



PRIME MINISTER

FOR PRESS

15 February 1978

INQUIRY CONCERNING PUBLIC DUTY AND PRIVATE INTEREST

The Prime Minister announced today that Sir Nigel Bowen had agreed to chair an inquiry into matters relating to Public Duty and Private Interest. The inquiry had been foreshadowed in Mr Fraser's press release of 16 December 1977.

Sir Nigel, who is Chief Judge of the Federal Court of Australia, will be assisted in the inquiry by Sir Cecil Looker and Sir Edward Cain. Their considerable experience in the worlds of business and administration will be of invaluable assistance.

Sir Nigel Bowen had a distinguished career as a senior Minister and prior to that was an eminent jurist. Sir Cecil Looker is a prominent business man with considerable expertise. Sir Edward Cain, who served as Commissioner of Taxation prior to his retirement in 1976, has an enviable record as an administrator.

The inquiry has been asked to consider whether principles and measures can be drawn up to promote the avoidance and if necessary the resolution of conflict of interest situations. It will have access to a large amount of information already available on policies, practices and attitudes in Australia and overseas.

The Terms of Reference of the Inquiry are attached.

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INQUIRY CONCERNING PUBLIC DUTY AND PRIVATE INTERESTTERMS OF REFERENCE

1. To recommend whether a statement of principles can be drawn up on the nature of private interests, pecuniary or otherwise, which could conflict with the public duty of any or all persons holding positions of public trust in relation to the Commonwealth.
2. To recommend whether principles can be defined which would promote the avoidance and if necessary the resolution of any conflicts of interest which the Inquiry may, under paragraph (1) above, find to be possible.
3. In the event of a finding under paragraph (2) above that principles can be defined, to recommend what those principles should be.
4. Without limiting the scope of paragraph (3) above, to recommend whether or not a register under judicial or other supervision should be maintained so that, in the event of allegations of impropriety, the allegation may be open to judicial investigation and report.
5. For the purposes of paragraph (1) above, "persons holding positions of public trust in relation to the Commonwealth" to include the following:
 - (a) Ministers;
 - (b) Senators and Members of the House of Representatives;
 - (c) Staff of (a) and (b);
 - (d) Members of the Australian Public Service; and
 - (e) Such other persons or classes of persons which in the opinion of the Committee ought to be included.