

Legislative Assembly Commissioner for Standards – Appointment 2025

made under the resolution of the Legislative Assembly for the Australian Capital Territory dated 31 October 2013 (as amended)

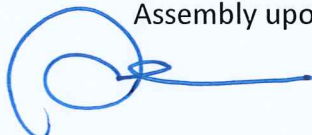
Legislative Assembly Commissioner for Standards – Appointment

Appointment of Legislative Assembly Commissioner for Standards

I appoint:

Kenneth John Crispin KC

as the Legislative Assembly Commissioner for Standards, commencing on 20 April 2025 and ending six months after the election of the 12th Legislation Assembly upon the conditions in the attached schedule.



Mark Parton MLA
Speaker of the Legislative Assembly

10 April 2025

Schedule to the Appointment of Kenneth John Crispin KC as Legislative Assembly Commissioner for Standards (Appointee)

Conditions

1. Duties

- (1) The Appointee will:
 - (a) investigate specific matters referred to the Appointee via the Clerk of the Legislative Assembly; and
 - (b) report to the Standing Committee on Administration and Procedure (**the Committee**).
- (2) In carrying out the duties pursuant to this appointment, the Appointee shall exercise all the care, skill and diligence that can reasonably be expected of a person having the same responsibilities under an equivalent appointment.

2. Reports

In exercising their functions under paragraph 1(b), the Appointee:

- (a) must not make a report to the Committee concerning a complaint that a Member failed to register or declare an interest if the Member about whom the complaint was made has agreed that they (the Member) failed to do so and —
 - (i) in the Appointee's opinion the interest involved is minor or the failure was inadvertent; and
 - (ii) the Member concerned has taken such action to rectify the failure as the Appointee may have required within any procedure approved by the Committee for this purpose.
- (b) must not make a report to the Committee unless the Appointee has—
 - (i) given a copy of the proposed report to the Member who is the subject of the complaint under investigation;
 - (ii) the Member has had a reasonable time to provide comments on the proposed report; and
 - (iii) the Appointee has considered any comments provided by the Member.

- (c) must, if the Appointee receives a complaint and believes on reasonable grounds that there is insufficient evidence to justify an investigation or that the complaint is frivolous, vexatious or only for political advantage, inform the complainant that the matter will not be further investigated. The Appointee will also inform (without revealing the complainant's identity or the nature of the complaint) both the committee and the Member the subject of the complaint that a complaint has been received but not further investigated.
- (d) must report by 31 August each year to the Speaker on the exercise of their functions.

3. Remuneration and Reimbursement

- (1) The Appointee will be remunerated at the rate of \$28,000 (GST inclusive) per annum.
- (2) If the Appointee is required to act under this appointment in excess of 40 hours per annum (or the equivalent pro-rata period for periods of an appointment that are under a year), on presentation of an invoice attesting to the additional period of time that they have been required to act under the appointment, they shall be remunerated for such hours in arrears at the rate per hour calculated by dividing the current annual remuneration by 40. The total amount of remuneration shall not exceed \$60,000 (GST inclusive) in any one year without the prior agreement of the Speaker.
- (3) The Appointee will be reimbursed such reasonable expenses as the Appointee reasonably incurs in the performance of their duties, upon presentation of a receipt or such other evidence of payment satisfactory to the Clerk of the Assembly. Unless otherwise agreed, all of the Appointee's travel and accommodation requirements, if any, will be arranged through the Assembly.
- (4) The Appointee will be responsible for the cost of their own telephone and any other communication or information technology equipment, unless otherwise agreed and/or provided by the Assembly.

4. Confidentiality and Conflicts of Interest

The Appointee shall execute a deed of confidentiality and conflict of interest in a form approved by the Speaker and will otherwise:

- (a) maintain the confidentiality of information provided to him and any reports prepared in exercising the Appointee's role;
- (b) disclose to the Speaker any conflict, including any potential conflict, of interest or circumstances which might reasonably be perceived as giving rise to a conflict, or potential conflict, with the performance of the Appointee's duties, and will resolve the conflict or circumstances in a manner directed by the Speaker;
- (c) not engage in activities, whether for remuneration or otherwise, that could conflict with the proper performance of the Appointee's duties without the approval of the Speaker in writing.

5. Property and Confidentiality

- (1) Subject to applicable legislation, all documents, papers and materials that are provided to the Appointee by the Assembly (including any of its committees) during the term of the appointment in connection with the performance of any duties referred to in these conditions shall, unless otherwise notified by the Speaker or the Clerk of the Assembly to the Appointee, remain the property of the Assembly and the Appointee shall keep such documents, papers and materials and the information contained in them confidential unless such are already in the public domain. Any breach of confidentiality may amount to a contempt of the Assembly.
- (2) The Appointee will retain copies of materials concerning their performance of their duties for a period of seven years from the date of appointment.

6. Legal assistance

- (1) The Territory will provide the Appointee with reasonable legal assistance to defend (either through providing legal representation or reimbursing legal costs and expenses for legal representation at its discretion), arising out of civil legal proceedings against the Appointee as a result of the Appointee's performance of their official duties.

7. Termination

- (1) The Appointee may be dismissed only following a resolution of the Assembly to require the Speaker to end the Appointee's appointment for:
 - (a) misbehaviour; or
 - (b) physical or mental incapacity, if the incapacity substantially affects the exercise of the Appointee's functions.
- (2) A motion for such a resolution may only be debated after the Committee has reported to the Assembly that it is satisfied that the Appointee is unfit for the office or unable to fulfil the Appointee's duties.