

APPENDIX 21: DECLARATION OF PRIVATE INTERESTS OF MEMBERS**Resolution agreed by the Assembly on 7 April 1992 (amended 27 August 1998, 17 March 2005 and 6 March 2008)**

That—

- (1) within 28 days of the making and subscribing of an oath or affirmation as a Member of the Legislative Assembly for the Australian Capital Territory each Member of the Legislative Assembly shall provide to the Clerk of the Legislative Assembly a declaration of the private interests of themselves and their immediate family in the form as presented to the Assembly on 17 March 2005 and shall notify any alteration of those interests to the Clerk within 28 days of that alteration occurring;
- (2) under the general direction of the Speaker, the Clerk shall store the declarations of private interests made by each Member in a secure manner and shall include all declarations made by each Member. When a Member vacates his or her seat and is not re-elected at the next general election for the Assembly, the Clerk shall destroy all declarations made by that Member in his/her custody;
- (3) any declaration stored by the Clerk be made available for perusal to any person on request subject to the Member concerned being advised by the Speaker of the name of the person to whom the information is made available and the reasons why it has been requested, in each case; and
- (4) that this resolution has effect from the commencement of the Second Assembly and continues in force unless and until amended or repealed by this or a subsequent Assembly.



Legislative Assembly for the Australian Capital Territory
Register of Members' Interests

Statement of Registrable Interests

Particulars of my private interests and those of my immediate family of which I am aware are set out below.

This information is supplied subject to my being advised by the Speaker of the ACT Legislative Assembly of the name of all persons to whom the information is made available and the reasons why it was requested in each case.

Signature:

Name:

Date:

It is suggested that the *Explanatory Notes* accompanying each section be read before completing.

Revised 17 March 2005

Legislative Assembly for the Australian Capital Territory
Register of Members' Interests

Explanatory Note

General

The purpose of the Statement of Registrable Interests form is to place on the public record Members' and Ministers' interests which may conflict, or may be seen to conflict, with their public duty.

No form can cover all possible circumstances and Members and Ministers should consequently bear in mind the purpose and spirit of the return in deciding which matters should be registered.

Ministers should complete a Statement in their capacity as a Minister and another Statement in their capacity as a Member of the ACT Legislative Assembly. These guidelines apply to both documents, and references made to the "Member" should be read as applying also to the Minister.

Note: There is the need to include under all headings interests to the extent to which the Member is aware of them, of the Member's spouse (including de facto spouse), and any who are wholly or mainly dependent on the Member for support.

When interests are held jointly with a spouse or dependants, the interests need to be included only as interests of the Member with an appropriate notation such as "*jointly owned with spouse*".

Where interests could be included under more than one heading, it is suggested they need be included only under the most specific heading unless two aspects need to be disclosed (e.g. real estate, plus a mortgage liability on that real estate).

Statement of Registrable Interests

1. Shareholdings in public and private companies (including holding companies) indicating the name of the company or companies

	Name of company (including holding and subsidiary companies if applicable)
Self	
Spouse	
Dependants	

Explanatory Notes:

- Notify any relevant interest in any shares (as defined in Corporations Law) including equitable as well as legal interest, whether held directly or indirectly, which enables a Member, the Member's spouse or dependants to exercise control over the right to vote or dispose of those shares.
- Where interests are held in a private holding company (i.e. a proprietary company formed for the purpose of investing in subsidiary companies) all such subsidiary companies, and any subsidiary companies held by those subsidiary companies, should be named.

2. Family and business trust 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

	Name of Trust / nominee company	Nature of Operation	Beneficial interest
Self			
Spouse			
Dependants			

ii) in which a beneficial interest is held, indicating the name of the trust, the nature of its operation and beneficial interest.

	Name of Trust / Nominee company	Nature of operation	Beneficial interest
Self			
Spouse			
Dependants			

Explanatory Notes:

Family and business trust 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, or dependant is a trustee (but not including a trustee of an estate where no beneficial interest is held by the Member, the Member's spouse or dependant), indicating the name of the trust, the nature of its operation and the beneficiary of the trust.

Note: That both beneficial interest and trustee responsibilities (except as trustee of a deceased estate where neither the Member, the Member's spouse nor dependants are beneficiaries of the estate) should be specified.

3. Real estate, including the location and the purpose for which it is owned

	Location	Purpose for which owned
Self		
Spouse		
Dependants		

Explanatory Note:

- Members should specify the precise location of the property and purpose for which the property is owned (members are not required to list the address of their principal place of residence).

4. Registered directorships of companies

	Name of company	Activities of company
Self		
Spouse		
Dependants		

Explanatory Note:

- Indicate the name of the Company and the activities of the Company.

5. Partnerships, indicating the nature of the interests and the activities of the partnerships

	Name	Nature of Interests	Activities of Partnership
Self			
Spouse			
Dependants			

Explanatory Notes:

- Under “*nature of the interests*” specify level of current involvement in partnerships (e.g. “financial (non-working partner), consultant”, etc).
- Specify the purpose or operations of the partnerships (e.g. investment, consultancy, etc).

6. Liabilities, indicating the nature of the liability and the creditor concerned

	Nature of Liability	Creditor
Self		
Spouse		
Dependants		

Explanatory Notes:

- Include all liabilities (e.g. mortgages, hire-purchase arrangements, personal loans and overdrafts).
- Liabilities incurred on a department store account need not be disclosed.

- Liabilities incurred on a credit card need not be disclosed unless the credit card has been used to obtain a cash advance in excess of \$5,000 and the advance is outstanding for a period in excess of 60 days.

7. The nature of any bonds, debentures and like investments

	Type of investment	Body in which investment is held
Self		
Spouse		
Dependants		

Explanatory Note:

- “Investments” mean all investments including placement of monies, which attract interest or other benefits.

8. Savings or investment accounts, including their nature and the name of the bank or other institutions concerned

	Nature of Account	Name of bank / institution
Self		
Spouse		
Dependants		

Explanatory Note:

- Ordinary, non-interest-bearing cheque accounts should not be included, but savings accounts and investment accounts should be included.

9. The nature of other assets (excluding household and personal effects) each valued at over \$5,000

	Nature of other assets
Self	
Spouse	
Dependants	

Explanatory Notes:

- List all personal possessions of value other than ordinary household or personal effects.
- Motor vehicles for personal use need not to be included.
- Collections should be included.
- Items which might be listed under more specific headings (e.g. investments gifts received, etc) need not be included here.
- Private life assurance policies should be included but Assembly superannuation entitlements need not be included.
- As a general rule of thumb, items of under \$5,000 value may not require inclusion under this heading unless they are of a nature which might be sensitive to implications of conflict of interest.

10. The nature of other substantial sources of income

	Nature of income
Self	
Spouse	
Dependants	

Explanatory Notes:

- The Member's own salary and allowances as a Member of the Assembly need not be included.
- Include a spouse's income from employment or a business undertaking and any income received by the Member, the Member's spouse or dependants from investments, annuity arrangements, pensions or under governmental assistance schemes (but not including family allowances). There is no need to show the actual amount received. A simple reference to "*income for investments set out above*" is sufficient for investment income.

Note: No minimum income is specified as notifiable and Members will need to use their discretion in this regard. As a general rule of thumb, income over \$1,000 per annum might be notifiable but smaller amounts from sources which might, in the judgement of the Member, involve sensitivity or be capable of misconstruction should be included.

- 11.** Gifts valued at more than \$250 received from official sources, or at more than \$100 where received from other than official sources provided that a gift received by a Member, the Member's spouse or dependants 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.

	Details of gifts
Self	
Spouse	
Dependants	

Explanatory Note:

- Gifts received by Members and their families from family members or personal friends in a purely personal capacity need not be disclosed unless the Member judges an appearance of conflict of interest may be seen to exist.

- 12.** Any sponsored travel or hospitality received

	Details of travel / hospitality
Self	
Spouse	
Dependants	

Explanatory Notes:

- “*Sponsored travel*” means any free or concessional travel undertaken by the Member, the Member's spouse or dependants sponsored wholly or partly by a person, organisation, business or interest group or foreign Government or its representative. It does not include the travel entitlements received by a Member, the Member's spouse or dependants under any determination by the Remuneration Tribunal nor travel undertaken as a Member of an official Assembly delegation. The purpose for which the travel was undertaken should be shown.
- “*Hospitality*” refers to free or concessional accommodation provided to the Members, the Member's spouse or dependants wholly or partly by any person, organisation, business or interest group or foreign Government or its representative. It includes the provision of free or concessional meals provided as part of an accommodation arrangement but does not include hospitality provided in a purely social way by friends or colleagues. Entertainment received from concerned constituents and interest groups legitimately exercising their powers of political persuasion, explanation, or argument on the merits of an issue to further a particular cause or concern need not be included. There is also no need to include entertainment received in common with significant numbers of other Members or persons such as a reception or dinner hosted by a High Commissioner or Ambassador.

In all cases in deciding whether travel or hospitality should be included in a return, a Member should exercise his or her judgement having regard to any appearance of conflict of interest that may arise.

13. Membership of any organisation

	Names of Organisations
Self	
Spouse	
Dependants	

Explanatory Note:

Membership of all organisations should be disclosed. Examples might include unions, political organisations, business groups, community organisations, lobby groups and sporting or other clubs.

14. Any other interests where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise

	Nature of Interest
Self	
Spouse	
Dependants	

Explanatory Note:

- List any other interest that, in the opinion of the Member, holds the potential for a real or apparent conflict of interest with a Member's public duties to arise.

**NOTIFICATION OF ALTERATION(S) OF INTERESTS
SINCE MOST RECENT DECLARATION**

The following alteration(s) of interests have occurred since my most recent declaration (Members can also indicate Assembly accrued Frequent Flier points earned using this form).

ADDITION

<u>Item</u>	<u>Details</u>

DELETION

<u>Item</u>	<u>Details</u>

Signature **Date.....**