

Fact sheet – amendments to the *Integrity Act 2009* effective 13 December 2023 – Ministers, Assistant Ministers and their offices

As a result of a recent legislative amendment, the following persons are no longer captured by the definition of ‘designated person’ in the *Integrity Act 2009*, as in force from 13 December 2023, and can no longer seek the Integrity Commissioner’s advice on an ethics or integrity issue:

- a. ‘ministerial staff members’ engaged to advise a Minister;
- b. ‘assistant minister staff members’ engaged to advise Assistant Ministers; and
- c. a person, or a person within a class of person, formerly nominated by a Minister or Assistant Minister under section 12(1)(h) of the *Integrity Act 2009*.

Ministers

Relevant to Ministers and their offices, the following persons are ‘designated persons’ who may request the Integrity Commissioner’s advice on an ethics or integrity issue (including a conflict of interest issue) involving themselves:

- a. a member of the Legislative Assembly;
- b. a statutory office holder, appointed by the Governor in Council or a Minister;
- c. a chief executive of, or a senior officer equivalent employed in, a government entity who is nominated by the responsible Minister;
- d. a ministerial staff member who performs the role of chief of staff (however called) in the office of a Minister; and
- e. a person, or a person within a class of persons, prescribed by the *Integrity Regulation 2011*.

Ministers, other than the Premier, may also request the Integrity Commissioner’s advice on an ethics or integrity issue involving:

- a. a statutory office holder, whose office is established under an Act administered by the Minister;
- b. the chief executive or a senior executive of a public service entity administered by the Minister;
- c. a chief executive or a senior officer equivalent of a government entity, nominated by the Minister;
- d. their chief of staff;
- e. a person, or a person within a class of persons, prescribed by the *Integrity Regulation 2011*;
- f. their ministerial advisors.

The Honourable Premier may request the Integrity Commissioner’s advice about an ethics or integrity issue involving themselves, any person who is, or has been, a designated person, other than a non-government member, and their ministerial advisors. The Hon. Premier may also seek the Integrity Commissioner’s advice on standard setting for ethics or integrity issues.

Assistant Ministers

Assistant Ministers may ask for the Integrity Commissioner’s advice on an ethics or integrity issue involving themselves or one of their ministerial advisors.

Post separation

A former ‘designated person’ and a former ministerial advisor, may seek the Integrity Commissioner’s advice on an ethics or integrity issue involving themselves that arises from a post-separation obligation, within 2 years after they cease their position.

For further information contact the Office of the Integrity Commissioner either by telephone (07) 3003 2888 or email integrity.commissioner@integrity.qld.gov.au

Note: This resource is intended only as general guidance and is not intended as, and should not be taken as advice on any person’s particular circumstances. Designated persons, former designated persons and former ministerial advisors should consider seeking their own advice about any specific circumstances or concerns that may arise.