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In accordance with Section 26(2) of the *Ministerial and Other Office Holder Staff Act 2010*, Directives made under Section 53 and Section 54 of the *Public Service Act 2008* dealing with the matters listed below (including wherever replaced or amended from time to time) will apply to staff members employed under the *Ministerial and Other Office Holder Staff Act 2010*.

The Directives apply subject to any stated exceptions or limitations.

1. Recognition of previous service and employment
2. Leave without salary credited as service
3. Court Attendance and Jury Service
4. International travelling, relieving and living expenses

Payment of a daily expense for overseas travel will be in accordance with the Commissioner for Taxation's determination on reasonable travel and overtime meal allowances expense amounts as published on the Australian Taxation Office website.

5. Locality allowance
6. Motor Vehicle Allowance
7. Employment separation procedures
8. Higher Duties
9. Higher Duties in Senior Advisor and Chief of Staff roles

Payment of a higher duties allowance will be in accordance with the provisions contained in Section 10.2 of the Directive for Senior Officers – Employment Conditions and Section 11.1(f) of the Directive for Senior Executives – Employment Conditions.

No other provision of the Directives will apply to staff members.

10. Leave – Excluding Purchased Leave Arrangements

The Directives listed below regarding leave arrangements will apply to staff members except for provisions relating to purchased leave, time off in lieu and accrued hours.

- Paid Parental Leave
- Recreation and Long Service Leave
- Special Leave
- Sick Leave

Staff members will be entitled to family leave arrangements in accordance with the terms of the Family Leave (Queensland Public Sector) Award – State 2004 as if they were covered by that award, except any provisions relating to purchased leave, time off in lieu and accrued time.

Jon Grayson
Director-General

DECLARATION OF INTERESTS

2014/01

APPLICATION

- These arrangements apply to all Ministerial Staff Members.

REFERENCES

- *Ministerial and Other Office Holder Staff Act 2010 – Division 4*

DEFINITIONS

- **Ministerial Staff Member** means a person employed as a staff member in the office of a Minister.
- **Pecuniary Interests** – means interests involving an actual or potential financial gain or loss.
- **Non-Pecuniary Interests** – means interests that may arise from relationships, or other personal involvements.
- **Conflict of Interest** – is a situation arising from conflict between the performance of official responsibilities and private or personal interests. Conflicts of interest may be actual, or be perceived to exist, or potentially exist at some time in the future.

Directive

Principles

- This policy should be interpreted broadly. Its application should not be limited to a literal reading of the provisions.
- Ministerial Staff Members are responsible for fully disclosing their interests in accordance with information to be declared as set out below in this directive.
- Ministerial Staff Members are also responsible for disclosing within their knowledge the interests of their partner and/or dependents in accordance with information to be declared as set out below in this directive.
- Responsibility for the recognition of a real or perceived conflict of interest rests solely with the Ministerial Staff Member concerned.
- Ministerial Staff Members are responsible for acquiring and being familiar with the information released from time to time by the Integrity Commissioner and the Crime and Misconduct Commission concerning conflict of interest issues.
- Ministerial Staff Members who give advice to a Minister should be aware of the role of the Queensland Integrity Commissioner and seek counsel on any issue that may arise as a conflict of interest or potential conflict of interest.

General Conditions

- Ministerial Staff Members are responsible for providing a Declaration of Interests –
 - within one month after commencing employment as a Ministerial Staff Member;
 - within one month of a change of Minister;
 - whenever there is a change to the Ministerial Staff Member's interests; and
 - on an annual basis no later than 30 June each year.
- Ministers shall sign and date all Declaration of Interests upon lodgement.

Transitional Provisions

- Currently employed Ministerial Staff Members who, at the time of commencement of the *Ministerial and Other Office Holder Staff Act 2010* – Division 4, have already provided a statement on or after 1 June last occurring that included all the information required to be included in the Declaration of Interests are not required to provide a new Declaration of Interests form, unless there has been a material change to the Ministerial Staff Member's Interests since that previous statement.

Information to be declared

- Information about interests which Ministerial Staff Members shall declare includes information in relation to all significant *pecuniary* interests and relevant *non-pecuniary* interests of -
 - the Ministerial Staff Member,
 - their partner; and
 - any dependents.
- The interests referred to above are those which may have, or may be perceived to have, the potential for a conflict of interest and may include –
 - a) shareholdings in public and private companies;
 - b) family and business trusts and nominee companies;
 - c) bonds, debentures and like investments;
 - d) savings and investment accounts;
 - e) partnerships;
 - f) real estate;
 - g) directorships in or employment by public and private companies;
 - h) other assets;
 - i) other substantial sources of income;
 - j) other interests (pecuniary or non-pecuniary);
 - k) liabilities;
 - l) organisational memberships.

Identifying a conflict of interest

- A Ministerial Staff Member who identifies that he or she has a conflict of interest, or potential for a conflict of interest, must disclose the circumstances to their Minister.
- The Ministerial Staff Member must not take action in the matter unless authorised by the Minister.
- The Minister may direct the Ministerial Staff Member to resolve the conflict or possible conflict between their private or personal interests and their official responsibilities.

Change to interests

- When interests change the Ministerial Staff Member must submit a ***Variation of Declaration of Interests*** form as soon as practicable after the relevant facts of the change come to the knowledge of the person.
- Change to interests may include:
 - a) any significant change in the interests about which information is required including acquisition, divestment or an altered relationship in the interest;
 - b) a significant change to the official responsibilities of the staff member; or
 - c) a new personal relationship with a partner.

Storage of records

- Completed Declaration of Interests records will be filed securely with the Minister.
- Declaration of Interests records should be managed in accordance with the *Queensland Ministerial Handbook* and the Disposal Authority issued by State Archives.

Access to records

- Declarations are to be maintained in the strictest confidence. Unless required by law, access to Declarations of Interests is limited to the Ministerial Staff Member and the Minister.
- Declaration of Interests records may be the subject of applications for access under the *Right to Information Act 2009* and/or the *Information Privacy Act 2009*. Each application for access would be considered on a case by case basis before a decision is made on whether it is in the public interest to release the document.
- In the event of receipt of an application for access to a Declaration of Interests, the Ministerial Services Branch is required to consult the Ministerial Staff Member who made the declaration about their views on the application prior to any decision being made to release the document.

Procedures

- Within one month of commencement, Ministerial Staff Members shall lodge a completed **Declaration of Interests** form (F2F1) with the Minister.

Change of Minister

- Within one month of a change of Minister, Ministerial Staff Members shall lodge a completed **Declaration of Interests** form (F2F1) with the new Minister.

Annual Review

- No later than 30 June each year, Ministerial Staff Members shall review their existing Declaration and –
 - where the Declaration is unaltered, submit an **Annual Review of Declaration of Interests – No Variation** form (F2F2) to the Minister;
 - where changes have occurred in the preceding 12 months submit a **Declaration of Interests** form (F2F1) to the Minister.

Change in Interests

- Where there is a change to interests, Ministerial Staff Members must notify the Minister as soon as practicable of that change occurring, by lodging a **Variation of Declaration of Interests** form (F2F3).

Retention of Declarations

- The Minister shall initial and date all **Declarations** received and store securely in the ministerial office.

DECLARATION OF INTERESTS

2014/02

APPLICATION

- These arrangements apply to all Opposition Staff Members.

REFERENCES

- *Ministerial and Other Office Holder Staff Act 2010 – Division 4*

DEFINITIONS

- **Opposition Staff Member** means a person employed as a staff member in the office of the Leader of the Opposition.
- **Pecuniary Interests** – means interests involving an actual or potential financial gain or loss.
- **Non-Pecuniary Interests** – means interests that may arise from relationships, or other personal involvements.
- **Conflict of Interest** – is a situation arising from conflict between the performance of official responsibilities and private or personal interests. Conflicts of interest may be actual, or be perceived to exist, or potentially exist at some time in the future.

Directive

Principles

- This policy should be interpreted broadly. Its application should not be limited to a literal reading of the provisions.
- Opposition Staff Members are responsible for fully disclosing their interests in accordance with information to be declared as set out below in this directive.
- Opposition Staff Members are also responsible for disclosing within their knowledge the interests of their partner and/or dependents in accordance with information to be declared as set out below in this directive.
- Responsibility for the recognition of a real or perceived conflict of interest rests solely with the Opposition Staff Member concerned.
- Opposition Staff Members are responsible for acquiring and being familiar with the information released from time to time by the Integrity Commissioner and the Crime and Misconduct Commission concerning conflict of interest issues.
- Opposition Staff Members who give advice to the Leader should be aware of the role of the Queensland Integrity Commissioner and seek counsel on any issue that may arise as a conflict of interest or potential conflict of interest.

General Conditions

- Opposition Staff Members are responsible for providing a Declaration of Interests –
 - within one month after commencing employment as a Opposition Staff Member;
 - within one month of a change of the Leader of the Opposition;
 - whenever there is a change to the Opposition Staff Member's interests; and
 - on an annual basis no later than 30 June each year.
- The Leader of the Opposition shall sign and date all Declaration of Interests upon lodgement.

Transitional Provisions

- Currently employed Opposition Staff Members who, at the time of commencement of the *Ministerial and Other Office Holder Staff Act 2010* – Division 4, have already provided a statement on or after 1 June last occurring that included all the information required to be included in the Declaration of Interests are not required to provide a new Declaration of Interests form, unless there has been a material change to the Opposition Staff Member's Interests since that previous statement.

Information to be declared

- Information about interests which Opposition Staff Members shall declare includes information in relation to all significant *pecuniary* interests and relevant *non-pecuniary* interests of -
 - the Opposition Staff Member,
 - their partner; and
 - any dependents.
- The interests referred to above are those which may have, or may be perceived to have, the potential for a conflict of interest and may include –
 - a) shareholdings in public and private companies;
 - b) family and business trusts and nominee companies;
 - c) bonds, debentures and like investments;
 - d) savings and investment accounts;
 - e) partnerships;
 - f) real estate;
 - g) directorships in or employment by public and private companies;
 - h) other assets;
 - i) other substantial sources of income;
 - j) other interests (pecuniary or non-pecuniary);
 - k) liabilities;
 - l) organisational memberships.

Identifying a conflict of interest

- A Opposition Staff Member who identifies that he or she has a conflict of interest, or potential for a conflict of interest, must disclose the circumstances to the Leader.
- The Opposition Staff Member must not take action in the matter unless authorised by the Leader.
- The Leader may direct the Opposition Staff Member to resolve the conflict or possible conflict between their private or personal interests and their official responsibilities.

Change to interests

- When interests change the Opposition Staff Member must submit a ***Variation of Declaration of Interests*** form as soon as practicable after the relevant facts of the change come to the knowledge of the person.
- Change to interests may include:
 - a) any significant change in the interests about which information is required including acquisition, divestment or an altered relationship in the interest;
 - b) a significant change to the official responsibilities of the staff member; or
 - c) a new personal relationship with a partner.

Storage of records

- Completed Declaration of Interests records will be filed securely with the Leader.
- Declaration of Interests records should be managed in accordance with the *Queensland Opposition Handbook* and the Disposal Authority issued by State Archives.

Access to records

- Declarations are to be maintained in the strictest confidence. Unless required by law, access to Declarations of Interests is limited to the Opposition Staff Member and the Leader.
- Declaration of Interests records may be the subject of applications for access under the *Right to Information Act 2009* and/or the *Information Privacy Act 2009*. Each application for access would be considered on a case by case basis before a decision is made on whether it is in the public interest to release the document.
- In the event of receipt of an application for access to a Declaration of Interests, the Ministerial Services Branch is required to consult the Opposition Staff Member who made the declaration about their views on the application prior to any decision being made to release the document.

Procedures

- Within one month of commencement, Opposition Staff Members shall lodge a completed **Declaration of Interests** form (F2F4) with the Leader.

Change of Minister

- Within one month of a change of Leader, Opposition Staff Members shall lodge a completed **Declaration of Interests** form (F2F4) with the new Leader.

Annual Review

- No later than 30 June each year, Opposition Staff Members shall review their existing Declaration and –
 - where the Declaration is unaltered, submit an **Annual Review of Declaration of Interests – No Variation** form (F2F5) to the Leader;
 - where changes have occurred in the preceding 12 months submit a **Declaration of Interests** form (F2F4) to the Leader.

Change in Interests

- Where there is a change to interests, Opposition Staff Members must notify the Leader as soon as practicable of that change occurring, by lodging a **Variation of Declaration of Interests** form (F2F6).

Retention of Declarations

- The Leader shall initial and date all **Declarations** received and store securely in the opposition office.

