



Legislative Assembly for the
Australian Capital Territory

Standing Committee on the Integrity
Commission and Statutory Office
Holders

Submission Cover Sheet

Inquiry into the effectiveness of transparency arrangements for Members of the Legislative Assembly

Submission number: 007

Submitter: Clerk of the House of Representatives NZ

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Mr Ed Cocks MLA

Chair

Standing Committee on the Integrity Commission and Statutory Office Holders

ACT Legislative Assembly

Via email: LACommitteeIntegrity@parliament.act.gov.au

Dear Chair

Inquiry into the effectiveness of transparency arrangements for Members of the ACT Legislative Assembly

Thank you for the opportunity to provide a brief submission to this inquiry. I will focus on the register of Members' interests as the main transparency requirement of the House of Representatives, and refer to some of the other relevant transparency measures which are overseen by other agencies.

Register of Members' interests

For Members of the House of Representatives, requirements with respect to transparency are established by resolution of the House¹ (**Attachment A**), which provides that within 28 days of making and subscribing an oath or affirmation of allegiance, each Member is required to provide a statement of their registrable interests and the registrable interests of which they are aware of their spouse/partner and any children who are wholly or mainly dependent on the Member for support.

Members must notify any alteration of those interests within 28 days of the alteration occurring.

Interests requiring registration include:

- shareholdings in public and private companies.
- family and business trusts and nominee companies, subject to certain conditions.
- real estate, indicating the location and the purpose for which it is owned.
- registered directorships of companies.
- partnerships, including the nature of the interests and the activities of the partnerships.
- liabilities, indicating the nature of the liability and the creditor concerned.
- the nature of any bonds, debentures and like investments.
- saving or investment accounts, indicating their nature and the name of the bank or other institutions concerned.
- the nature of any other assets (excluding household and personal effects) each valued at over \$7,500.
- the nature of any other substantial sources of income.

¹ Resolutions of [9 October 1984 a.m.](#), and amended by the House on [13 February 1986](#), [22 October 1986](#), [30 November 1988](#), [9 November 1994](#), [6 November 2003](#), [13 February 2008 a.m.](#) and [19 September 2019](#).

- gifts valued at more than \$750 received from official sources, or at more than \$300 from other sources, provided that a gift from family members or personal friends in a purely personal capacity need not be registered unless the Member judges that an appearance of conflict of interest may be seen to exist.
- any sponsored travel or hospitality received where the value of the sponsored travel or hospitality exceeds \$300.
- membership of any organisation where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise.
- any other interests where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise.

The resolution requires the statement to be made to the Registrar of Members' interests, who is an officer of the Department of the House of Representatives appointed by the Speaker at the commencement of each Parliament pursuant to paragraph 3(a) of the resolution. Detailed explanatory notes for the Statement of Registrable Interests, which are authorised by the Committee of Privileges and Members' Interests, are available at https://www.aph.gov.au/-/media/03_Senators_and_Members/32_Members/Register/Explanatory_notes/Explanatory_Notes_Booklet_1.pdf

The Registrar is required to maintain a Register of Members' Interests in accordance with procedures determined by the Committee of Privileges and Members' Interests which is appointed under Standing Order 216 (**Attachment B**) to oversee the register. From the 43rd Parliament onwards, the Register is available on the Parliament's [website](#), and records from previous parliaments are retained in hard copy, also available for inspection. Alterations to the Register do not remove existing information, but rather add to it. Each Member's statements and alterations remain available for viewing even after the Member's term has concluded, meaning that any declared interests which may conflict, or may be seen to conflict, with their public duty are permanently on the public record.

The Committee of Privileges and Members' Interests is required to report to the House each year on its operations in connection with the registration and declaration of Members' interests. These reports are available on the Parliament's website: www.aph.gov.au/Parliamentary_Business/Committees/House/Privileges_and_Members_Interests/completed_inquiries.

Other transparency measures

There are several other transparency or integrity measures in place that apply to Members of the House of Representatives, which are administered by other agencies:

- The [Independent Parliamentary Expenses Authority](#) publicly reports parliamentarians' work expenses and the travel expenses of their staff under the [Independent Parliamentary Expenses Authority Act 2017](#).
- The Attorney-General's Department administers the [Lobbying Code of Conduct and the Register of Lobbyists](#).

- Parliamentarians and their staff are considered public officials under the [National Anti-Corruption Commission Act 2022](#) and can be investigated by the [National Anti-Corruption Commission](#) regarding potential serious or systemic corrupt conduct.

Relevant exemptions

Under section 25A of the [Foreign Influence Transparency Scheme Act 2018](#), Members of Parliament are exempt from the operation of the [Foreign Influence Transparency Scheme](#) established by the Act. The exemption had been recommended by the Parliamentary Joint Standing Committee on Intelligence and Security in its [Advisory report on the Foreign Influence Transparency Scheme Bill 2017](#). The report further recommended that the House of Representatives and the Senate develop a parallel parliamentary foreign influence transparency scheme, imposing on Members and Senators similar transparency obligations to those in the Bill, but appropriately adapted for the parliamentary environment. In October 2018, after the Act received royal assent, the House duly referred to the Committee of Privileges and Members' Interests the development of a foreign influence transparency scheme to apply to parliamentarians.² The inquiry lapsed upon dissolution of the House on 11 April 2019.

I hope this information is useful to the committee in its inquiry. Please let me know if I can be of any further assistance.

Yours sincerely

Claressa Surtees
Clerk of the House

29 July 2025

² [Votes and Proceedings 2016–18/1936–7 \(25.10.2018\)](#)

Registration of Members' interests

Requirements of the House of Representatives

*Resolution adopted 9 October 1984 a.m., amended 13 February 1986,
22 October 1986, 30 November 1988, 9 November 1994,
6 November 2003, 13 February 2008 a.m. and 19 September 2019*

(1) Registration of Members' interests

That—

- (a) within 28 days of making and subscribing an oath or affirmation as a Member of the House of Representatives each Member shall provide to the Registrar of Members' Interests, a statement of—
 - (i) the Member's registrable interests, and
 - (ii) the registrable interests of which the Member is aware (a) of the Member's spouse/partner and (b) of any children who are wholly or mainly dependent on the Member for support,in accordance with resolutions adopted by the House and in a form determined by the Committee of Members' Interests or by the Committee of Privileges and Members' Interests from time to time, and shall also notify any alteration of those interests to the Registrar within 28 days of that alteration occurring, and
- (b) the statement to be provided by a Member shall include:
 - (i) in the case of a Member who was not a Member of the House of Representatives in the immediately preceding Parliament, interests held at the date of his or her election and any alteration of interests which has occurred between that date and the date of completion of the statement, and
 - (ii) in the case of a Member who was a Member of the House of Representatives in the immediately preceding Parliament, interests held at the date of dissolution of the House of Representatives in the previous Parliament and any alteration of interests which has occurred between that date and the date of completion of the statement.

(2) Registrable interests

That the statement of a Member's registrable interests to be provided by a Member shall include the registrable interests of which the Member is aware (1) of the Member's spouse/partner and (2) of any children who are wholly or mainly dependent on the Member for support, and shall cover the following matters:

- (a) shareholdings in public and private companies (including holding companies) indicating the name of the company or companies;
- (b) family and business trusts and nominee companies—
 - (i) in which a beneficial interest is held, indicating the name of the trust, the nature of its operation and beneficial interest, and
 - (ii) in which the Member, the Member's spouse/partner, or a child who is wholly or mainly dependent on the Member for support, is a trustee (but not including a trustee of an estate where no beneficial interest is held by the Member, the Member's spouse/partner or dependent children), indicating the name of the trust, the nature of its operation and the beneficiary of the trust;
- (c) real estate, including the location (suburb or area only) and the purpose for which it is owned;
- (d) registered directorships of companies;

- (e) partnerships indicating the nature of the interests and the activities of the partnership;
- (f) liabilities indicating the nature of the liability and the creditor concerned;
- (g) the nature of any bonds, debentures and like investments;
- (h) saving or investment accounts, indicating their nature and the name of the bank or other institutions concerned;
- (i) the nature of any other assets (excluding household and personal effects) each valued at over \$7,500;
- (j) the nature of any other substantial sources of income;
- (k) gifts valued at more than \$750 received from official sources, or at more than \$300 where received from other than official sources provided that a gift received by a Member, the Member's spouse/partner or dependent children from family members or personal friends in a purely personal capacity need not be registered unless the Member judges that an appearance of conflict of interest may be seen to exist;
- (l) any sponsored travel or hospitality received where the value of the sponsored travel or hospitality exceeds \$300;
- (m) membership of any organisation where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise, and
- (n) any other interests where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise.

(3) Register and Registrar of Members' Interests

That—

- (a) at the commencement of each Parliament, and at other times as necessary, Mr Speaker shall appoint an officer of the Department of the House of Representatives as the Registrar of Members' Interests and that officer shall also assist the Committee of Privileges and Members' Interests in relation to matters concerning Members' interests;
- (b) the Registrar of Members' Interests shall, in accordance with procedures determined by the Committee of Privileges and Members' Interests, maintain a Register of Members' Interests in a form to be determined by that committee from time to time;
- (c) as soon as possible after the commencement of each Parliament the Registrar of Members' Interests shall publish online the completed Register of Members' Interests and shall also publish online from time to time as required any notification by a Member of alteration of those interests, and
- (d) the Register of Members' Interests shall be available for inspection by any person under conditions to be laid down by the Committee of Privileges and Members' Interests from time to time.

Additional resolution adopted 13 February 1986

That any Member of the House of Representatives who—

- (a) knowingly fails to provide a statement of registrable interests to the Registrar of Members' Interests by the due date;
- (b) knowingly fails to notify any alteration of those interests to the Registrar of Members' Interests within 28 days of the change occurring, or
- (c) knowingly provides false or misleading information to the Registrar of Members' Interests,

shall be guilty of a serious contempt of the House of Representatives and shall be dealt with by the House accordingly.

216 Committee of Privileges and Members' Interests

- (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 13 members: the Leader of the House or his or her nominee, the Deputy Leader of the Opposition or his or her nominee and 11 other members (six government Members, four opposition Members and one crossbench Member). 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 seven 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.