



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
GPO Box 3721 Darwin NT 0801

Office of the Clerk

Mr Johan Scheffer, MLC
Chair
Law Reform Committee
Parliament of Victoria
Parliament House
Spring Street
East Melbourne VIC 3002

Dear Mr Chairman,

Review of the Members of Parliament (Register of Interests) Act 1978

Thank you for your letter of 17 April in respect of your Committee's work. On behalf of the Clerk of the Legislative Assembly, I am pleased to provide the following information:

In the Northern Territory, Members of the Legislative Assembly are subject to two separate instruments:

- The *Legislative Assembly (Members' Code of Conduct and Ethical Standards) Act*, which had its third reading in the Assembly on 25 November 2008 and commences upon Gazettal (which has not yet happened); and
- legislation dealing with members' interests, which is explained below.

Members of the Legislative Assembly are currently obliged to comply with the *Legislative Assembly (Register of Members' Interests) Act 1982*. However, in October 2008, the Government introduced the *Legislative Assembly (Disclosure of Interests) Bill*, which will repeal and replace the *Register of Members' Interests Act*.

The Disclosure of Interests legislation is intended to update the 1982 Act and extend disclosure of pecuniary interests to spouses (including same-sex partners) and dependent children.

The Disclosure of Interests legislation also creates a Committee of Members' Interests (which will be the Standing Orders Committee sitting as the Members' Interests Committee), which will have the power to determine procedures for public inspection of the Register.

The Chief Minister's second reading speech (22 October 2008) detailed the essential components of the legislation as:

- within 28 days of becoming an MLA, the member must provide a statement of defined pecuniary interests in regard to themselves, and in regard to related people.
- within 28 days of alteration of these interests the member must lodge a form advising of the change.
- people related to the MLA include a spouse, a de facto partner, or a child who is wholly or mainly dependent on the member.
- the Clerk must maintain a register of the disclosed interests and make this available for public inspection on the terms laid out by a committee of the Assembly.
- failure to comply with the requirements amounts to a contempt of the Assembly and is punishable under the provisions of the *Legislative Assembly (Powers and Privileges) Act*.
- the schedule of the act sets out what type of interests need to be disclosed and the type of information which has to be provided. The interests include: shareholdings, directorships, interests as a beneficiary, landholdings, partnerships, debts, bonds, bank accounts, major assets, gifts, sponsored travel or hospitality, and any other interests where a conflict of interest with a member's public duties could foreseeably arise or be seen to arise.

It is expected that the bill will have its third reading during the forthcoming (9-11) June sitting of the Legislative Assembly after which the Office of the Clerk will have 30 days in which to transfer existing declarations to the new register and Members will have a further 30 days in which to examine their entries and make any changes necessary.

Relevant legislation can be found at:

Legislative Assembly (Register of Members' Interests) Act

<http://notes.nt.gov.au/dcm/legislat/legislat.nsf/d989974724db65b1482561cf0017cbd2/ee7c2d0d3dababf6692572a2007e20b3?OpenDocument>

Legislative Assembly (Disclosure of Interests) Bill

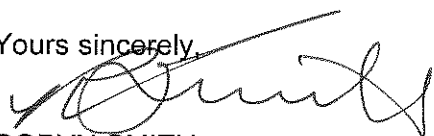
<http://notes.nt.gov.au/dcm/legislat/Acts.nsf/5504d78eee675d6e6925649e001bb652/2f83d75fe8bbabe8692574ea00065dc6?OpenDocument>

Legislative Assembly (Members' Code of Conduct and Ethical Standards) Bill

<http://notes.nt.gov.au/dcm/legislat/Acts.nsf/5504d78eee675d6e6925649e001bb652/c310d9652467d2bc692574ea000cfb65?OpenDocument>

Should you have any further queries, please do not hesitate to contact me on telephone 08-8946 1501 or robyn.smith@nt.gov.au.

Yours sincerely,



ROBYN SMITH
Executive Officer
26 May 2009