

Conflict of interest standards and requirements for assistant ministers

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As an assistant minister of the Queensland Government there are a range of legislative and policy obligations relevant to declaring personal interests and managing conflicts of interest you should be aware of.

You can seek written advice from the Queensland Integrity Commissioner on an ethics or integrity issue, including a conflict of interest issue.

You may request a meeting with the Queensland Integrity Commissioner on “interest issues” which are relevant to the register of members’ interests, or the register of related persons’ interests, kept under the *Parliament of Queensland Act 2001 (POQA)*, [section 69C](#). Advice on “interest issues” may be provided orally or in writing.

Request advice from the Queensland Integrity Commissioner by emailing integrity.commissioner@integrity.qld.gov.au or calling 3003 2888.

Ministerial Code of Conduct

The [Ministerial Code of Conduct](#) applies to Assistant Ministers. It provides several requirements for declaring and managing conflicts of interest. You must ensure decisions made in the course of your duties are not affected by self-interest, private affiliations or the likelihood of personal gain or loss.

Interests

The [Ministerial Code of Conduct](#) specifies you must write to the Premier within one month of taking office and:

- provide a copy of the statements of interests for you, your spouse and dependents with confirmation these have been submitted to the Clerk of the Parliament

- confirm whether you, your spouse or dependents have any other pecuniary or other interests that might affect or be perceived to affect the discharge of your responsibilities
- confirm you have resigned from directorships of public companies and all directorships in private companies have been declared
- provide a copy of your Conflict of Interest Management Plan (**COI management plan**) (if any), which must be developed in accordance with the process outlined below.

If there is a change to your, your spouse or dependents, statements of interests, you must provide written advice to the Premier and the Clerk of the Parliament within one month of becoming aware of the change.

Conflicts of interest

If you have a conflict of interest, you must:

- notify the Premier about the conflict and the actions you will take to manage the conflict
- prepare a COI management plan
- obtain the Queensland Integrity Commissioner’s advice about the actions proposed to manage the conflict
- provide the COI management plan to the Premier
- comply with the COI management plan.¹

Ministerial staff

Ministerial staff are required to submit a declaration of interests form:

- within one month of commencing employment or a change of minister
- as soon as practicable (within one month) of any change to their interests
- and in June each year, advising if any interests have changed.²

It is good practice to require your staff to resubmit their declarations anytime you have a change in portfolio responsibilities.

[1] Ministerial Code of Conduct, p.7-8.

[2] [Section 24](#) of the Ministerial and Other Office Holder Staff Act 2010.

Queensland Ministerial Handbook

The [Queensland Ministerial Handbook](#) applies to Assistant Ministers and outlines your obligations in relation to publishing diaries, contact with registered lobbyists, record keeping, information management, gifts, entitlements, expenses and travel.

Queensland Cabinet Handbook

The [Queensland Cabinet Handbook](#) provides that your duties are determined by the Premier and you cannot:

- sit as a Minister in Cabinet
- breach Cabinet solidarity - although not a member of Cabinet, an Assistant Minister is bound by the collective responsibility of Cabinet
- attend a meeting of the Executive Council or sign Executive Council Minutes on behalf of the Minister
- perform any duties in the Legislative Assembly on behalf of the Minister including answering questions without notice, presenting Ministerial Statements, tabling documents and introducing legislation
- appear before a Committee of Parliament on behalf of the Minister.

Obligations which apply to all Members of Parliament

Parliament of Queensland Act 2001 and the Standing Rules and Orders of the Legislative Assembly ([Standing Orders](#)).

As a member of the Queensland Legislative Assembly, you must:

- declare your personal interests and the interests of your spouse and any dependents to the Clerk of Parliament within one month of being elected and provide notice of any change within one month³
- not vote in any decision in any matter (not being a matter of public policy) in which you have a direct pecuniary interest, not held in common with other citizens.⁴

- declare a pecuniary interest in a debate or other proceedings⁵
- disclose a conflict of interest, in any committee you are a member of, in relation to a matter before the committee⁶
- disclose any pecuniary interest you, your spouse or any dependants have, relevant to any representation or communication you have with other members or ministers or servants of the Crown.⁷

The Code of Ethical Standards together with the Guide to the Code of Ethical Standards and Rules Relating to the Conduct of Members ([Code](#)).

The [Code](#) focuses on fundamental principles of ethical behaviour applying to members of Parliament.

It "...serves to remind Members of their obligations and guide Members' decision making in relation to ethical issues."

Members are reminded that failure to comply with the obligation to submit a complete and correct statement of interests and keep it updated constitutes a contempt of Parliament.

The *Code* explains members' obligations under the Standing Orders, regarding management of conflicts of interest, and particularly those involving pecuniary interests.

The *Code* refers to contempt of Parliament in relation to a range of improper conduct relating to conflict of interest situations, such as bribery, advocating in the House on matters the member has previously been involved in professionally and accepting professional services connected with the business of the House.

Seeking Advice on register of interests

Members are directed to the Clerk of Parliament to obtain advice on Parliamentary practice and procedures and the Register of Interests, and to the Queensland Integrity Commissioner where it raises an ethics or integrity issue.

[3] [Section 69B](#) of the POQA.

[4] Standing Order 259.

[5] Standing Order 260.

[6] Standing Order 261.

[7] Standing Order 262.