



Annual Report 2019 – 2020

Report No. 203, 56th Parliament

Ethics Committee

September 2020

Ethics Committee

Chair	Mr Joe Kelly MP, Member for Greenslopes
Deputy Chair	Mr Tim Nicholls MP, Member for Clayfield
Members	Ms Nikki Boyd MP, Member for Pine Rivers ¹ Ms Leanne Linard MP, Member for Nudgee Mr Mark McArdle MP, Member for Caloundra Mr Ray Stevens MP, Member for Mermaid Beach Mr Chris Whiting MP, Member for Bancroft ²
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¹ Ms Boyd was discharged from the committee on 19 May 2020.

² Mr Whiting was appointed to the committee on 19 May 2020.

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1 Ethics Committee

The Ethics Committee (the committee) is a statutory committee of the Queensland Parliament established under the *Parliament of Queensland Act 2001* (POQA) and the Standing Rules and Orders of the Legislative Assembly.³

The committee's areas of responsibility are set out in section 104B of the POQA as follows:

- dealing with complaints about the ethical conduct of particular members; and
- dealing with alleged breaches of parliamentary privilege by members of the Assembly and other persons.

Section 104C of the POQA provides that the committee's area of responsibility in relation to dealing with complaints about the ethical conduct of particular members is to:

- consider complaints referred to the committee about particular members failing to register particular interests; and
- consider complaints against particular members for failing to comply with the code of ethical conduct for members, report on complaints to the Assembly and recommend action by the Assembly.

A complaint about a member not complying with the code of ethical conduct for members may be considered only by the Assembly or the committee.

Pursuant to the Standing Rules and Orders of the Legislative Assembly (Standing Orders)⁴, the committee also has responsibility for considering submissions referred to it by the Speaker concerning a request for a right of reply by non-members (commonly referred to as the 'citizen's right of reply').

The committee is to advise the Assembly concerning any requests for a citizen's right of reply.

2 Annual report

In accordance with section 108 of the *Parliament of Queensland Act 2001*, the committee is required to table an annual report within 4 months and 14 days after the end of each financial year. The report must include:

- (a) a list of meetings of the committee and the names of members attending or absent from each meeting; and
- (b) a summary of issues considered by the committee, including a description of the more significant issues arising from the considerations; and
- (c) a statement of the committee's revenue and spending for the year; and
- (d) a brief description of responses by Ministers to recommendations of the committee.

This report contains a summary of the activities of the committee from 1 July 2019 to 30 June 2020.

During the reporting period the committee tabled Report No. 192, Annual Report 2018 – 2019.

³ *Parliament of Queensland Act 2001*, Section 88 and Standing Order 194.

⁴ Standing Rules and Orders of the Legislative Assembly, Standing Orders 279 to 283.

3 Summary of issues considered during the reporting period

3.1 Alleged breaches of parliamentary privilege

During the reporting period, the Ethics Committee of the 56th Parliament investigated and reported on the following matters of privilege and possible contempts of parliament:

- Report No. 189, Matter of privilege referred by the Speaker on 12 October 2018 relating to an alleged contempt of parliament by the Premier and Minister for Trade
- Report No. 190, Matter of privilege referred by the Speaker on 28 February 2019 relating to an alleged deliberate misleading of the House by a Member
- Report No. 193, Matter of privilege arising from Ethics Committee Report No. 189
- Report No. 197, Matter of privilege referred by the Speaker on 26 March 2019 relating to alleged contempt by a Member.

3.2 Complaints relating to the Code of Ethical Standards

The *Code of Ethical Standards: Legislative Assembly of Queensland*⁵ (the Code), the most recent edition of which was published on 15 June 2018, provides members with information on managing conflicts of interest and resolving ethical dilemmas and an overview of the current obligations which members are required to observe.

The Committee of the Legislative Assembly has responsibility for publishing the Code and information notices to provide guidance to members about the practical effect of Standing Orders relating to members' conduct.

The committee did not deal with any complaints about breaches of the Code (other than where they may also have constituted contempts of Parliament) during the reporting period.

3.3 Complaints relating to the registration of interests

The Register of Members' Interests and Register of Related Persons' Interests are established under Standing Order 263. Schedule 2 of the Standing Orders contains the rules for the registers. Standing Orders relating to the registers and the conduct of members also form part of the Code.

The committee reported on the following matters relating to the Register of Members' Interests during the reporting period:

- Report No. 198, Matter of privilege referred by the Registrar on 16 October 2019 relating to an alleged failure to register an interest in the register of members' interests
- Report No. 199, Matter of privilege referred by the Registrar on 24 February 2020 relating to an alleged failure to maintain an accurate statement of interests in the register of members' interest.

3.4 Requests for a citizen's of reply

Under the right of reply procedure, persons or corporations who are the subject of adverse comment made in Parliament that affects their reputations, may make a submission to have a response to those comments incorporated in the Record of Proceedings or otherwise published by the Legislative Assembly.

The committee reported on four referrals from the Speaker for consideration of a citizen's right of reply during the reporting period:

- Report No. 191, Report on a Right of Reply No. 38
- Report No. 194, Report on a Right of Reply No. 39
- Report No. 195, Report on a Right of Reply No. 40
- Report No. 196, Report on a Right of Reply No. 41

⁵ The Code of Ethical Standards was last amended by the Committee of the Legislative Assembly on 15 June 2018.

3.5 Ministerial responses to committee recommendations

Section 107 of the POQA provides that where a committee recommends the Government or a Minister should take particular action, or not take particular action, about an issue; or a report of the Ethics Committee recommends a motion be moved by the Assembly to implement a recommendation of the committee, the Minister responsible is required to provide the Legislative Assembly with a response.

In the case of a report of the Ethics Committee recommending a motion be moved by the Assembly to implement a recommendation of the committee, the Premier or the Premier's nominee is to provide a response.

A response tabled in accordance with section 107 must set out any recommendations to be adopted, and the way and time within which they will be carried out, and any recommendations not to be adopted and the reasons for not adopting them.

The POQA requires the relevant Minister to table the response within three months after the report is tabled. If the Minister cannot comply with this requirement, they are required to table an interim response within three months and a final response within six months.

The committee did not table any reports containing recommendations requiring a response under section 107 of the POQA during the reporting period.

4 Committee expenditure

The committee had no revenue during 2019 -20. The committee is funded from the appropriation made to the Legislative Assembly. The expenditure of the committee for the period 1 July 2019 to 30 June 2020 is shown in the table below:

Item	\$
Meeting expenses	854
Technology	454
Printing, postage and supplies	399
Expenditure Total	\$ 1,707

5 Committee Travel

The committee did not undertake any travel during the reporting period.

6 Meeting attendance record

The table following shows the attendance of committee members at committee meetings and other activities during the reporting period.

Meetings	Mr J Kelly MP (Chair)	Mr T Nicholls MP (Deputy Chair)	Ms N Boyd MP	Ms L Linard MP	Mr M McArdle MP	Mr R Stevens MP	Mr C Whiting MP
22 August 2019	✓	✓	x ¹	✓	✓	✓	
5 September 2019	✓	✓	x ²	✓	✓	✓	

Meetings	Mr J Kelly MP (Chair)	Mr T Nicholls MP (Deputy Chair)	Ms N Boyd MP	Ms L Linard MP	Mr M McArdle MP	Mr R Stevens MP	Mr C Whiting MP
12 September 2019	✓	✓	✓	✓	✗	✓	
19 September 2019	✓	✓	✓	✗ ³	✓	✗ ⁴	
17 October 2019	✓	✓	✓	✓	✓	✗ ⁵	
24 October 2019	✓	✓	✓	✓	✓	✗ ⁶	
31 October 2019	✓	✓	✓	✓	✓	✗	
4 November 2019	✓	✓	✗ ⁷	✓	✓	✓	
28 November 2019	✓	✓	✓	✓	✓	✓	
19 December 2019	✓	✓	✓	✗	✓	✗	
29 January 2020	✓	✓	✓	✓	✓	✓	
3 February 2020	✓	✓	✓	✓	✓	✓	
6 February 2020	✓	✓	✓	✓	✓	✓	
20 February 2020	✓	✗ ⁸	✓	✓	✓	✓	
20 March 2020	✓	✓	✗	✓	✓	✗	
8 April 2020	✓	✓	✓	✓	✓	✓	
20 April 2020	✓	✓	✓	✓	✓	✓	
30 April 2020	✓	✗	✗	✓	✓	✓	
21 May 2020	✓	✓		✓	✓	✓	✓
1 June 2020	✓	✓		✗	✓	✓	✓
18 June 2020	✓	✓		✓	✓	✓	✓

Standing Order 202 provides that in the case of a committee members' illness or inability to attend, another member may be appointed to attend that meeting or stand in for a particular inquiry. The following key notes the substitutions of members in the above meeting attendance record.

Meeting substitutions:

1. Ms M McMahan MP, Member for Macalister, substituted for Ms N Boyd under SO 202
2. Ms M McMahan MP, Member for Macalister, substituted for Ms N Boyd under SO 202
3. Ms M McMahan MP, Member for Macalister, substituted for Ms L Linard under SO 202
4. Mr JP Langbroek MP, Member for Surfers Paradise, substituted for Mr R Stevens under SO 202
5. Mr JP Langbroek MP, Member for Surfers Paradise, substituted for Mr R Stevens under SO 202
6. Mr JP Langbroek MP, Member for Surfers Paradise, substituted for Mr R Stevens under SO 202
7. Ms M McMahan MP, Member for Macalister, substituted for Ms N Boyd under SO 202
8. Mr JP Langbroek MP, Member for Surfers Paradise, substituted for Mr T Nicholls under SO 202



Mr Joe Kelly MP

Chair

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