




Speech By
Hon. Anastacia Palaszczuk

MEMBER FOR INALA

Record of Proceedings, 14 October 2022

INTEGRITY AND OTHER LEGISLATION BILL

Message from Governor

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Olympics) (12.44 pm): I present a message from Her Excellency the Governor.

Mr DEPUTY SPEAKER (Mr Kelly): The message from Her Excellency the Governor recommends the Integrity and Other Legislation Amendment Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

INTEGRITY AND OTHER LEGISLATION AMENDMENT BILL 2022

Constitution of Queensland 2001, section 68

I, DR JEANNETTE ROSITA YOUNG AC PSM, Governor, recommend to the Legislative Assembly a Bill intitled—


A Bill for an Act to amend the Auditor-General Act 2009, the Integrity Act 2009, the Ombudsman Act 2001, the Public Sector Act 2022 and the legislation mentioned in schedule 1 for particular purposes

GOVERNOR

Date: 13 October 2022

Tabled paper: Message, dated 13 October 2022, from Her Excellency the Governor recommending the Integrity and Other Legislation Amendment Bill 2022 [1678](#).

Introduction

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Olympics) (12.45 pm): I present a bill for an act to amend the Auditor-General Act 2009, the Integrity Act 2009, the Ombudsman Act 2001, the Public Sector Act 2022 and the legislation mentioned in schedule 1 for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Economics and Governance Committee to consider the bill.

Tabled paper: Integrity and Other Legislation Amendment Bill 2022 [1679](#).

Tabled paper: Integrity and Other Legislation Amendment Bill 2022, explanatory notes [1680](#).

Tabled paper: Integrity and Other Legislation Amendment Bill 2022, statement of compatibility with human rights [1681](#).

Queenslanders quite rightly expect their government to provide public services that are transparent and accountable. My government is committed to strengthening our integrity and oversight framework so that it is contemporary and maintains and improves a culture of accountability. This bill is the first tranche of amendments that demonstrate my government's commitment to just that. These

reforms implement some of the recommendations of Professor Peter Coaldrake's report titled *Let the sunshine in: Review of culture and accountability in the Queensland public sector* and Kevin Yearbury's strategic review of the Integrity Commissioner's functions.

The main purpose of the bill is to strengthen and enhance the independence of the Auditor-General, the Audit Office and the Queensland Integrity Commissioner. The bill also brings transparency to those who may obtain advice from the Integrity Commissioner. It amends the declaration of interest requirements and strengthens the regulation of lobbyists by introducing an offence for unregulated lobbying under the Integrity Act 2009.

The bill makes the Auditor-General an independent officer of the parliament. Consequently, the Auditor-General and Deputy Auditor-General will be required to take an oath administered by the Speaker or Clerk. It also gives the Auditor-General greater control over the resources of the Queensland Audit Office. The superannuation and leave entitlements of the existing Auditor-General, Deputy Auditor-General and staff of the Audit Office will be preserved.

The bill will allow the Auditor-General to perform an audit of government owned corporations. The Auditor-General may also audit the financial administration of a public sector entity if requested by the Legislative Assembly. The bill also allows the Auditor-General to independently set basic rates for audit fees. Fees may be increased once each financial year, subject to the consideration and approval of the parliamentary committee. In considering this request, the parliamentary committee may consider the government indexation rate for the financial year and advice from the Treasurer.

Consistent with the status of the Auditor-General as an officer of the parliament, the parliamentary committee will be able to monitor and review the Auditor-General's performance, and report to the Legislative Assembly on any matter concerning the Auditor-General's functions or performance. To safeguard against any real or perceived lack of independence, the Auditor-General cannot be employed in any public sector entity for two years after their term concludes.

The bill establishes an Office of Integrity Commissioner. No person can direct the Integrity Commissioner on how to perform their functions or the priority given to ethics or integrity issues. Staff will remain as public service employees, but cannot be directed by anyone outside the office about the way functions are performed or the priority given to ethics or integrity issues. Senior officers in departments will be required to go through their appropriate supervisor or director-general for independent advice, rather than directly to the Integrity Commissioner. Similarly, ministerial staff members and assistant ministerial staff members will be required to go through their chief of staff, or minister or assistant minister as appropriate, when seeking independent advice from the Integrity Commissioner. Ministers and assistant ministers will be able to seek Integrity Commissioner advice involving their staff.

The bill also removes the need for stated statutory office holders to provide a declaration of interests to the Integrity Commissioner, but they will still need to provide a declaration to the relevant minister. It introduces a simple offence for unregistered lobbying, limiting them from undertaking a number of actions including, for example, lobbying for a third-party client. After reviewing penalties for a similar offence in South Australia and Western Australia, the proposed maximum penalty is a fine of 200 penalty units, which can be dealt with in the Magistrates Court.

The bill also amends the Ombudsman Act 2001 to allow strategic reviews of the Ombudsman office to be conducted at least every five years, not seven years. It is proposed that this change will occur following the next strategic review. I commend the bill to the House.

First Reading

Hon. A PALASZCZUK (Inala—ALP) (Premier and Minister for the Olympics) (12.49 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Economics and Governance Committee

Mr DEPUTY SPEAKER (Mr Kelly): In accordance with standing order 131, the bill is now referred to the Economics and Governance Committee.