



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QToN No. PAC-5

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mrs Elizabeth Kikkert MLA (Chair), Mr Michael Pettersson MLA (Deputy Chair),
Mr Andrew Braddock MLA

Inquiry into Annual and Financial Reports 2022–23
ANSWER TO QUESTION TAKEN ON NOTICE
13 November 2023

Asked by Mr Peter Cain MLA on Monday, 13 November 2023: Ms Joy Burch MLA, Speaker, took on notice the following question:

[Ref: Hansard Uncorrected Proof Transcript 13 November 2023 p 10]

In relation to: Declarable interests of Members and spouses

MR CAIN: Thank you, Chair. I am not sure if this is—anyway, Madam Speaker, regarding the declarable interests of members, are MLAs and their spouses required to declare superannuation and are there circumstances in which they are not required to declare superannuation?

Ms Burch: I am going to go to the acting clerk.

Mr Finlay: Yes, I will take that one on notice.

MR CAIN: Perhaps as well, if an MLA or their spouse or partner has a self-managed superfund does that create an exemption at all? So, it would be addressed in that information as well.

Ms Burch: I think this has come up because if you have a superfund, like, if you are in Australia First or whatever group I have a self-managed fund but I declare that. But not all the jigsaw puzzle that sits underneath because I do not, it is my understanding, not required at the moment.

MR CAIN: Well, invested in what? What is required in this area of superannuation to be declared. And whereas self-managed superfund is declared, is the name of the superfund required to be disclosed?

Ms Burch: We will take all of these questions and if you have others please put them through.

Speaker: The answer to the Member's question is as follows:—

Superannuation is listed on the Declaration of Member's Private Interests form under Item 10: Other Assets, assuming it has not already been declared in any of the previous categories. This would include self-managed funds. Many self-managed funds take the form of trusts, which are declarable under Item 6. Declarations under Item 10 are to include the name of the institution holding the fund.

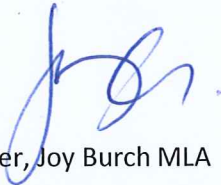
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The *Code of Conduct for all Members of the Legislative Assembly of the Australian Capital Territory* set out in Continuing Resolution 5 requires, among other things, that Members “declare their private interests and those of immediate family”. It therefore follows that Members are required to declare any superannuation held by their spouse.

Members’ individual circumstances may require additional disclosure and advice on this can be sought from either the Clerk or the Assembly’s Ethics and Integrity Adviser.

Approved for circulation to the Standing Committee on Public Accounts

Signature:

A handwritten signature in blue ink, appearing to be 'JB', written over a light blue circular stamp.

Date: 22 November 2023

By the Speaker, Joy Burch MLA