

STATEMENT BY THE PRIME MINISTER

PUBLIC DUTY AND PRIVATE INTERESTS

For the information of honourable members I present copies of the statements which Ministers have provided to me concerning their private interests. My own return is, of course, also included.

Mr Speaker, I seek leave to make a statement.

The statements of private interests which I have presented to the House represent a landmark in the development of this Parliament and in the provision of information to the public about the Ministers to whom that public has entrusted the government of this country.

Never before in the history of this Parliament have Ministers disclosed publicly the private interests which they hold.

It is right and proper that they should do so. The public - the electors of this country - are entitled to have confidence in the integrity of their elected representatives; to know that Ministers of the Government will perform their duties without fear or

favour; to be reassured that a Minister's private interests - whatever they may be - do not conflict with his or her public duties in holding the high office of a Minister in the Federal Government.

With those beliefs in mind the Australian Labor Party has long held the view that public disclosure of the private interests of Ministers - and of others, to whom I shall refer later - is appropriate.

I want to turn now to some of the details of the system of declaration of private interests which the Government has decided upon.

In respect of Ministers, there are two statements of private interests. The first is a statement in general terms of the interests held by a Minister and those of his or her immediate family (that is, spouse and dependent children) of which he, or she, is aware. It is required to be provided on an annual basis (with any significant changes in the meantime also disclosed to me) and will cover:

- . shareholdings in public and private companies
  
- . family and business trusts and nominee companies

- . real estate
- . directorships in private companies

- and I should make it clear that Ministers are required to resign any directorships in public companies and directorships of private companies unless, for example, such companies operate a family farm, business or investments and the retention of the directorship is not likely to conflict with the public duty of the Minister

- . partnerships
- . liabilities, other than short-term credit arrangements
- . bonds, debentures and like investments
- . savings or investment accounts
- . other assets (including collections but excluding household and personal effects) each valued at over \$5000

- that is, each collection valued at more than \$5000, other than any used for household purposes, will be declared

. other substantial sources of income

- in relation to which I should say that Ministers of this Government may not derive any income through personal exertion other than as a Minister and a member of this Parliament

. gifts valued at more than \$250 received from official sources or in excess of \$100 from non-official sources, in accordance with agreed guidelines

. sponsored travel or hospitality (other than 'guest of government' hospitality)

- bearing in mind there are long-standing restrictions on Ministers in that respect

. and finally, any other interests (such as membership of organisations) where a conflict of interest with public duties could foreseeably arise.

I have mentioned some of the particular restrictions which are placed on Ministers. So that all members of the House, and the public, are aware of the full extent of those restrictions I shall mention other requirements.

Ministers, upon appointment as Ministers, must cease to engage in any professional practice or in the daily work of any business; nor, as I have mentioned, can they derive any income through personal exertion other than as a Minister or a member of this Parliament.

Ministers have to divest themselves of shares or similar interests in any company or business involved in the area of their portfolio responsibilities.

Ministers have to make a declaration at meetings of the Cabinet or its Committees of any matter which may give rise to a conflict of interests.

And should any particular conflict of interest arise during the course of Ministers' administration of their Departments, I have to be informed so that a decision can be made on how the particular matter is to be progressed.

From the statements I have presented, honourable members will see that money amounts of individual Ministers' interests - whether income, assets or liabilities - have not been included. It is the Government's belief that public disclosure of that information would be an undue invasion of the privacy of Ministers and of their families. Ministers, however, have declared those amounts to me in a private and confidential statement. This is the second of the statements to which I referred earlier which will also be required to be provided on an annual basis.

I turn now to provisions which might be applied to senators and members generally.

I remarked earlier on the right of the public to have confidence in the integrity of its elected representatives. While that confidence demands particularly high standards in Government Ministers it also demands certain standards of each and every member of this House and each and every member of the Senate.

The Government therefore proposes that all senators and members should disclose by way of a public register their own private interests, and those interests of

their families of which they are aware. The details to be disclosed would be no more than are in the Ministers' statements which I have presented today. In one important respect they would be much less: there would be no requirement to disclose money values at all.

The Government also proposes that the Standing Orders be amended to require all members to declare a relevant interest if they participate in a debate or vote in a division in the House. Standing orders already make certain provisions in respect of committee membership where a member has a personal interest in the subject matter before the committee.

It is the Government's intention that the precise method of implementation of the provisions to apply to senators and members should be examined by the Standing Orders Committees of the respective Houses, meeting as necessary as a joint committee to ensure that the provisions are as far as possible consistent between the two Houses. In addition, it is intended that the Standing Orders Committee should be asked to report upon whether, as proposed in the Bowen Report on Public Duty

and Private Interest, a Code of Conduct should apply to all senators and members and if so what form it should take and how it should be implemented. The Committee will also be asked to look at the other recommendations of the Bowen Report (apart from those relating to the Constitution) affecting senators and members. My colleague the Leader of the House will be presenting a notice of motion today giving further details and proposing referral to the Standing Orders Committee for consideration and report. One question is whether the registration system should be compulsory or voluntary. If the House ultimately decides upon the latter and a member refuses to provide a statement I am sure that people - especially the electors concerned - will be able to make their own judgement about that particular member.

Mr Speaker, some may argue that any system of registration of private interests should be confined to the public's elected representatives. We believe, however, that the public is entitled to have confidence in the integrity of the wider machinery of government; in the integrity of public administration generally.

Therefore, the Government has decided that senior public servants, statutory officeholders, senior staff of statutory authorities, and all ministerial staff will be required to furnish a statement of their private interests similar to the public statement required of Ministers - that is, containing details of the interests I mentioned earlier, but not as to their money amounts. The statements will not be public but, in the case of public servants and members and staff of statutory authorities, will be available to the relevant Minister and to the head of the department or authority concerned. In the case of ministerial staff the statements will be available to the relevant Minister, to the Special Minister of State, and to me. The Public Service Board or, in the case of statutory authorities, the responsible Minister, will be informing the people concerned of the requirements in the near future. The Department of the Special Minister of State will be contacting ministerial staff to the extent that their present statements do not cover the requirements I have announced today.

On such an important matter as this, Mr Speaker, I could not conclude without a reference to those who work in this building and whose task it is to report upon our

activities via the media. They enjoy particular privileges and rights of access - including to the galleries of this Chamber - which many other people do not. They are there, however, not only to report upon words spoken in this House but to express views and opinions on the actions and decisions of the Government as a whole, individual members - and, occasionally, the Opposition.

The Government therefore believes that it would be consistent with its overall approach to this particular matter if the Australian Journalists' Association and the Federal Parliamentary Press Gallery were invited to develop a similar system of disclosure of the private interests of journalists of those media organisations accredited to or using the facilities of the Parliament, and all members of the media who have quarters in or work from Parliament House. My colleague the Special Minister of State will be pursuing these aspects in the near future.

Mr Speaker, the Government's decisions on this matter are the culmination of the work of many people over many years. The parliamentary committee which reported in 1975, chaired by the then member for Phillip, Joe

Riordan, made a most significant contribution to a proper system of registration of private interests. One cannot overlook, also, the comprehensive report of the Committee of Inquiry into Public Duty and Private Interest, chaired by Sir Nigel Bowen.

The arrangements I have announced today represent a new extension in parliamentary democracy. The electors of this country have a right to be confident that those whom they send to represent them in this Parliament will do so in all matters without fear or favour. A large part of that confidence rests in the public knowledge that the private interests of the elected member - whether a Minister, a Government backbencher or an Opposition member - will not influence, nor will they be likely to influence, the discharge of his or her public duties in whatever capacity he or she may serve in this Parliament.

22 September 1983