2), the Registrar must make such alteration to the details entered in the relevant Register as is necessary to reflect the change.
- (4)** As soon as practicable after a member resigns, dies or is removed from office during the course of a parliament, the Registrar must—
- (a) in the case of the member—remove from the Register of Members' Interests details of the member's interests; and
 - (b) in the case of the member's related persons—remove from the Register of Related Persons' Interests details of the related persons' interests.
- (5)** As soon as practicable after the dissolution of a parliament, the Registrar must—
- (a) in the case of members of that parliament—remove from the Register of Members' Interests details of all members' interests; and
 - (b) in the case of the members' related persons—remove from the Register of Related Persons' Interests details of all related persons' interests.

Custody of registers

- 10.** The Registrar is to have the custody of—
- (a) each Register;
 - (b) each statement of interests received by the Registrar under subclause 5(1);
 - (c) any notice of change of details received by the Registrar under subclause 5(2); and
 - (d) each confirmation of correct particulars received by the Registrar under subclause 5(3).

Tabling of Register of Members' Interests

11.(1) As soon as practicable after—

- (a) the first sitting day of each Parliament; and
- (b) the 30th day of June in each subsequent year during the life of that Parliament;

the Registrar must provide the Speaker with a copy of the Register of Members' Interests ("The Annual Report of the Register of Members' Interests") and the Speaker must table the report in the Legislative Assembly.

(2) The Annual Report of the Register of Members' Interests is a copy of the Register of Member's Interest as at a particular date specified in the report.

Publishing of Register of Members' Interests

12.(1) The Registrar is to ensure that a copy of the Annual Report of the Register of Members' Interests is published on the Parliament's internet website.

(2) The Registrar is to ensure that the Register of Members' Interest, as updated from time to time, is published on the Parliament's internet website as soon as practical after each update occurs and no later than one week after the latest update.

(3) The Registrar is to determine the form the publication on the Parliament's internet website will be in, taking into account factors such as accessibility, transparency and administrative efficiency.

(4) The publication of the Register of Members' Interest on the Parliament's internet website and the Annual Report of the Register of Members' Interests tabled in accordance with clause 11 above are deemed parliamentary records that the Legislative Assembly has authorised for publication.

Inspection of registers

13.(1) The Registrar must, at the request of a person, permit the person to inspect the Register of Members' Interests during normal business hours of the office of the Clerk.

(2) The Registrar must, on request, make the Register of Related Persons' Interests available to—

- (a) the Speaker;
- (b) the Premier;
- (c) any other Leader in the Legislative Assembly of a political party;
- (d) the Chairperson and members of the Ethics Committee;
- (e) the Crime and Corruption Commission;
- (f) the Auditor-General; and
- (g) the Integrity Commissioner.

(3) The Registrar must, on request, make details removed from the registers in accordance with 9.(4) or 9.(5) available to—

- (a) the Speaker;
- (b) the Premier;
- (c) any other Leader in the Legislative Assembly of a political party;
- (d) the Chairperson and members of the Ethics Committee;
- (e) the Crime and Corruption Commission;
- (f) the Auditor-General; and
- (g) the Integrity Commissioner.

(4) The Registrar must advise the relevant member or former member, in writing, that details removed from the registers have been inspected in accordance with 13.(3)(a)-(d), (f) or (g).

PART 4—COMPLAINTS

Allegations by members

14.(1) A member may make an allegation against another member that the other member has failed to comply with the requirements relating to the registration of a matter.

(2) The allegation must be made, in writing, to the Registrar.

(3) The Registrar must—

- (a) refer the allegation to the Ethics Committee; and
- (b) give the details of the allegation to the member against whom the allegation is made.

Consideration of allegations

15.(1) The Ethics Committee must consider each allegation referred to it and, for that purpose, may—

- (a) give each member concerned the opportunity to be heard; and
- (b) obtain information from such other persons, and make such inquiries, as it thinks fit; after which it may—
- (c) make a report to the Legislative Assembly; and
- (d) with the report, recommend the action that should be taken in relation to the matter.

- (2) The Ethics Committee must not make a report unless—
- (a) it has given the member against whom the allegation has been made the opportunity—
 - (i) to be heard; and
 - (ii) to make written submissions; and
 - (b) it has given the persons that the member nominates the opportunity to be heard.

Complaints by public

- 16.(1) A person may make a complaint alleging that a member has failed to comply with the requirements relating to the registration of a matter.
- (2) The complaint must be made, in writing, to the Registrar.
 - (3) The Registrar must, before taking any further action in relation to the complaint, inform the complainant in writing that parliamentary privilege does not extend to any communication between the complainant and the Registrar.
 - (4) The Registrar may require the complainant to give to the Registrar—
 - (a) details of the complainant's name and address;
 - (b) details, or further details, of the complaint; and
 - (c) copies of any documents or other material available to the complainant supporting the complaint.
 - (5) The Registrar may refuse to take any further action in relation to the complaint if the complainant refuses or fails to comply with a requirement under subclause (4).
 - (6) If the Registrar believes on reasonable grounds that there is evidence to support an allegation the subject of the complaint, the Registrar must—
 - (a) refer the matter to the Ethics Committee; and
 - (b) give the details of the complaint to the member concerned.

Consideration of complaints

- 17.(1) Where a complaint is referred to it, the Ethics Committee—
- (a) may request the member concerned to provide an explanation of the allegation the subject of the complaint; and
 - (b) must, if the member disputes the allegation—
 - (i) give the member the opportunity to be heard;
 - (ii) give the persons that the member nominates the opportunity to be heard; and
 - (iii) obtain information from such other persons, and make such inquiries, as it thinks fit.
- (2) The Ethics Committee must make a report to the Legislative Assembly in respect of the complaint—
- (a) if the member concerned disputes the allegation the subject of the complaint—on completion of its consideration of the complaint;
 - (b) if the member confirms the allegation—on receiving notice to the effect; and
 - (c) if the member does not, within a reasonable period, respond to a request given to them under subclause (1)(a)—on the expiration of the period.
- (3) The Ethics Committee must, with the report, recommend the action that should be taken in relation to the matter.
- (4) The Ethics Committee must not, in the report, make a finding that is adverse to the member concerned unless it has given the member—
- (a) full particulars of the complaint; and
 - (b) the opportunity to be heard in relation to the complaint.

PART 5—ENFORCEMENT

Effect of failure to comply with requirements

18. A member who—
- (a) knowingly fails to give a statement of interests to the Registrar as required;
 - (b) knowingly fails to notify the Registrar of a change of details contained in a statement of interests; or
 - (c) breaches s.69B(4) of the *Parliament of Queensland Act 2001*¹²
- is guilty of a contempt of the Parliament and may be dealt with accordingly.

¹² Section 69B(4) of the *Parliament of Queensland Act 2001* provides that a member must not give to the Registrar a statement of interests or information relating to a statement of interests the member knows is false or misleading in a material particular.

Note—

A contravention of subsection (4) constitutes contempt of the Assembly—see section 37.

PART 6—FORMS

The following prescribed forms for the purpose of this schedule have been approved by the Committee of the Legislative Assembly—

- Form 1 Statement of interests of a member
- Form 2 Statement of interests of a member's related person/s
- Form 3 Change of details of member / member's related person/s
- Form 4 Confirmation of correct particulars.'