

**The Queensland  
Ministerial Handbook**

*Governing Queensland*

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Content of the Queensland Ministerial Handbook is subject to change without notice. Please check the Amendments Schedule on the back of the introduction. The most recent version of this book and other books in the Governing Queensland Suite can be found at [www.premiers.qld.gov.au](http://www.premiers.qld.gov.au) in the publications section.

# Introduction

The Queensland Ministerial Handbook has been developed to assist Ministers, Assistant Ministers and their staff in the running of the Ministerial Office and is designed to act as a single, simple and user friendly reference.

The Handbook sets out the common policies, practices and procedures to be adopted in Ministerial Offices with respect to financial management, human resource management, provision of accommodation, assets, entertainment, travel, information technology security, and other policy issues relating to the functioning of the Ministerial Office. Ministerial Services will, as is required and with the approval of the Premier, issue amendments and an updated index, to ensure that the Handbook remains current.

The Handbook does not affect the operations of Electorate Offices or alter any of the Parliamentary entitlements of Ministers as Members of the Legislative Assembly as provided for in the "Members' Remuneration Handbook" and should be read in conjunction with the Members' Remuneration Handbook. Where a conflict arises, Ministerial Services should be contacted.

The Ministerial Handbook does not modify or affect the application of the Criminal Law or the application and requirements of the [Financial Accountability Act 2009](#).

Ministers and their staff operate in an environment of rigorous accountability and their actions and expenditure are likely to come under close public scrutiny. Further, the public expects and demands the highest standards of ethical behaviour and propriety from Ministers and ministerial staff.

Ministerial Services, Department of the Premier and Cabinet acts on behalf of the Director-General, as the Accountable Officer, to define predetermined standards, to examine documentation and to seek additional information or explanation where necessary to ensure the highest standards of probity are maintained.

The Ministerial Handbook is available online at [www.premiers.qld.gov.au](http://www.premiers.qld.gov.au) in the Publications section.

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## April 1998

- Original Issue

## July 1998

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## October 1998

- Complete redraft

## February 1999

- Entertainment - Minister

## March 1999

- Chauffeurs

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- Definitions
- Office Accommodation
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## **June 2000**

- Removal of Statement for Public Disclosure
- Amendment to Public Report

## **December 2000**

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- Expenses relating to a Minister's Office - Telecommunications
- Entitlements - Chauffeurs

## **March 2001**

- Amendment to Gifts - received / made

## **October 2001**

- Complete update

## **August 2002**

- Updated Electronic Mail policy and procedure.
- Minister's overseas rate altered to 'reasonable rate' set by ATO.

## **September 2002**

- Casual Chauffeur entitlements

## **February 2003**

- Telephone reimbursements

## **July 2003**

- Insurance Excess

## **September 2003**

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## **October 2003**

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## **June 2005**

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## **July 2005**

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## **August 2005**

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## **May 2006**

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- Appendix 21 - Whole-of-government Guidelines for Managing Ministerial Delegations
- Appendix 22 - Resolution Process for Workplace Behaviour Issues
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### **February 2009**

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## **October 2010**

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### **February 2013**

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### **June 2013**

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### **March 2014**

- Complete Redraft

### **May 2016**

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### **March 2018**

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### **September 2018**

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- Variation of Declaration of Interests – Appendix 3
- Annual Review of Declaration of Interests – No Variation – Appendix 4

### **DECEMBER 2020**

- Information Management

# 1 Human Resource Management

## 1.1 Office staff

Ministers are entitled to staff and resources to assist them in the performance of their duties. Staff provide support to the Minister in fulfilling portfolio responsibilities. It is important for the Minister to make sure their staff members are aware of:

- a. the roles and responsibilities of the portfolio within the overall policy platform of government; and
- b. the scope and sensitivities attached to the Minister’s portfolio.

### 1.1.1 Staff entitlement

The number and classification level of staff may vary between ministerial offices depending on portfolio requirements. Remuneration levels for staff recognise qualifications and experience and are determined by the Premier.

Ministers should provide a signed written recommendation to the Premier regarding the number and level of staff they need in their office. The Office of the Premier will then advise the ministerial office and Ministerial Services of the Premier’s decision.

The tables below provide a general guide of classification ranges for ministerial staff.

CLASSIFICATION GUIDE – SENIOR PORTFOLIO							
SES3	Chief of Staff						
SES2							
SO(3)		Senior Policy Advisor					
SO(2)	Senior Media Advisor						
SO(1)		Advisor					
AO8							
AO7							
AO6							
AO5					Assistant Advisor	Executive Assistant/ Office Manager	
AO4							
AO3							Admin. Officer
AO2							

CLASSIFICATION GUIDE – JUNIOR PORTFOLIO							
SES2	Chief of Staff						
SO(3)							
SO(2)		Senior Policy Advisor					
SO(1)							
AO8	Senior Media Advisor		Advisor				
AO7							
AO6							
AO5					Assistant Advisor	Executive Assistant/ Office Manager	
AO4							
AO3							Admin. Officer
AO2							

Additionally, each Minister is entitled to a position of Chauffeur, classification OO3.

### 1.1.2 Departmental Liaison Officers

Departmental Liaison Officers (DLOs) are staff appointed by their department to facilitate communication and liaison between the ministerial office and the portfolio department.

The need for DLOs varies between portfolio departments and DLOs are not appointed in all instances.

DLOs are not an extension to the ministerial staff and their role should be limited to their designated department liaison function. DLOs should not do work that is normally the responsibility of ministerial staff.

Ministers have to consult with the Office of the Premier about their need for a DLO prior to a DLO being appointed.

### 1.1.3 Basis of employment

All new engagements to ministerial offices are on a temporary basis initially for a period of three months.

The basis of ongoing employment following this three month period depends on whether the staff member has come from within or outside the Queensland Public Service.



Criminal history checks are a standard requirement for those appointed to a ministerial office. A criminal conviction or charge will not automatically exclude a new engagement from consideration for ongoing employment within a ministerial office.

### **Ministerial staff drawn from the Queensland Public Service**

All staff drawn from the Queensland Public Service to work in ministerial offices are granted leave without pay from their substantive positions.

These staff are appointed on a temporary basis in ministerial offices under s6 of the [Ministerial and Other Office Holder Staff Act 2010](#) and in line with arrangements approved by the Premier.

The terms and conditions of their appointment are detailed in their appointment letter.

Public servants who accept a position in a ministerial office at a level below their substantive public service role are paid at the ministerial salary level only.

Public servants employed in a ministerial office in a higher level role to their substantive role maintain their substantive salary and are paid an allowance up to their ministerial salary level.

Public servants appointed in this way retain their rights and privileges under the [Public Service Act 2008](#) and receive terms and conditions of employment contained in Directives issued under s26(1) and (2) of the [Ministerial and Other Office Holder Staff Act 2010](#).

When the period of temporary appointment ends (or at any time where either the appointee, or the Director-General upon the recommendation of the Minister, decides that the appointment should cease) the staff member returns to the Department from which the leave without pay took place, at the classification level to which they were appointed prior to their temporary engagement in the ministerial office.

All paid leave taken after the end of the temporary appointment is paid at the staff member's substantive departmental salary level.

### **Ministerial staff engaged from outside the Queensland Public Service**

Non-public servants are engaged in a ministerial office under an Employment Contract pursuant to s6 of the [Ministerial and Other Office Holder Staff Act 2010](#). Under this engagement they are not officers of the Public Service.

The benefits and conditions of employment include:

- Employment in ministerial offices is subject to the Directives issued under s26(1) and (2) of the [Ministerial and Other Office Holder Staff Act 2010](#).
- The hours of work determined by the Chief of Staff.

- The Government meets all necessary expenses that a staff member incurs through performing their official duties in line with policies approved by the Premier.
- If the Engagement is terminated for other than a breach of contract the severance conditions detailed in the Employment Contract apply.

### **Completion of the three month temporary period**

A review of a staff member's service is to be made just prior to the end of the three month period to assess their suitability for ongoing employment.

If a staff member is not recommended for permanent employment, their engagement ceases at the end of the temporary period.

Ministerial Services will write to the employee when formal notification is received from the Office of the Premier.

### **Approval for the appointment of permanent staff**

Ministers should provide a signed written recommendation to the Office of the Premier about the appointment of permanent staff, including proposed salary levels and commencement dates. The Office of the Premier will then advise the ministerial office and Ministerial Services of the Premier's decision.

**No salary will be paid to any employee until the Office of the Premier's approval is received.**

On receipt of advice from the Office of the Premier, Ministerial Services will send the engagement documentation.

## **1.1.4 Relief arrangements**

Relief staff may be needed when staff are absent on leave or when the office workload temporarily increases beyond its normal capacity.

Relief staff may be sourced through:

- other Ministerial offices; or
- Departments within the Minister's portfolio.

The Minister should provide a signed written recommendation to the Office of the Premier about the relief arrangement, including proposed salary level and commencement date. The Office of the Premier will then advise the ministerial office and Ministerial Services in regards-to a decision.

Costs incurred in sourcing relief staff from departments are a charge to the Office of the Minister. While relieving, the employee is paid by their home agency with recoupment of costs made by way of tax invoice to Ministerial Services.

Relief arrangements will generally only be considered where funds are available within the existing Ministerial office budget.

**Ministerial Services will not pay any salary, allowances or tax invoices for relief arrangements until the Office of the Premier's approval is received.**

### **Chauffeurs**

Chauffeurs must be available, where practicable, for driving duties for other Ministers, if they are not required by their respective Minister.

The Principal Human Resource Consultant, Ministerial Services may be contacted when relief cannot be found from another office or other sources.

## **1.1.5 Salary level reviews**

The Minister can review the salary levels of his/her staff at any time subject to their available budget for employee related costs.

The Minister should provide a signed written recommendation to the Office of the Premier. The Office of the Premier will then advise the ministerial office and Ministerial Services of the decision on the recommendation.

Salary levels will not be adjusted until the Office of the Premier has approved the increase.

## **1.1.6 Termination of employment**

### **Contract staff**

The Office of the Premier and Ministerial Services must be contacted before any action is taken to terminate the employment of staff.

Staff members who are ceasing employment must return any property that has been assigned to them as early as practicable before exiting the Office of the Minister.

### **Public Servants employed in Ministerial Offices**

The temporary appointment of public servants to ministerial office positions may be terminated at any time if either the appointee or the Director-General, Department of the Premier and Cabinet, upon the recommendation of the Minister, determines that the appointment should cease.

The staff members return to the department from which they had taken leave without pay, and any allowance being paid or salary sacrifice arrangements in place while in the ministerial position will cease.

The Office of the Premier and Ministerial Services should be notified before any action is taken to terminate the temporary appointment of a public servant to a ministerial position.

### **Cessation of Minister's Commission**

When the Governor accepts the resignation or dismissal of a Minister, that Minister ceases to hold a commission and the following consequences will flow:

- a. All temporary appointments of public servants in the Minister's office automatically terminate, unless otherwise determined, and those officers return to their respective Departments at the classification they held immediately prior to their engagement in the ministerial office.
- b. Employment Contracts remain in force pending advice to the Director-General, Department of the Premier and Cabinet, to terminate employment. If employment is terminated, the severance conditions detailed in the Employment Contract will apply.

### **Change of Government**

#### **Termination of existing arrangements**

When it is known that there is to be a change of government, the employment of all staff members engaged under an employment contract is terminated effective from the date determined by the Director-General, Department of the Premier and Cabinet.

The temporary appointment of public servants to positions within the ministerial office automatically ceases, unless otherwise determined, and these staff members return to their respective Departments.

#### **Interim staff arrangements for incoming Ministers**

In the case of a change of government, the incoming Minister should sign and send an interim staffing list, including salary levels and commencement dates, to the Premier as soon as practicable.

The Office of the Premier will then advise the ministerial office and Ministerial Services in regards-to the Premier's decision.

**No salary will be paid under the interim arrangements until approval is received from the Office of the Premier.**

All interim staffing arrangements are on a temporary basis until ministerial staffing arrangements are finalised.

### **Transition of staff**

Staff members who were formerly employed within the Office of the Leader of the Opposition may be directly transitioned into positions within Ministers' offices following a change of Government.

Similarly, staff members who were employed within ministerial offices may be directly transitioned into the Office of the Leader of the Opposition following a change of government.

## **1.2 Workers' Compensation**

If a staff member is involved in an accident either at work, or on the way to or from work, an '[Incident Record/Report' form \(E2F1\)](#) must be completed. Where the staff member wishes to claim benefits from WorkCover, a claim should be lodged online through [WorkCover](#) or their doctor.

## **1.3 Personal Development**

Ministerial Services is committed to providing employees with access to professional development in line with the Learning and Development policy. This training is to be funded within Ministerial office budgets.

## **1.4 Intern/Volunteer Arrangements**

Ministerial offices may engage an intern/volunteer for a period of up to 8 weeks subject to approval from the Office of the Premier prior to the intern/volunteer being engaged. Refer to the [Unpaid Internship Guidelines](#) for further detail.

## **1.5 Employee Assistance Service**

The Employee Assistance Service (EAS) is a regular on-site program of care and counselling on personal and work-related issues which is easily accessible to all staff members and their immediate families.

The EAS can help staff members deal with issues such as:

- a. work related problems
- b. emotional stress
- c. marital/family conflicts
- d. alcohol and other drug problems
- e. financial worries
- f. gambling difficulties
- g. grief
- h. trauma

Davidson Trahaire has been contracted to provide these services to Ministerial staff members. The counsellors are all qualified and experienced professionals.

All counselling is strictly confidential and no details can be passed on to anyone without the written permission of the person involved. Counsellors are ethically and legally required to maintain confidentiality. The EAS program is provided free of charge to staff.

Contact: Davidson Trahaire Corpsych  
Phone: 1300 360 364

## **1.6 Discrimination and Harassment in the Workplace**

Ministerial Services is committed to providing a workplace free of all forms of discrimination. Discrimination and harassment will not be tolerated in our workplace.

Refer to the [Discrimination and Harassment in the Workplace policy](#) for further detail.

## 2 Information Management

The following policy replaces the previous section 2 of *The Queensland Ministerial Handbook* which is now null and void. The policy applies from 20 March 2018.

The Director-General of the Department of the Premier and Cabinet will work with appropriate experts, including the State Archivist and the Crime and Corruption Commission, on the practical application of this policy to the decision-making of Government. This work will take account of resource requirements and costs.

All Ministers, Assistant Ministers and staff employed within ministerial offices are provided with access to the Internet and email through the ministerial network. The use of private email accounts or systems for ministerial portfolio-related business is STRICTLY PROHIBITED and poses a security risk.

The following information security and records management requirements must be adhered to:

- *Public Records Act 2002* and other relevant legislative requirements
- *Queensland Ministerial Handbook*
- Department of the Premier and Cabinet *Ministerial Information Security Policy*
- Department of the Premier and Cabinet *Ministerial Bring Your Own Device Policy*
- Queensland State Archives *Ministerial Records Policy*

### 2.1 Information security

The *Ministerial Information Security Policy* (the Policy) sets out the security requirements that users accessing services through the ministerial network need to be aware of and comply with. The Policy includes information on the use of Internet, email and social media.

Use of IT systems must be able to withstand public scrutiny and comply with applicable laws, regulations and guidelines.

All users have a responsibility to be ethical and efficient in their use of IT systems. Use of the IT systems may be monitored.

#### **Email and Internet Use**

A ministerial email account is provided for ***ministerial portfolio-related business***, which is business and activities associated with any of the Minister's portfolio responsibilities as detailed in the relevant *Administrative Arrangements Order*.

Users must ensure all ministerial portfolio-related business is conducted only through their ministerial email account. This is the only approved email system for use for ministerial portfolio-related business. Controls are put in place to maintain the confidentiality, integrity and availability of the system.

If a communication is received in a private email account that relates to ministerial portfolio-related business it must be forwarded from the private email account to the official ministerial email account within 20 days of receipt of the email. If a response is required, a ministerial email account should be used to respond.

### **Messaging Applications**

Messaging applications such as Facebook Messenger, SnapChat, Wickr Me and WhatsApp should not be used for ministerial portfolio-related business.

### **Mobile Devices**

The standard for smart phones/tablets supported on the network is approved by the Office of the Premier.

Privately owned devices (sometimes known as BYO) will only be connected to the ministerial network if approved by the Minister or relevant Chief of Staff. Those using approved privately owned devices must sign a BYO policy document. Approved devices are managed via the ministerial mobile device management software. Unapproved devices will be seen as a breach to ministerial network security and will be disabled.

Data usage on ministerial-issued devices (including approved privately owned devices) should be monitored closely, as Ministerial Services will not reimburse costs for excessive data usage.

Smart phones/tablets can contain sensitive information. A lost device (including approved privately owned devices) must be reported immediately to the Ministerial Services IT Service Desk who can remotely disable and securely erase the device.

Users travelling overseas with ministerial issued devices must contact Ministerial Services to ensure the appropriate actions have taken place to protect information and avoid hefty international roaming charges on either work provided or personal devices.

## **2.2 Ministerial records**

Ministers, Assistant Ministers and their ministerial office staff are responsible for creating, managing and keeping full and accurate *public records* of their ministerial portfolio responsibilities.

The types of public records (regardless of format) created or received in a ministerial office may include:

- ministerial records
- Cabinet documents
- portfolio agency records



- non-public records (documents relating to personal, political or constituent matters)

The definition of public record includes a **ministerial record** under the *Public Records Act 2002* and is 'a record created or received by a Minister in the course of carrying out the Minister's portfolio responsibilities'.

**Ministerial records** are any document, information, content or data, in any form, that provides evidence of ministerial portfolio responsibilities. They cover all aspects of a Minister's responsibilities, including portfolio and departmental responsibilities, legislative responsibilities, correspondence and ministerial office management.

Unless they relate to the Minister's portfolio responsibilities, ministerial records do not include:

- records of personal activities and interactions with family and friends
- records of party political activities
- records of electorate activities
- records created in their capacity as a member of the Legislative Assembly.

The Queensland State Archives [Ministerial Records Policy](#) details policy requirements for ministerial recordkeeping.

### **Cabinet Documents**

Specific procedures relate to the management of Cabinet documents. These are set out in the [Queensland Cabinet Handbook](#). Advice specific to the portfolio agency should be sought from the Cabinet Legislation and Liaison Officer.

### **Electronic Data**





Back-ups of data stored on the ministerial network are carried out on a daily, weekly and monthly basis. As a disaster recovery measure, ministerial backup tapes are stored off-site.

## **2.2.1 Records to Keep**

Ministers, Assistant Ministers, and staff employed in Ministerial offices create and receive different types of public records and are responsible for keeping public records about portfolio-related business regardless of format or how they are received. The table below provides a sample list.

**Table: What records to keep?**

Create and keep public records about portfolio responsibilities including, but not limited to, those which:

 <p><b>... record a decision</b></p> <ul style="list-style-type: none"><li>+ emails about portfolio decisions</li><li>+ development and implementation of portfolio policies</li><li>+ contact (in any format including emails) with the public, private organisations and other Ministers or Assistant Minister on business related to the portfolio</li><li>+ information about the creation or restructure of agencies within the portfolio</li></ul>	 <p><b>...record action taken</b></p> <ul style="list-style-type: none"><li>+ notes or minutes of meetings about portfolio matters</li><li>+ diaries, appointment books (electronic or hard copy) relating to the portfolio and used to record information such as dates, times and meeting agendas</li><li>+ social media posts consulting on issues or policy*</li><li>+ significant drafts showing feedback or change in policy direction</li><li>+ speeches or addresses</li></ul>	 <p><b>... are required to meet legal requirements</b></p> <ul style="list-style-type: none"><li>+ pecuniary interest records</li><li>+ records relating to Minister's legislative responsibilities (e.g. where the Minister is the last point of appeal under legislation or has additional discretionary powers, and the information is not duplicate or held by the portfolio agency)</li></ul>	 <p><b>...are in all formats, and located in business applications</b></p> <ul style="list-style-type: none"><li>+ emails</li><li>+ spreadsheets</li><li>+ shared drives</li><li>+ websites and social media interactions *</li><li>+ photographs</li><li>+ data in business applications and other systems (e.g. client management databases)</li></ul>
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\* Websites and social media posts by their nature are public documents and are therefore disclosed.

### **What does NOT need to be kept?**

Information relating to party political, personal, electorate, or legislative assembly matters that do not relate to portfolio responsibilities.

### **What transitory records can be destroyed once use ceases?**

Duplicates, some drafts, daily routine administrative arrangements such as parking arrangements, committee meeting arrangements.

### **Ask the following questions:**

What is the ongoing use and value of these records? To whom and why?

Would I have received this if I wasn't the Minister/Assistant for the portfolio?

Check the approved retention and disposal schedules for retention periods (see section 2.2.2 below).

### **2.2.2 Disposal of Ministerial records**

Ministerial records can only be disposed of in accordance with authorisation from the State Archivist. Approval for the disposal of records is given in the [Office of the Minister of the Crown and Parliamentary Secretaries Retention and Disposal Schedule](#) & the [General Retention and Disposal Schedule](#).

### **2.2.3 During a Minister's Term of Office**

Ministerial offices may transfer ministerial records to Queensland State Archives when they are no longer required. However, prior to transfer, any Cabinet or portfolio agency records should be separated.

#### **Change of Minister within a government**

When there is no change of government but the Minister ceases to hold his/her portfolio, ministerial records may be transferred to Queensland State Archives or given to the Minister who takes over the portfolio responsibilities. However, official records that relate to the Minister personally (e.g. official diary) must be transferred to Queensland State Archives. Prior to transfer, any portfolio agency records, Cabinet documents and non-public records should be separated from the ministerial records.

Cabinet documents should be returned by the outgoing Minister to the Cabinet Secretariat before the incoming Minister takes up duties. Portfolio agency records should be returned to the custody of the portfolio agency before the incoming Minister takes up duties. Declaration of Interests of Chief Executive Officers should be recalled temporarily from the Office of the Public Service Commissioner and be noted by the incoming Minister before they are returned.

Details of pecuniary interests of any ministerial staff who do not continue in the employment of the new Minister should be forwarded to Queensland State Archives.

#### **Caretaker period**

In accordance with the [Queensland Cabinet Handbook](#), Cabinet documents should be prepared for return to the Cabinet Secretariat upon Cabinet Secretariat instructions.

Portfolio agency records should be prepared for return to the custody of the portfolio agency at the expiration of the caretaker period.

#### **Change of government**

Cabinet records must be returned to the Cabinet Secretariat within 48 hours of the election result being known and/or prior to the new government being sworn in.

Portfolio agency records must be returned to the portfolio agency within 48 hours of the election result being known and/or prior to the new government being sworn in.

Ministerial records should be transferred to Queensland State Archives.

Details of pecuniary interests of ministerial staff should be sent to Queensland State Archives by the outgoing Minister.

In the case of electronic records, a full network backup of file servers will be made prior to deletion and forwarded to Queensland State Archives. Information contained on the back-up may be subject to *Right to Information Act* searches.

All other backup tapes held off site will be returned to Ministerial Services.

All electronic data stored in the ministerial network or held by Ministerial Services (including the returned backup tapes) will be deleted by Ministerial Services or its agent within a period of 48 hours after the election result and/or prior to the new government being sworn in.

If an electronic record is not deleted through an error or is subsequently recovered from the ministerial network, that record is deemed to be the property of the prior government and will be treated in accordance with the disposal authorisation given by the State Archivist.

If any ministerial records are to be transferred from an outgoing Minister to an incoming Minister, those records are to be in paper format and clearly marked as “Records for the Incoming Minister”.

These records left in a ministerial office following a change of government will be available to the incoming government for normal ministerial duties.

Any other paper-based record left in a ministerial office following a change of government will be deemed to have been left in error. That record will be deemed to be the property of the prior government and will be treated in accordance with the retention and disposal schedule for ministerial office records.

#### 2.2.4 **Storage and Access**

Records transferred to Queensland State Archives are stored in accordance with the retention and disposal schedule for ministerial records. Those records with the status of permanent will be stored by the State Archivist for release after 30 years.

If records are received at Queensland State Archives that are deemed not to be ministerial records, the relevant former Ministers will be contacted to determine what is to be done with those records. For example the records could be transferred to a department, or returned to the former Minister.

Where the former Minister cannot be contacted or it is inappropriate to do so, the present leader of the party which formed the Government at the time the records were created will be contacted.

##### **Access by past Governments**

Former Ministers who wish to access records with which they dealt personally while in office must apply for access under the *Right to Information Act*.

##### **Access required under Legislation or by Courts and Investigatory Bodies**

Access to ministerial records may be sought by a court, a tribunal or an investigatory body or, in any event, under the:

- [Crime and Corruption Act 2001](#); or
- [Judicial Review Act 1991](#); or

- [Criminal Code Act 1899](#); or
- [Right to Information Act 2009](#); or
- [Information Privacy Act 2009](#); or
- other relevant Act.

Access will be determined in accordance with the relevant legislation under which the information is sought and/or the jurisdictional powers of the particular court, tribunal or investigatory body seeking the information.

### **Access by individuals**

Access to ministerial records may be sought by an individual under relevant legislation and access will be determined in accordance with the relevant legislation under which the information is sought.

\* Note: Where reference to a Minister is made in this section, it should also be taken to be a reference to an Assistant Minister.

## **2.3 Privacy**

[Information Privacy Act 2009](#) (IPA) sets the framework for the collection and handling of personal information in the Queensland Public Sector. Ministerial staff will apply the principles contained in the IPA when managing personal information.

## 3 Accountability and Ethics

### 3.1 Administrative arrangements

The Minister's administrative responsibilities are determined by the Premier and are set out in an Administrative Arrangements Order which is issued under the [Constitution of Queensland 2001](#) and approved by the Governor in Council. The Administrative Arrangements Order is published in the Queensland Government Gazette.

### 3.2 Ministerial Code of Conduct

Ministers are bound by the Code of Conduct of Ethical Standards of the Parliament and should also observe ethics values set out in the [Public Sector Ethics Act 1994](#), that apply to the Queensland Public Sector.

In exercising their discretionary powers in the execution of their public duties, Ministers must comply with the Ministerial Code of Conduct. See [APPENDIX 1- Ministerial Code of Conduct](#).

### 3.3 Code of Conduct Ministerial Staff Members

Ministerial staff are bound by the [Code of Conduct Ministerial Staff Members](#).

### 3.4 Declaration of Interests

#### 3.4.1 Ministers

##### Declaration of interests-

Ministers, like all Members of the Legislative Assembly, must comply with the requirements of chapter 4, part 2A of the *Parliament of Queensland Act 2001* regarding the provision of a statement of interests for recording on the Register of Members' Interests, and the Register of Members' Related Persons Interests (the Registers), held by the Clerk of the Parliament.

Within one month of taking office, Ministers must provide the Premier a copy of the statement of interests and confirm in writing that:

- the statement has been provided to the Clerk
- there are no other personal pecuniary or other interests that might affect their ministerial responsibilities (at that time).

If there is a change to a Minister's interests, Ministers must notify the Clerk and the Premier.

##### Conflicts of interests

Conflicts of interest arise when decision-makers have official obligations and responsibilities associated with a particular interest. This is because the interests that a Minister might have can bring into question their independence and impartiality, and this may lead to a decision that is not in the public interest.

Ministers are obliged to manage and resolve interest issues in accordance with the processes set out in the Ministerial Code of Conduct, and any guide developed by the Integrity Commissioner. This ensures that all conflicts of

interest are managed in a way that encourages public trust in Government.

### 3.4.2 Staff members

Staff employed in ministerial offices must ensure their private interests do not conflict with, or are not seen to be in conflict with, the discharge of their official duties.

Section 24 of the [Ministerial and Other Office Holder Staff Act 2010](#) requires Ministerial staff members to submit a Declaration of Interests form to their Minister within one month of commencing employment as a Ministerial staff member, within one month of the change of the Minister, and whenever there is a change to the Ministerial staff member's interests. See [APPENDIX 2 & 3](#)

The Declaration of Interests provides details of the staff member's interests together with the interests (as known to the staff member) of the staff member's partner and any dependents.

In addition, staff are required to annually declare their interests no later than 30 June each year. Where there is no change staff are required to submit an "Annual Review of Declaration of Interests – No Variation" form See [APPENDIX 4](#) to their Minister.

Ministers should sign and date all completed declarations following the staff member's appointment and annually thereafter or upon a change of Minister.

#### Penalty provisions

Staff members who knowingly fail to provide a Declaration of Interests or a Variation of Interests by the due date, or knowingly provide false or misleading information to the Minister, may, upon the advice of the Minister, have their employment terminated by the Director-General, Department of the Premier and Cabinet immediately.

#### Disposal of register

All details of pecuniary interests provided to the Minister shall become the property of the Crown and are not returned to the staff member. Disposal of details of pecuniary interests will be in accordance with the current guidelines for disposal of Ministerial records.

#### Completion of the Declaration of Interests

[Directive 2010/01](#) and the [Declaration of Interests Information Sheet](#) outline the interests that should be declared.

#### Interactive Gambling (Player Protection - disqualified Persons) Regulation 1999

Ministerial Staff are prohibited from holding or acquiring an interest in any holder of an interactive gaming licence issued in Queensland. If staff currently possess any prohibited shares or become aware in the future that staff possess prohibited shares, then the shares must be divested within a period of 14 days, at no profit. If not divested within this period, then the shares are forfeited to the State and a penalty may be imposed (maximum penalty \$1500).

An exemption is made to the above restriction in the case of membership of a professionally managed investment or superannuation fund whereby staff are deemed to exercise no discretionary control over the investment strategy of the fund.

The Regulation also prohibits staff from being a business or executive associate



of an interactive gambling licensee.

If staff have any doubt as to whether shares they currently possess are prohibited shares or not, they should raise the issue with their Chief of Staff in the first instance. Advice may also be sought from the Integrity Commissioner.

### 3.5 Memberships of boards, committees or councils

Ministers who are asked to perform duties or services for government bodies such as boards, committees or councils should note the following provisions which apply to all Members of the Legislative Assembly.

Members who perform duties or services for government bodies (eg. boards, committees, or councils) may receive ‘reasonable expenses’ actually incurred by or for the Member in the course of performing such additional duties or services.

The [Parliament of Queensland Act 2001](#) limits ‘reasonable expenses’ to accommodation, meals, domestic air travel, taxi fares or public transport charges and motor vehicle hire only.

Members who receive any fee or reward for the performance of these duties or services in excess of what is reasonable or for categories of expenses outside those listed above are liable to loss of their seat pursuant to the office of profit provisions of the [Parliament of Queensland Act 2001](#).

Upon becoming aware of such entitlement, Members must, as soon as practicable:

- a. irrevocably waive for all legal purposes any entitlement to fee or reward, beyond the reasonable expenses described above, which are associated with additional benefits associated with the performance of such duties or services (eg. meeting fees);
- b. make the waiver in writing;
- c. present the waiver to the relevant paying authority for the government body concerned; and
- d. provide a copy of the waiver to the Speaker.

Further details about this issue are available from the Legislative Assembly Offices.

Additional information is also available in the Governing Queensland Suite of Handbooks - Welcome Aboard - A guide for Members of Queensland Government Boards, Committees and Statutory Authorities.

### 3.6 Integrity Act 2009 and Lobbyists Code of Conduct

The [Integrity Act 2009](#) is intended to promote trust in the integrity of government processes and ensure that contact between lobbyist and government representatives is conducted in accordance with public expectations of transparency and integrity. Lobbyists and government representatives are expected to comply with the requirements of the [Integrity Act 2009](#) and the Lobbyists Code of Conduct to ensure that all dealings between lobbyists and government representatives are equitable and transparent.

### 3.7 Gifts - received

This policy applies to Ministers and their staff and should be read in conjunction with the [Ministerial Code of Conduct](#), the requirements of the Register of Member's Interests and the [Ministerial Staff Code of Conduct](#).

Gifts are tangible items that have a lasting value. They do not include intangible benefits such as hospitality or perishable foodstuffs where there is no enduring value.

The definition of 'gifts' does not include those gifts which are received and retained by the Minister, ministerial staff or their immediate family from family members or personal friends in a purely personal capacity.

Ministers and staff should not ask for or encourage the offer of any gift or benefit in connection with the performance of their official duties.

A gift may only be accepted if:

- it does not influence a Minister or staff member in such a way as to compromise impartiality or create a conflict of interest; and
- it is not an offer of money.

Promotional schemes offered in conjunction with official activities, such as instant scratch-its for free overseas flights or lucky door prizes won at official functions should not be accepted.

The State of Queensland will have first call to retain any gifts deemed to be of historical or cultural significance (eg. artworks) regardless of value.

#### **Declaration and Allowable Limits**

Ministers must declare a gift received from any source, which has a retail value of more than \$150, within 21 days of receipt (or 21 days from the date of return to Australia if the gift was received overseas) by completing a 'Declaration of Official Gift' form.

Ministerial staff must seek the Chief of Staff's approval prior to accepting or retaining a gift of any value. The Minister's approval for staff to accept or retain gifts with a retail value above \$150 must be included on the 'Declaration of Gifts Received' form. See [APPENDIX 5](#)

The gift should be sent with the declaration to Ministerial Services for valuation.

An allowable limit of \$350 retail value applies to any gift given to the recipient by the same person. A gift can be a single item or group of items received either at one time or at different times on the same trip, in which case the aggregated value of the items should be within the allowable limit.

Gifts valued below the allowable limit may be automatically retained by the Minister subject to declaration requirements.

If a gift exceeds the allowable limit and it is not appropriate to refuse or return the gift, it remains the property of Ministerial Services on behalf of the State of Queensland. The Minister may request that these gifts be placed on display in a Minister's office or public building.

Ministers should note that the Standing Rules and Orders of the Legislative Assembly also require the declaration through the Register of Members'

Interests of the source and nature of any gifts valued at more than \$500 from one source. This declaration requirement extends to where two or more gifts made from one source during the financial year exceed, in aggregate, \$500.

### **Procedures**

Ministerial Services maintains a register of gifts received.

The Premier tables annually the details of all gifts with a retail value of more than \$150 that are noted on the gifts register. Details of the register are also published on the internet quarterly by the Department of the Premier and Cabinet. The Director, Ministerial Services may dispose of gifts not on display subject to the approval of the Premier and in line with the policies of the Department of the Premier and Cabinet.

Subject to the Premier's approval, the Minister may donate a gift or request the Director, Ministerial Services to donate a gift on the Minister's behalf. A disposal of Ministerial Gifts form must be completed.

## **3.8 Gifts - made**

This policy applies to Ministers and their staff.

In certain circumstances it may be appropriate for Ministers to provide gifts on behalf of the State of Queensland. This is a normal custom when Ministers travel overseas, but it may also occur domestically when it is appropriate to provide gifts to persons on behalf of the State of Queensland, (for example a reciprocal gift to an official overseas visitor to Queensland).

Ministers should select gifts with both economy and appropriateness in mind (ie. expensive gifts will not always be necessary).

Gifts badged with the Queensland Coat of Arms are available to Ministers (up to a value of \$1000 per annum) and Assistant Ministers (up to a value of \$200 per annum) to assist them to promote Queensland.

Badged gifts are to be used for official purposes at the discretion of the Minister or Assistant Minister. A Minister may also authorise a staff member to give a gift on their behalf.

Gifts are funded from Ministerial office budgets.

### **Procedures**

Ministerial Services maintains a register of gifts made with a retail value of over \$350.

Ministers should advise Ministerial Services in writing when they (or a staff member on their behalf) gives a gift valued over \$350 retail, or two or more gifts with a combined value over \$350 retail, to the same person during the same trip. This advice should be provided as soon as practical but within 21 days of giving the gift or returning to Australia (see [APPENDIX 6 – Declaration of gifts made](#)).

If a gift is to be made on behalf of the State, it is normally selected from the Official Gift Range maintained by Protocol Queensland in the Department of the Premier and Cabinet. The Official Gift Range includes items such as ties, cufflinks, scarves, business card holders, pens, badges and books.

Applications for badged gifts should be made to Protocol Queensland each year as a bulk order to the total value or half the per annum value and should include

a purchase order from Ministerial Services. Costs will be charged to the relevant Ministerial or Assistant Minister's Office.

Protocol Queensland has a catalogue of badged items to assist offices making annual bulk purchases.

### 3.9 Indemnities

The guidelines for the grant of indemnities and legal assistance to Ministers and Assistant Ministers are provided at [Appendix 7](#).

Separate guidelines relate to the grant of indemnities and legal assistance to state employees. These guidelines apply to ministerial staff and can be found on the website of the Public Service Commission.

#### Defamation

Claims against Ministers or former Ministers have the potential to expose the State to the payment of significant legal costs.

Ministers need to exercise care when making statements about members of the public which could be seen as defamatory.

If a Minister is alleged to have made a defamatory statement, the Minister should have regard to the provisions relating to defamation in the Guideline for the Grant of Indemnities and Legal Assistance to Ministers and Assistant Ministers.

### 3.10 Accountability and budget process

The overarching documents relating to accountability in a Minister's office are the [Financial Accountability Act 2009](#), Financial and Performance Management Standard 2009 and this handbook.

Ministers and their staff operate in an environment of rigorous accountability and their actions and expenditure are likely to come under close public scrutiny.

Ministers' offices for accountability purposes, fall under the responsibility of the Director-General, Department of the Premier and Cabinet, who is the accountable officer under the [Financial Accountability Act 2009](#).

However, the Minister still remains responsible for the proper management and control of all financial transactions of the office.

The [Right to Information Act 2009](#) applies to the operations of ministerial offices.

The budget for ministerial offices is included in the appropriations of the Department of the Premier and Cabinet. This means that similar external reporting requirements apply to ministerial offices as to other functional areas of the department. These include:

- a. scrutiny by Parliamentary Estimates Committees;
- b. audit by the Queensland Audit Office; and
- c. published information in budget documentation tabled in the House and annual financial statements.

Ministerial Services maintain necessary accounting systems that ensure compliance with the requirements of this handbook and assist in correctly

categorising and charging expenditure. These systems may be separate from and independent of other departmental accounting systems.

Internal controls are a key component of accountability systems. The primary internal controls that apply to ministerial offices are:

- **Monthly budget and expenditure reporting.** Ministerial Services provides each office with detailed transaction reports of all monthly expenditure incurred and a report comparing monthly and yearly expenditure to budget forecasts. Offices must examine and certify the reports, and then return the certification to Ministerial Services.
- **Adequate documentation.** Expenditure can't be processed without the following adequate supporting documentation:
  - original source documents, eg. original receipts, vouchers;
  - appropriate authorisation; and
  - an official order or other legal document, for all contracts/commitments.
- **Ministerial Services checking.** Ministerial Services assists the Director-General in meeting the obligations of the accountable officer through examining documentation and seeking, where necessary, additional information or explanation on expenditure claims. This includes reconciliations of such items as petty cash, overseas cash advances, and credit facilities (eg. credit cards, travel accounts).
- **Stocktakes of assets and gifts on display.** The register of gifts valued at over the reporting threshold is tabled annually.
- **Independent authorisation of expenditure.** Staff are not able to authorise their own expenditure.
- **Public reporting of expenditure.** Six monthly reports on office expenditure are tabled in Parliament. The report for the end of the financial year is audited by the Queensland Audit Office.

### 3.11 Public Report of Ministerial Office Expenses

The [\*Financial Accountability Act 2009\*](#) (part 2, division 2, section 12 Report of Ministerial Office Expenses, refers) requires that on a six monthly basis, a report of expenditure for each ministerial office, in summary format, is tabled in Parliament by the Premier. Expenses include costs for the Minister and staff, and office which is shown separately.

These reports will be due for tabling within five sitting days after 15 February (mid-year report) and by 31 August (end of year report).

The report to be tabled following the end of each financial year will be audited and certified by the Queensland Audit Office.

#### Procedures

Ministerial Services will prepare statements as soon as possible after the end of each six monthly period for each Minister and the Premier to review and approve.

Consolidated reports are to be provided by the Director-General to the Premier by 15 February and 15 August each year.

A copy of the mid-year report will be provided to the Queensland Audit Office for information.

In the event of a change of government, the public report for the former Ministerial and former Opposition Offices will be certified by the Director-General, Department of the Premier and Cabinet.

An example of the report is shown below.

**Public Report of Ministerial Expenses for  
the Ministerial Portfolio: XXX  
for the period ended xx/xx/xx**

	<b>Minister</b>	<b>Staff</b>	<b>Office</b>	<b>Total</b>
<b><u>Salaries and Related Payments</u></b>				
Salary and Employee Expenses	\$	\$ 503,638	\$	\$ 503,638
Salary Related Taxes	5,588	67,778		73,366
Superannuation		50,741		50,741
Other Employee Expenses		3,171		3,171
<b>Sub-Total Salaries Costs</b>	<b>5,588</b>	<b>625,328</b>	<b>0</b>	<b>630,917</b>
<b><u>Administrative Costs</u></b>				
Domestic Travel	6,454	11,933		18,387
Overseas Travel and Official Duties	10,698	10,099		20,797
Motor Vehicle Running Costs	17,532	10,659		28,190
Charter Costs				0
Travel to and from the Electorate				0
Domestic Official Duties	361			361
Building Services	2,520	10,130	99,160	111,810
Communication Charges	3,513	8,932	1,507	13,952
Information Technology		254	14,513	14,767
Other Administrative Charges	556	474	6,620	7,649
<b>Sub-Total Administrative Costs</b>	<b>41,633</b>	<b>52,480</b>	<b>121,800</b>	<b>215,913</b>
<b><u>Capital Expenses</u></b>				
Depreciation	796	1,430	4,869	7,096
<b>Totals</b>	<b>48,018</b>	<b>679,238</b>	<b>126,669</b>	<b>853,925</b>

Director, Ministerial Services

Hon. XXX, MP

...../...../.....

...../...../.....

This report format may be changed by the Premier from time to time.

### 3.12 Ministerial Diaries

Ministers are required to proactively disclose on a monthly basis portfolio related meetings and events. Personal, electorate or party political meetings or events, media events and interviews and information contrary to public interest (e.g. meetings regarding sensitive law enforcement, public safety or whistleblower matters) are not to be released

Ministerial diaries are public records under the [Public Records Act 2002](#) and as such should be retained and managed in accordance with the Retention & Disposal Schedule at section [2.3 Ministerial Records](#) of this Handbook.



## 4 Expenses relating to a Minister's Office

### 4.1 Allowable Expenditure

Expenditure by the Office of the Minister must be for official purposes related to the Minister's portfolio, properly documented, available for audit scrutiny and reasonable for the circumstances.

Allowable expenditure falls into three (3) categories as outlined below.

#### 4.1.1 Ministerial expenditure

Ministerial expenditure is incurred as a result of undertaking the official duties of the Minister's portfolio. This includes both general ministerial office expenditure and the Minister's direct expenditure.

Expenditure that is incurred by or for a political party is not a ministerial expense and should not be charged as ministerial or any other Government related expenditure.

Expenditure that is incurred by the Minister in relation to duties as the parliamentary representative of their electorate should not be charged against the Office of the Minister or a government department.

#### 4.1.2 Departmental expenditure

Departmental expenditure means expenditure associated with the programs or activities of the department or agencies for which the Minister is responsible.

The department is responsible for providing:

- advice to the Minister;
- ministerial office accommodation, office furniture and fittings outside of the Parliament House environs;
- mail clearing, distribution and records' management;
- letterhead used by the department and ministerial office to prepare correspondence from the Minister and common stationery items (up to \$500 per item);
- library facilities to the extent such facilities are readily available to the department; and
- provision of and maintenance for office security systems and duress alarms.

The department is **not** responsible for providing stationery used exclusively by the ministerial office (e.g. business cards).

#### 4.1.3 Whole of Government expenditure

Whole of Government expenditure is reasonably associated with more than one ministerial portfolio and/or cannot be dissected clearly between ministerial portfolios on a shared basis. All Whole of Government-related expenditure requires the written approval of the Premier.

Any difficulties relating to determinations in this area should be referred to Ministerial Services or the Premier for consideration.

## 4.2 Parliamentary Service support for Ministerial Offices

The Parliamentary Service provides :

- office accommodation, standard office furniture and fittings in the Parliament House environs;
- mail clearing for office accommodation in the Parliament House environs;
- library facilities to the extent such facilities are readily available to the Members;
- common stationery items to the extent that they are readily available to Members;
- car parking normally available to Members; and
- other administrative support generally provided to the Members (eg. Parliament House security, services by the Table office, training on services generally supplied to Members by the Parliamentary Service).

The Parliamentary Service is **not** responsible for providing stationery used exclusively by the Minister's office. (eg. business cards).

**NB:** Parliament House environs includes electorate offices normally provided to Members.

## 4.3 Expenditure that is not allowable

Any expenditure that is not allowable is considered private expenditure and is **not** to be charged as an expense of the Office of the Minister or departments within the Minister's portfolio. However, some private expenditure may be claimable as "Parliamentary business" under the Members' Remuneration Handbook. Private expenditure includes:

- personal expenditure;
- clothing;
- personal household articles;
- partner's wardrobe;
- hairdressing;
- dvd hire (in-house movies);
- club membership, except for airline memberships (Ministers only);
- laundry and dry cleaning costs except costs associated with the Minister's office (eg. tea towels, tablecloths etc) and costs incurred by the Minister and staff whilst travelling on official business;
- personal presentations including cards or presentations to any Ministerial or government employee whether employed on a permanent, temporary, casual, consultancy or any other basis (see [Cards and wreaths Section 4.14.1](#) for allowable expenditure on these items by the Minister as part of official duties);

- any costs incurred for or by a political party, including entry fees to political party functions, travel or entertainment costs by unelected political party members (see [4.10 Political Party Expenses](#));
- tipping, except for overseas travel; and
- donations (including donations to political parties). (see [Gifts Section 3.8 for donations of official gifts](#))

### Procedures

If non-allowable expenditure has already been processed, Ministerial Services will raise a debit note to the person who incurred the expenditure. The person has thirty (30) days from the date of this invoice to either dispute the charge, pay the debit note or arrange a repayment schedule with Ministerial Services.

## 4.4 Accommodation

### 4.4.1 Office accommodation

Office leasing, parking and utilities costs are a charge to the Office of the Minister.

#### Parliament House environs

Parliament House accommodation (including electorate offices and normal parking available to Members) is the responsibility of the Parliamentary Service.

#### Relocation/Repairs/Improvements/Furniture

Ad hoc requests for repairs, maintenance or the movement of furniture and fittings requiring works under \$10,000 may be made to the portfolio department. Any requests for accommodation changes and works over \$10,000, outside of the Accommodation Office's pre-approved program of work, are to be made to Ministerial Services.

Ministerial Services will refer these requests, to the Director-General, Department of the Premier and Cabinet for approval.

The Accommodation Office (AO), Department of Housing and Public Works or the portfolio department will undertake relocation, repairs and improvements in line with the [Ministerial Office Accommodation Procedures](#).

See [4.2 - Parliamentary Service support for the Office of the Minister](#)  
[4.1.2 - Departmental Expenditure](#)

### 4.4.2 Refurbishment

The AO in conjunction with the portfolio department (or the Parliamentary Service for Parliament House and electorate office accommodation) will undertake the refurbishment of office accommodation, including furniture and fittings and office security.

All requests for refurbishment over \$10,000 should be sent to Ministerial Services (outside Parliament House environs) or the Speaker of the Legislative Assembly (Parliament House environs). Requests for refurbishments outside

Parliament House environs will require the approval of the Director-General, Department of the Premier and Cabinet.

The annual capital budget provided to ministerial offices is for the purchase of office equipment and associated costs. As such, funding availability within the department, the Parliamentary Service or the Office Accommodation Program is a prerequisite for refurbishments to proceed.

See [4.4.1 - Office accommodation](#),  
[4.2 - Parliamentary Service support for the Office of the Minister](#)

#### 4.4.3 Parking

Ministerial offices will be provided with a reasonable number of carparking spaces for official cars and any other necessary requirements.

### 4.5 Consultants

#### Ministerial consultants

The use of consultants (including persons, partnerships or bodies corporate) by Ministers to undertake tasks on behalf of the Minister should be limited in nature, scope and number.

Ministers may engage consultants only with the prior approval of the Premier.

Any Minister's office considering engaging consultants should contact Ministerial Services.

#### State Procurement Policy

The Minister must comply with relevant Financial Acts, all Cabinet directions, and particularly the Queensland Government [State Procurement Policy](#) when engaging consultants.

### 4.6 Delegations

Under the [Financial Accountability Act 2009](#), the Director-General, Department of the Premier and Cabinet as the accountable officer for ministerial offices may delegate the incurring of expenditure.

However, **the Minister** still remains responsible for the proper management and control of all financial transactions effected under such delegations.

Staff members are not allowed to authorise their own expenditure or expenditure incurred on their behalf. The Director-General establishes, in liaison with the Office of the Minister, the appropriate level of delegations of authority to ministerial staff for the effective operation of the office. These delegations are to the person and not the position. They are not transferable. Delegation limits include GST.

The Minister's direct expenditure (excluding entertainment) may be authorised by the Chief of Staff, and the Deputy Chief of Staff within the Office of the Premier, subject to financial delegation levels.

The Chief of Staff, and the Deputy Chief of Staff within the Office of the Premier, (subject to financial delegation) may authorise all other ministerial office expenditure for entertainment and travel. The Premier may also give approval for nominated ministerial staff to authorise entertainment and travel.

For internal control purposes, all proposed expenditure that is significant or related to expenditure by the Chief of Staff, should be discussed with and formally endorsed by the Minister.

An Assistant Minister may authorise their own expenditure up to a limit of \$10,000 and may request a delegation for a ministerial staff member to authorise expenditure on their behalf.

The Director-General may delegate authority to Ministerial Services personnel to approve routine and recurrent ministerial office expenditure. These delegations are to a position rather than an individual and are detailed in the Department of the Premier and Cabinet's Expenditure Delegations.

In addition, the Director of Ministerial Services can approve expenditure of up to \$100,000 on behalf of a Minister. Where practical, the Minister must personally authorise their own expenditure within 45 days of the Director of Ministerial Services approving the expenditure on their behalf. The reason for the Director of Ministerial Services approving expenditure on behalf of the Minister must be documented and attached.

Losses and special payments require the approval of Department of the Premier and Cabinet officers under the Department of the Premier and Cabinet delegations.

New delegations are required on the change of a Minister.

## **4.7 Hospitality and Official Functions**

### **4.7.1 Hospitality (including Entertainment) - Provided by the Minister**

Hospitality is for the purpose of furthering official business with non-government attendees. It must relate to carrying out official duties and fulfilling the official responsibilities of the Minister's portfolio. Expenditure must always be reasonable and appropriate to the circumstances.

Hospitality includes entertainment [which is the term used for Fringe Benefits Tax (FBT) purposes] and is generally the provision of meals and beverages but may include other expenditure (eg. event tickets) where there is a clear relationship to the Minister's portfolio. Hospitality also includes the provision of items such as travel and overnight accommodation.

Ministers, Assistant Ministers and Chiefs of Staff approved by the Premier may entertain.

The policy and procedures in this Section and Section [4.7.3 - Working Meals](#) apply for all those approved by the Premier to entertain.

Hospitality should not be seen as a substitute for general business meetings which would ordinarily be conducted in the workplace. The number of government

attendees should be limited to those who can assist in the performance of official duties and should be kept to a minimum.

Government attendees generally refers to persons paid by public funds, a Minister's partner and an Assistant Minister's partner. Part-time board members would not normally be considered government employees if they are not public servants and government remuneration is not a significant part of their income.

The provision of official hospitality to party political persons should only be undertaken where there is a clear official purpose related to the Minister's portfolio.

Tipping is not allowable in Australia. However, tipping is likely to be appropriate when providing hospitality overseas.

Alcoholic drinks only hospitality is considered a private expense. Tea, coffee and non-alcoholic refreshments only hospitality is appropriate.

Hospitality for ministerial staff, departmental staff or other persons on the government payroll where there are no non-government attendees is not covered by this schedule. See Section [4.7.3 – Working meals](#).

#### **Reasonable limits**

As a guide, up to \$120 per person (including meals and beverages) would be considered a reasonable hospitality cost. The cost of any alcohol should be reasonable relative to the cost of any meal. Authorisation of hospitality expenses should give due consideration to the appropriateness of the circumstances.

#### **Procedures**

An 'Entertainment Certification' form must be completed for FBT purposes for each instance of hospitality (see [APPENDIX 8](#)) showing the total number of participants, and the breakup of internal versus external to government participants. The number of external participants should be shown by organisation.

### **4.7.2 Hospitality (including Entertainment) Benefits Received**

Hospitality benefits include entertainment [which is the term used for Fringe Benefits Tax (FBT) purposes] and are generally received in the form of meals and beverages. However, these benefits can also include (but are not limited to): travel, accommodation or access to a private spectator box at a sporting or other venue, tickets to cultural events, annual passes, memberships or use of facilities.

Since hospitality benefits have no enduring value they cannot be dealt with as a physical asset of the receiving agency as is the case for tangible gifts. However acceptance of hospitality still has the potential to give rise to a real or perceived conflict of interest or future obligation for a Minister or their staff.

This policy does not cover hospitality benefits received of a purely personal nature from friends or family.

### Acceptance Principles

- A hospitality benefit may be accepted if it does not influence a Minister or staff in such a way as to compromise impartiality or create a conflict of interest; and
- it is received in the course of duty in respect of portfolio responsibilities, representing the State or the Premier has approved attendance.

Ministerial staff must notify and seek the approval of either the Chief of Staff or Minister when they receive any invitation of hospitality benefits.

### Non-Acceptance Principles

A hospitality benefit may not be accepted if:

- it is likely to cause the recipient to act in a partial manner in the course of their duties; or
- the offer is concealed; or
- it is able to be exchanged for money.

#### 4.7.3 Working meals

Working meals, which may include official morning and afternoon teas, are allowable where staff are required for official purposes to work through their normal meal periods and meals are then supplied. Working meals are not a substitute for normal office business.

Working meals are not to be regular occurrences, must be approved by the appropriate delegated officer and be held in-house for a clear business purpose.

#### Reasonable Limits

As a guide the allowance rates set out under the [Directive for travel meals](#) should be considered the maximum per person cost for a working meal.

The above provisions do not apply to working meals while overseas which must be reasonable for the circumstances.

#### Procedures

An [Entertainment Certification](#) must be completed and sent to Ministerial Services as circumstances may require FBT to be calculated.

## 4.8 Office equipment

Office equipment for Minister's offices includes such things as computers, printers, mobile phones, photocopiers, and would normally not include furniture, stationery etc.

Cost efficiency and administrative effectiveness should be considered when requesting office equipment.

The Minister's office is not to give away, transfer, donate, trade in or dispose of any equipment. Surplus equipment must be returned to Ministerial Services.

#### Procedures

Ministerial Services manage the office equipment requirements of ministerial offices. Standard types, levels and amounts of office equipment apply, and items in excess of the standard are only issued if a clear business need exists.

Purchases of office equipment will be made by Ministerial Services.

Ministerial Services maintains a register of office equipment as required by the Financial Management Standard. A stocktake of office equipment is undertaken by Ministerial Services in conjunction with the ministerial office at least annually.

Surplus equipment returned to Ministerial Services will be reassigned or disposed of in line with the Financial Management Standard.

#### **Maintenance and repairs**

Ministerial offices should organise maintenance and repairs of office equipment through Ministerial Services. Damage to equipment other than normal wear and tear should be reported to Ministerial Services together with brief details of how the damage occurred. These details are required for audit purposes.

### **4.9 Partner's expenses**

#### **Minister**

All expenditure incurred by or on behalf of the partner of the Minister must be for official purposes, eg. where the partner of a Minister attends official meetings, entertainment, conferences and conventions either with, or in lieu of the Minister.

These costs would also extend to those occasions when a partner may travel separately from the Minister, to attend the same event.

However, the attendance of a Minister's partner, when not accompanied by the Minister, at a party political function would not result in an entitlement to have travel costs met by the State.

#### **Assistant Minister**

The general provisions above, which apply to the partner of a Minister, do not apply to a partner of an Assistant Minister unless:

- a. the prior approval of the relevant senior Minister has been obtained for the partner to undertake official business; or
- b. the partner of the Assistant Minister is attending as a guest of the Minister. In this circumstance, the cost of the partner of the Assistant Minister will be a charge to the Office of the Minister and not the Office of the Assistant Minister.

#### **Staff**

Unless exceptional circumstances exist, costs of a partner of a staff member would not be allowable expenditure.

### **4.10 Political Party Expenses**

Political party expenses are not official costs and must not be paid from Government funds.



Where an official government activity is attended by a political party member, expenses incurred on their behalf for that activity are allowable if they are primarily for the official purpose and any party benefit is immaterial (e.g. a meal or beverage at a catered function).

Costs incurred by bi-partisan standing or select parliamentary committees, are generally covered from funds allocated to the Parliament of Queensland.

Departmental related costs incurred for a Minister's backbench committee may be official departmental costs. Such costs must be reasonable for the circumstances.

However, costs for a Minister entertaining a backbench committee are not allowable expenses.

#### 4.10.1 **Political Party meetings**

If a Minister is required to attend meetings, conferences or conventions of a political party in their official capacity as a Minister of the Crown, costs reasonably associated with the attendance of the Minister and any staff assisting them in their official capacity may be charged to the Office of the Minister.

However, any direct costs paid to the political party in connection with the function (e.g. entry fees, meals, etc) are to be met personally by the Minister and any accompanying staff member. As attendance at political party meetings falls under the scope of Parliamentary business in the Members' Remuneration Handbook, the Minister can draw on their Parliamentary entitlements as an MP if their attendance at a meeting does not meet the above requirements. However, claims for the same item must not be made under both.

## 4.11 **Telecommunications**

### 4.11.1 **Minister**

Ministers are provided with additional telephones/lines so that adequate access to the Minister is available at all times. The cost of these telephones/lines is a charge to the Office of the Minister.

#### **Residence**

Ministers may be supplied with up to two lines for official purposes in their residence. Within this allocation the Minister can opt for any combination of telephone, fax or internet service that will best meet official business requirements. It should be noted that a maximum monthly limit applies to reimbursement of internet service costs.

In addition, rental and service charges and 85% of the cost of all calls for the Minister's private line in their residence will be a charge to the Office of the Minister.

Relocating phones within the Minister's residence is a private cost.

The above does not apply to Assistant Ministers.

## **Mobile phones**

Ministers are given a smart phone with a car kit provided in the Minister's official car.

The mobile services are in the name of Ministerial Services and are billed direct to Ministerial Services. Reasonable call costs are a charge to the Office of the Minister.

Use of the phone is at the total discretion of the Minister including private non business use.

The standard for smart phones/tablets supported on the network is approved by the Office of the Premier. Privately owned smart phones can be connected to the ministerial network. Ministers using approved BYO devices must sign a BYO policy document. Non approved devices will be seen as a breach to the Ministerial network security and will be disabled.

If the BYO device is the phone associated with the Minister's electorate office, Ministerial Services will only reimburse costs identified as ministerial call costs.

## **Accounts in the name of the Minister**

Reimbursements or upfront payments will be made for rental and service charges and 85% of the cost of all calls for the Minister's private line.

Reimbursements or upfront payments will be made for installation costs, rental and service charges and 100% of call costs for the Minister's official line/s. Where a Minister chooses to use an internet service on an official line, reimbursement of 100% of the costs up to a maximum of \$100 per month.

## **Procedures**

Telephone and other lines in residences will not be in the name of the Queensland Government. Arrangements for installation need to be made by the Minister or an authorised person. Payment of accounts in the Minister's name will be made:

1. by reimbursement once proof of payment and a payment voucher authorised by the Minister is submitted to Ministerial Services; or
2. direct by Ministerial Services on the account summary attached to a claim for payment authorised by the Minister. If direct payment is required, claims should be lodged as early as possible.

## **Internet Connection - Assistant Minister**

An Assistant Minister may choose to be reimbursed 85% of a private internet connection in lieu of the reimbursement (by Parliament House) for one home telephone line.

### **4.11.2 Staff**

The use of telecommunication equipment carries with it certain responsibilities. Incorrect or inappropriate use can have serious consequences for the government. The following policy and guidelines clarifies the responsibilities of ministerial staff in using this equipment and establishes standards of professional and ethical conduct.

## Entitlements

Smart phones are available for staff for official purposes and will be provided at the discretion of the Office of the Premier. Staff should consider economy and efficiency when using this equipment.

The standard for smart phones/tablets supported on the network is approved by the Office of the Premier. Privately owned devices can be connected to the ministerial network if approved by the relevant Chief of Staff. Staff using approved BYO devices must sign a BYO policy document. Non approved devices will be seen as a breach to the ministerial network security and will be disabled.

In addition to smart phones allocated to individual staff for official purposes, ministerial offices will also be provided with an official mobile phone for office use.

Staff who are allocated a car and an office mobile phone will be entitled to a hands-free kit installed in the car.

## Inappropriate Use

Telecommunications usage must be able to withstand public scrutiny and/or disclosure. Inappropriate use of telecommunications equipment can lead to disciplinary action and/or the revocation of telecommunication entitlements.

Unauthorised accessing, transmitting or storing of material that might bring the government into disrepute is not permitted.

Do not use official telecommunications equipment to:

- call 0055 or 1900 prefixed information lines;
- maintain or support a personal or private business;
- defame, harass, abuse or otherwise offend other users, individuals or organisations;
- download, store or distribute offensive material (via camera, SMS or MMS);
- access chat lines or information services that incur additional costs.

Staff should assume that information stored on this equipment (e.g. messages, photos) can be retrieved if not deleted by the user.

Any employee found to have used a Government owned communication or information device to download, store or distribute pornography will be dismissed.

## Personal use of government funded telecommunications equipment

Ministerial staff are often required to be on call, travel for work purposes or work away from the office for extended periods. On that basis, reasonable personal use of government funded telecommunications equipment is permitted where it:

- is not used to support a private business;
- does not interfere with the operation of the Government;
- does not violate any State/agency policy or related State/Federal legislation and regulation.

Personal use should be kept to a minimum. Mobile phone usage is monitored regularly and reimbursement for private calls may be required.

### 4.11.3 Office

Telecommunications equipment and lines are provided to meet official needs.

Normal phone services provided to Members of Parliament are a responsibility of and a charge to the Parliamentary Service.

#### **Satellite Phones and Conference phone**

A number of satellite phones are available from Ministerial Services for loan purposes. Satellite phones are not provided to ministerial offices on an ongoing basis because of the high cost.

A conference phone is also held by Ministerial Services for loan purposes.

#### **Repairs**

Repairs and maintenance of any approved equipment and telephone lines are chargeable to the Office of the Minister.

Requests for repairs should be directed through Ministerial Services.

## 4.12 Transportation

### 4.12.1 Fines

Ministers and staff must observe traffic regulations (including parking regulations) at all times and any costs incurred through breaches of these regulations are personal costs unless there are exceptional circumstances. Refer to Procedures Manual for use of Government-owned Motor Vehicles.

### 4.12.2 Cars

Cars are provided for official purposes.

The Office of the Premier coordinates access to a pool vehicle for ministerial office use. Ministers and staff may also use hire cars, as and when required, for official purposes. Ministerial Services is able to assist with the hire of cars.

All staff are to comply with the Procedures Manual for use of Government-owned Motor Vehicles that is issued with each car.

Staff members can only use their private vehicles for official purposes where:

- the vehicle has comprehensive or third party insurance coverage; and
- the insurance policy has been endorsed to indemnify the State Government against certain liabilities at law. The indemnity must be attached to any request for approval and claims for payment.

#### **Ministers**

Ministers are provided with a chauffeur and a CEO level car for official purposes. These cars are also available for private use. However, fuel and toll costs when on leave is a personal expense and should not be placed on the fuel card unless the Minister is carrying out work duties.

Fuel cards for Ministers and Assistant Ministers allow the use of automatic car wash facilities.

The car must not be used for any commercial or business related purposes, or to display any form of advertising.

### **Staff**

Cars may be provided to senior ministerial staff. The number of cars per office is determined by the Office of the Premier.

### **Procedures**

- Ministerial Services will advise the collection point for new vehicles. Remote location collections may only be arranged if there is no additional cost to the public.
- The maintenance provisions of the lease agreement provides for two (2) replacement tyres. Requests for replacement tyres can be made through Ministerial Services.
- Ministerial Services provides regular vehicle management reports to offices.

### **4.12.3 Taxis**

Cabcharge accounts are provided for official travel by Ministers, Assistant Ministers and staff and are not to be used for trips of a private nature.

Only Ministers and Assistant Ministers are entitled to hold a Cabcharge card. These cards may be obtained through Ministerial Services.

Ministerial Services supplies Cabcharge etickets to ministerial offices for use by staff. A register of etickets held in the office should be maintained. Refer to the [policy governing taxi usage](#).

When a government car has been issued to a staff member, taxis should only be used in exceptional circumstances and a reason provided.

## **4.13 Travel**

### **4.13.1 Whole of Government Travel Provider**

Ministerial offices may use the Whole of Government contracted travel provider for domestic and international travel.

Booking procedures and administration information are available on the ministerial intranet. In selecting flights, preference should be given to the most cost effective airline.

See [4.13.3 - Domestic travel](#) [4.13.4 - Travel to and from the electorate](#)  
[4.13.5 - Air charter](#) [4.13.09 - Overseas travel](#)

### **4.13.2 Cash advances**

Cash advances are provided for overseas travel.

### **4.13.3 Domestic Travel**

All domestic travel must be for official purposes in relation to the functions and activities of the Minister's portfolio or the Government. Travel for private purposes is not to be charged to the office. It is possible for travel associated with

election campaigns to be official in nature, provided it is not for personal campaign purposes.

Domestic travel expenditure must be approved by the appropriate authorised officer. Ministerial staff members who are nominated as authorising officers cannot approve their own travel expenditure.

No travel insurance should be purchased. The Government self-insures for domestic travel purposes.

Domestic travel expenditure includes expenditure incurred by:

- guests of the Minister (whose attendance the Minister believes on reasonable grounds will assist in the performance of the relevant duties), and
- the partner of the Minister when:
  - i. accompanying the Minister for official purposes; or
  - ii. travelling separately to the Minister but attending the same function; or
  - iii. attending a function, conference or convention in lieu of the Minister; or
  - iv. attending a function, conference or convention in their own right as partner of the Minister.

Where departmental officers accompany the Minister, all their costs should be borne by the Department.

The Minister's partner and ministerial guests are only entitled to actual expenditure which is reasonable for the circumstances. There is no entitlement for meal allowances.

Ministers, Assistant Ministers and staff may claim allowances for meals and incidental expenses if travel involves an overnight absence.

There is no allowance entitlement for same day travel, however Ministers, Assistant Ministers and staff may be able to claim actual costs for meals associated with same day travel for official purposes subject to the provision of receipts.

Travel allowances for Ministers, Assistant Ministers and staff will mirror the allowances listed in the Commissioner of Taxation's determination on reasonable travel meal allowance expense amounts as published on the Australian Taxation Office website. The claim form and current applicable allowance amounts are available on the [Ministerial Intranet](#).

#### **4.13.4 Travel to and from the Electorate (office or home)**

Travel between Brisbane (or another centre where the Minister is performing official duties) and the electorate for the conducting of ministerial business is treated as official expenditure. This ensures that Ministers and Assistant Ministers with regional electorates are not disadvantaged in meeting their electorate responsibilities.

Costs are to cover the return of the Minister/Assistant Minister to their principal place of residence or electorate office.

#### 4.13.5 Air Charter

Ministers are entitled to use charter aircraft for official purposes when scheduled services are not available, or if using scheduled services would not enable the Minister to keep an official commitment.

Air charter should not be the regularly accepted form of transport. It is only to be used as a measure of last resort.

Twin engine aircraft should be used and Ministers should ensure that aircraft and pilots are rated for all-weather flying. However, if absolutely necessary, Ministers may be permitted to travel in single engine aircraft.

Suitable insurance coverage or indemnity must be arranged for Ministers when flying in a single engine aircraft or helicopter. (This is normally organised by the charter firm. Where not available, this will need to be organised by the Office of the Minister).

During an election campaign, it is important that charter aircraft are not used for personal campaign purposes (except to the extent they are used for normal travel to and from the electorate).

The use of Government aircraft should be considered as the first option for the charter of fixed wing aircraft however, costs will be considered. Costs for the use of the government aircraft will be charged as per the "[Guidelines for the use of Government Aircraft for Official Transport](#)". All inquiries regarding the use of the government aircraft should be directed to the Queensland Government Air Wing. See [EXPENSES RELATING TO A MINISTER'S OFFICE - Government aircraft](#).

Standing Offer Arrangement [QGCP0-609](#) may be considered in selecting air charter but best value for money should be the primary focus in such a selection.

#### 4.13.6 Class of Travel

Ministers and Assistant Ministers may travel Business Class. Chiefs of Staff may travel business class if accompanying the Minister. Other staff members are required to travel best fare economy class unless:

- The staff member is accompanying the Minister or Assistant Minister who is travelling Business Class then that staff member may also travel Business Class.
- the plane trip within Australia is in excess of three (3) hours airtime, then that staff member may travel Business Class.

The above standards of travel should be seen as a maximum and where possible travel by best fare economy is encouraged.

##### **Accommodation**

Staff are entitled to a reasonable standard of accommodation when travelling, but should have regard to economy, functionality, access to the Minister and other requirements.

## Procedures

Domestic travel may be booked through the travel provider by the ministerial office. When the Minister or staff are travelling with departmental officers, the department should organise travel arrangements for their staff separately through their own travel provider.

Each office will have a Travel Account for flights, booking fees, accommodation and some car hire.

The following procedures apply:

- a. obtain approval of Minister or delegated officer.
- b. arrange booking with travel provider (eg. flights, accommodation, car hire etc).
- c. The Travel Account is an official credit facility. On checkout, a guest copy of the account should be requested and any personal costs should be paid for privately.
- d. Travel Accounts will be sent monthly to each office by Ministerial Services for reconciliation and authorisation. The account will have a nominated date of return to avoid late fees.
- e. check that charges agree with the flights and accommodation booked and prices quoted, and that any credits for unused or returned air tickets are being credited to the account (these can take up to three months to come through).
- f. Travel Accounts must be authorised by the delegated officer and returned to Ministerial Services by the due date.

Allowances are only claimable after appropriate documentation has been provided to Ministerial Services showing that the trip was undertaken and the days of the departure and return.

The Government will pay for airfares home where a Minister/staff deviates from a direct route home for personal reasons, provided the cost does not exceed the costs that would have been incurred if the Minister/staff had flown home as soon as official business was completed. If these costs exceed this amount, the additional amount is a personal cost.

### 4.13.7 Airline Club Memberships

Ministers and their partners are provided with complimentary memberships to the Qantas Chairman's Lounge. Assistant Ministers retain their Qantas Club membership from Parliament House. Staff are not entitled to reimbursement for Qantas Club membership. However, staff can access the corporate rate for memberships. Ministerial Services can advise staff on how to access this rate.

Other airline lounge membership is available on a one-off basis, or for a yearly fee. Ministers may use the lounge if they believe it will assist in their official duties. This will be an official ministerial expense.

### 4.13.8 Government aircraft

Follow the procedures outlined in the "[Guidelines for the Use of Government Aircraft for Official Transport](#)".



Any inquiries regarding the use of the government aircraft are to be directed to the Government Airwing

[See 4.13.5 - Air charter.](#)

#### **4.13.9 Overseas Travel**

All overseas travel must be for official purposes in relation to the functions and activities of the Minister's portfolio or the Government. Travel for private purposes is not to be charged to the office. Official credit cards must not be used for private expenditure while travelling.

Ministers, Assistant Ministers and staff travelling overseas with Smart phones/tablets for either official or recreation purposes must contact Ministerial Services to ensure the appropriate actions have taken place to protect information and avoid international roaming charges on either work provided or personal devices.

##### **Approval**

###### **Official Delegation**

All overseas travel must have prior approval of the Premier.

All requests for overseas travel and a draft itinerary are to be submitted via the ministerial intranet only. The request will be emailed for the appropriate comments by Trade and Protocol then directed to the Office of the Premier for prioritisation and approval. Once approved, these details will be forwarded to Ministerial Services.

The submission for approval must incorporate:

- a. the objectives of the visit;
- b. the anticipated explicit benefit from the visit for the Department or portfolio related activity;
- c. the countries to be visited;
- d. the approximate length of travel;
- e. full details of accompanying persons whose costs are to be met from public funds;
- f. total estimated cost (estimates of airfares, accommodation, meals and other costs are to be provided).

Requests are to be provided three months prior to travel if possible. Urgent requests may be considered by the Premier on a case by case basis.

###### **Travel by the Minister's Partner**

If the Minister's partner is required to travel and costs will be incurred on their behalf, the submission must also set out:

- the specific benefit to Queensland attributable to the partner travelling; and
- a separate detailed itinerary for the partner.

The Premier's approval must specifically authorise any travel by the Minister's partner, including any travel when the Minister's partner expenses are met privately.

### **Recreation leave while overseas**

Ministers or staff when travelling overseas may take recreation leave provided that:

- the official trip is over a week long;
- the period of leave is generally not longer than the official trip;
- there are no additional costs to the Government; and
- the prior approval of the Premier is obtained.

Ministerial Services must be advised in writing of any leave to be taken prior to the start of the trip.

### **Expenditure**

Overseas travel expenditure includes expenditure incurred by:

- the partner of the Minister, whether:
  - accompanying the Minister; or
  - travelling separately to the Minister but attending the same function; or
  - attending a function, conference or convention in lieu of the Minister; or
  - in their own right as partner of the Minister, and
- guests of the Minister (whose attendance the Minister believes on reasonable grounds will assist in the performance of the relevant duties).

Where departmental officers accompany the Minister, their costs should be borne by those departments and not charged against the Office of the Minister.

Ministers and staff are entitled to claim a daily expense for overseas travel in accordance with the Commissioner for Taxation's determination on reasonable travel and overtime meal allowance expense amounts as published on the Australian Taxation Office website. The current applicable allowance amounts are listed on the [Ministerial Intranet](#).

Allowances are only claimable after a signed itinerary has been provided to Ministerial Services showing the final details of the trip that was undertaken. (Refer to Procedures - Acquittal of Advance).

### **Report to Parliament**

The Minister has to table a written report on overseas travel undertaken in Parliament within one month of their return. A copy of the tabled report is to be sent to Ministerial Services either prior to, or as soon as possible after tabling.

This report should detail the benefits obtained from overseas travel in addition to the details in the approval section (above), excluding any requests for recreation leave. Note that the total estimated cost of the travel is to be included in the report and/or the actual costs are to be reported in the Public Report of Ministerial Office Expenses which is presented to Parliament on a six monthly basis.

## **Reasonable Limits**

### **Class of Travel**

Ministers and Assistant Ministers may travel First Class. Staff may travel Business Class unless the staff member is accompanying the Minister or Assistant Minister who is travelling First Class, in which case the staff member may also travel First Class.

The above standards of travel should be seen as a maximum standard and travellers are encouraged to economise where practical.

### **Accommodation**

When travelling, a Minister is entitled to a level of accommodation commensurate to their role. Staff are entitled to a reasonable standard of accommodation when travelling, but should have regard to economy, functionality, access to the Minister and other requirements.

## **Procedures**

### **Booking Procedures**

Once the Premier's approval is obtained, all travel for the Minister and his/her staff should be booked through the travel provider by the ministerial office. This should be the case even when the Minister or staff are travelling with departmental officers. The department should organise travel arrangements for their staff separately through their own travel provider.

### **Private Expenditure**

Official credit cards must not be used to incur private expenditure (eg. DVDs, lounge bar costs, etc). When overseas, on checkout an account will be provided to all travellers for payment by credit card. Any personal costs should be paid for separately at this time. All documentation should be retained for acquittal purposes.

### **Travel Insurance**

A travel insurance policy is in place for all official overseas trips. No additional travel insurance is required. Please contact Ministerial Services for details.

### **Cash Advances**

Cash advances are provided in foreign currency.

### **Acquittal of Advance**

The full acquittal of advances must occur within two (2) weeks of return. If this cannot occur within this time frame the office must advise Ministerial Services of the reason and expected date of acquittal. Before the acquittal can be finalised, the following must be sent to Ministerial Services:

- a) diary or final itinerary of trip signed by the Minister;
- b) appropriate signed and completed hospitality forms;
- c) slips showing currency exchange rates where currency was changed (eg. US dollars to Hong Kong dollars); and
- d) all supporting documentation (eg. receipts, etc.) for expenditure incurred from the advance.

#### **4.13.10 Passports**

In line with requirements determined by the Department of Foreign Affairs and Trade (DFAT), official passports issued to staff of Brisbane-based offices are held for safe keeping by Ministerial Services when they are not required for travel.

Diplomatic passports issued to Ministers and official passports issued to Assistant Ministers are not required to be held by Ministerial Services. However, they may be forwarded to Ministerial Services for safe keeping if the Minister or Assistant Minister desires.

Lost passports need to be reported immediately to DFAT and Ministerial Services.

##### **Procedures**

Ministerial offices must apply to the Department of Foreign Affairs and Trade (DFAT) for the issue of Official/Diplomatic passports where necessary. Forms are available from Ministerial Services. Please contact Ministerial Services regarding the application and they will provide payment and a sponsorship letter as required by DFAT.

Application costs for official passports are a charge to the Office of the Minister. Upon receipt of a staff passport, it should be sent to Ministerial Services for safe keeping if travel is not imminent.

Official passports should be returned to Ministerial Services within two (2) weeks of returning to Australia or at the time of acquitting travel advances.

In accordance with advice from the Department of Foreign Affairs and Trade, Ministers may use diplomatic passports for private travel if they believe they may be required to represent the State.

### **4.14 Other**

#### **4.14.1 Cards and wreaths**

Sympathy cards and wreaths may be sent in situations which relate to Ministers carrying out their official duties.

Similarly, Christmas cards may be sent by the Minister to portfolio-related persons or organisations. See [Ministerial Christmas Card Policy](#).

Cards and wreaths are a cost to the Office of the Minister and should not be incurred if they relate purely to electoral matters.

Donations should not be made under any circumstances.

If there is any doubt, please contact Ministerial Services before any purchase is made.

#### **4.14.2 Credit cards**

Official general purpose credit cards are not to be issued to Ministers or staff for use in Australia.

Ministers and staff may utilise private credit cards to incur expenditure for official purposes and seek reimbursement by providing adequate supporting documentation. The supporting documentation must be sufficient to allow

Ministerial Services to charge costs to appropriate expenditure codes and ensure expenditure complies with this handbook.

Interest and other charges levied on private credit cards are not allowable expenditure and cannot be reimbursed. Late fees on official cards will be a personal cost except where delays are outside of the cardholder's control.

Ministers and staff may be issued with specialised credit cards (eg. Fuel card, Toll card, Cabcharge) to incur expenditure for authorised purposes only.

Ministers and staff are normally issued with a credit card for overseas use only. These cards will be issued by Ministerial Services immediately prior to travel and must be returned to Ministerial Services for storage immediately after travel.

The primary use of these cards is for official overseas travel. They must not be used for private expenditure except in an emergency. By utilising official credit cards overseas, the need for substantial cash advances is negated and Ministers and staff are not required to expend substantial private funds and seek reimbursement.

The following requirements apply to the use of official credit cards overseas.

- If the card is used to pay the accumulated travelling costs of a number of persons, full details must be provided.
- The official nature of the expenditure must be clearly indicated on the duplicate copy of the charge docket.
- All supporting documentation, including invoices, must be appended to the charge docket.
- An official credit card of a staff member may be utilised to meet expenditure incurred by the Minister on the proviso that the Minister must ratify all costs incurred at the end of the trip.
- Cards are not to be used for private expenditure.
- Cards are not to be used for the purchase of items of a capital nature.
- Cards are not to be used to obtain cash advances or cash withdrawals.

Officers who use their official credit cards in a manner other than as set out in this handbook shall, subject to the discretion of the Premier, have their cards revoked and/or face any other disciplinary action which is deemed to be necessary.

#### **Procedures – lost card**

Cardholders are responsible for the safe custody of their card and pin number at all times and must report lost or stolen cards immediately as per the following:

Within Australia: 131 576

Outside Australia (except USA): +1 636 722 7111.

Within USA: 1800 627 8372

Ministerial Services: +61 7 3003 9068.

A written report outlining the circumstances of the loss of the credit card is to be provided to the Director, Ministerial Services upon the officer's return from overseas or within 24 hours of the loss being reported.

Official credit cards must be returned to Ministerial Services for cancellation when an officer ceases employment.

Charge dockets and source documentation are to be retained.

#### **4.14.3 Petty cash**

The Office of the Minister may operate a Petty Cash Imprest system for reimbursement or purchase of items of an insignificant nature and for minor expenditure. In all cases, petty cash must be used for official purposes and expenditure must be properly authorised prior to use. Refer to the [Petty Cash policy](#) for full details.

#### **4.14.4 Purchases**

Ministerial Services carries out procurement on behalf of ministerial offices. Ministerial offices should send a requisition form with necessary supporting documentation to Ministerial Services for any proposed procurement.

All requisitions must be approved by an authorised person (e.g. the Minister, a staff member with expenditure delegation or Ministerial Services staff with an expenditure delegation).

#### **4.14.5 Security**

##### **Personal Security - Premier**

The Security Intelligence Branch of the Queensland Police Service is responsible for providing appropriate personal security for the Premier. Costs associated with this activity are met by the Queensland Police Service.

##### **Personal Security - Other Ministers**

Temporary personal security arrangements may be made available to other Ministers under specific circumstances from time to time subject to evaluation by the Security Intelligence Branch and the approval of the Premier.

##### **Home Security**

Where considered necessary, and subject to the approval of the Office of the Premier, the costs of the provision of home security to a Minister, to a minimum standard recommended by the Police Service or the Government Security Services, will be a charge to the Office of the Minister.

The monitoring and maintenance of an electronic system is also a charge to the Office of the Minister.

Upon ceasing to be a Minister, Ministerial Services will cease to pay for any ongoing security services. However, security equipment that has been installed will not be removed. Ministerial Services will contact the security provider and advise that security services are no longer required. Any further security services required by the former Minister will be a personal cost. (An exception to this will be if a Minister continues to be entitled to security in Opposition, or as a former Premier, or on the recommendation of the Security Intelligence Branch of the Queensland Police Service).

##### **Office Security**

Ministerial offices are to have as a minimum, a reasonable standard of security based on functional requirements and Cabinet direction.

The standard of office security for Assistant Ministers is based on functional requirements.

Advice from the Security Intelligence Branch of the Queensland Police Service should be sought to determine appropriate levels of security.

## 5 Entitlements

### 5.1 Staff

#### 5.1.1 Chauffeurs

##### Allowance in lieu of Overtime

Chauffeurs are paid a fortnightly allowance in lieu of overtime as part of their salary.

#### 5.1.2 Other Staff

Senior staff at the discretion of the Office of the Premier can apply to either receive newspapers electronically via a government issued smart phone/tablet or have newspapers delivered to their home address for official purposes. Such costs are met from ministerial office budgets.

### 5.2 Ministers

#### Expenditure Authorisation

Expenditure not exceeding \$10 million may be approved by the Minister.

#### Newspapers

Ministers have the option of either receiving newspapers electronically via a government issued smart phone/tablet or having newspapers delivered to their home address as appropriate. For regional Ministers this would include to the Parliamentary Annexe, when resident.

### 5.3 Assistant Ministers

The entitlements outlined below will be considered as a standard for all Assistant Ministers. Any variation to the standard entitlements will require the approval of the Premier.

#### Expenditure Authorisation

Assistant Ministers can authorise their own expenditure to a limit of \$10,000 per transaction.

A Minister may authorise their Assistant Minister's expenditure up to the Minister's delegated limit.

#### Home Phone

Entitlement as a Member of Parliament (MP) is paid through Parliament House. See [section 4.11.1](#) of this Handbook.

Home faxes are not provided except where a clear business need can be demonstrated.

#### Travel Entitlements

- Allowances from Parliament House are available for MP activities, but not for official Assistant Minister duties.



- Refer to [4.13.3 Domestic Travel](#) for travel entitlements for official Assistant Minister duties.

## **5.4 Former Premiers**

The Department of the Premier and Cabinet provides the following entitlements to former Premiers.

Premiers who have served in office for five (5) years or longer:

- a. reasonable office accommodation;
- b. Executive Assistant;
- c. telecommunications and correspondence expenses up to \$2,000;
- d. car and driver on an 'as needs' basis subject to Ministerial Services being provided with reasonable notice; and
- e. home security and other security arrangements if required as determined by the Commissioner of Police.

These entitlements apply initially for 12 months and are subject to review at the end of this period. Generally after the first 12 months, the office accommodation, executive assistant and home security are no longer provided.

The Premier has discretion to alter these arrangements.

## Ministerial Code of Conduct

The Ministerial Code of Conduct applies the highest standard of ethics to Ministers (including Assistant Ministers). It combines the ethical standards that apply to them both as Members of Parliament and as Members of the Executive Government.

As MPs, Ministers have obligations that flow from the following fundamental principles, set out in the Code of Ethical Standards of the Legislative Assembly of Queensland:

1. Integrity of the Parliament
2. Primacy of the public interest
3. Independence of action
4. Appropriate use of information
5. Transparency and scrutiny
6. Appropriate use of entitlements.

Ministers should also observe the ethics values set out in the *Public Sector Ethics Act 1994* that apply to the Queensland public sector as a whole where they are relevant:

- Integrity and impartiality
- Promoting the public good
- Commitment to the system of government
- Accountability and transparency.

There is considerable overlap between many of these standards and values, the content of which are detailed in the Code of Ethical Standards and the relevant sections of the Public Sector Ethics Act, in Attachment 1. This Ministerial Code of Conduct details some of the particular obligations that Ministers have that flow from these principles and values.

### **Accountability**

The *Constitution of Queensland* states in s. 42(2) “The Cabinet is collectively responsible to the Parliament”. Ministers must act in conformity with the principles of responsible government and Cabinet conventions set out in the Cabinet Handbook. The collective Decisions of Cabinet are binding on all Ministers. If a Minister is unable to publicly support a Cabinet decision, the proper course is to resign.

Cabinet proceedings are confidential and details of a Minister’s submission should not be announced before consideration by Cabinet, unless with the consent of the Premier.

Ministers are also responsible individually to Parliament. Ministers have a duty to Parliament to account, and be held to account, for the policies, decisions and actions of themselves and their departments and agencies. Ministers must give accurate and truthful information to Parliament, and correct any inadvertent error at the earliest opportunity. Ministers must not knowingly mislead Parliament.

Ministers will also accept that the talents and abilities of public servants should be maximally available to the people of Queensland. Ministers should employ the talents of public servants to their fullest, whatever the political preferences of those public servants may be, provided only that those public servants behave in accordance with the Westminster convention of public service neutrality.

## **Fairness**

Ministers must observe fairness in making official decisions – that is, to act honestly and reasonably, with consultation appropriate to the matter at issue, taking proper account of the merits of the matter, and giving due consideration to the rights and interests of the persons involved, and to the public interest. They should observe procedural fairness and natural justice, to the greatest extent possible.

## **Integrity**

Ministers must make decisions, and be seen to make decisions, with the objective of advancing the public interest, and must act at all times in accordance with the principles of responsible government and Cabinet conventions set out in the Cabinet Handbook.

Ministers must ensure that there is a clear delineation between the activities of the Executive Government under their portfolio and that of their political party. For example, they should not allow party officials to become involved in, or to review or oversight, the operations of Executive Government.

Ministers must not use information obtained in the course of their official duties, including in the course of Cabinet discussions, or make any decisions, to gain for themselves or any person a direct or indirect financial advantage that may accrue either during or after their term of office. They also will not solicit nor accept any benefit in respect of the exercise of their discretion for the benefit either of themselves or any other person.

## **Interests**

Ministers must perform their duties in a fair and unbiased way, ensuring that decisions made in the course of their duties are not affected by self-interest, private affiliations or the likelihood of personal gain or loss.

It is an important accountability measure that Ministers declare their personal interests so that the public can have confidence that decisions of Parliament and executive government are being made in the public interest.

Personal interests include pecuniary interests and intangible interests such as relationships, associations, roles and responsibilities. A Minister's personal interests include the interests of the Minister's partner, dependents or organisations with which they are affiliated.

When a Minister's personal interest has the potential to improperly influence the performance of their Ministerial responsibilities or a decision on a matter before Cabinet or a committee of Cabinet, the Minister must ensure that the conflict is managed in accordance with the process outlined in this code and any guidelines developed by the Integrity Commissioner.

### *Actions relating to boards and shareholdings*

Ministers must resign or decline memberships of boards of public companies and declare memberships of, and the nature of, any private companies in which they are involved, including not-for-profit entities.

Ministers must divest themselves of any shareholding in any company of which a conflict of interest exists or could reasonably be perceived to exist. Such shareholdings cannot be divested to the Minister's related persons, or to close associates.

Declaring personal interests to the Clerk of Parliament

Ministers must comply with the requirements of the Register of Members' Interests, and the Register of Members' Related Persons Interests, held by the Clerk of the Parliament (the Clerk).

Each Member of the Legislative Assembly (including Ministers) is required to declare their pecuniary or other interests within one month of making and subscribing an oath or affirmation as a Member. The interests of related persons are also to be declared by Members, including Ministers, to the Clerk.

In addition, every Member (including Ministers) must notify the Clerk in writing of any change to their last statement of interests within one month of becoming aware of the change.

These statements form the Register of Members' Interests, and the Register of Members' Related Persons Interests (the Registers) maintained and published by the Clerk.

These obligations are prescribed in chapter 4, part 2A of the *Parliament of Queensland Act 2001*, specifically sections 69B and 69D, and section 3.1 of the *Legislative Assembly of Queensland Code of Ethical Standards* (the Code of Ethical Standards). Section 3.1.4 of the Code of Ethical Standards and schedule 2 of the *Standing Rules and Orders of the Legislative Assembly* provide guidance on the interests required to be declared.

Declaring personal interests to the Premier

Ministers must write to the Premier, within one month of taking office:

- providing a copy of the statement of interests and confirming that it has been submitted to the Clerk
- confirming whether there are any other pecuniary or other interests of the Minister or Minister's related persons that might affect the Minister's responsibilities
- confirming that the Minister has resigned from directorships of public companies and that all directorships in private companies have been declared
- providing any management plans put in place to respond to any conflicts of interest (which must be developed in accordance with the process outlined below).

If there is a change to the Minister's statement of interests, Ministers must provide written advice to the Premier of the change at the same time as notifying the Clerk.

Managing conflicts of interest

Ministers are personally responsible for managing and resolving real, perceived, and potential conflicts of interest (all referred to as conflicts of interest) in accordance with this Code.

Whether a personal interest of a Minister gives rise to a conflict that must be managed, involves an objective test of whether, in the circumstances, a fair and reasonable member of the community might perceive that the Minister would be unable to bring an impartial mind to a decision because of their personal interest and which might conflict with the proper performance of the Minister's duties.

It is not always easy to determine whether a personal interest gives rise to a conflict of interest that would require management action. Ministers are encouraged to seek the advice of the Integrity Commissioner and consider the examples at Attachment 2 and any guide developed by the Integrity Commissioner.

A Minister must notify the Premier about any conflict of interest with their ministerial responsibilities and the actions that will be implemented to manage the conflict.

A Conflict of Interest Management Plan (Attachment 3) must be prepared detailing the Minister's personal interest, why a conflict of interest may exist, and the proposed actions to manage the conflict, having regard to this Code and any guide developed by the Integrity Commissioner.

The Minister must obtain the Integrity Commissioner's advice on the actions proposed by the Minister to manage the conflict. Where required, the Minister may need to settle the actions required to respond to the conflict in consultation with the Integrity Commissioner.

The Conflict of Interest Management Plan must be provided to the Premier:

- within one month of being sworn into office
- any time there is a change in the Minister's personal interests giving rise to a potential conflict or a new conflict of interest issue arises.

The Premier will provide the Conflict of Interest Management Plan to the Director-General of the Department of the Premier and Cabinet to be recorded by the Director-General on a departmental register of interests. It is recommended that Ministers also advise their Directors-General and Chiefs of Staff about their conflicts of interests to assist with the management of their portfolio responsibilities.

The Minister must comply with the Conflict of Interest Management Plan.

A Minister also may become aware of a potential conflict between their personal interests and a matter proposed for consideration of Cabinet or a Cabinet committee.

If the potential conflict is identified prior to the meeting the Minister should, if time permits, submit a Conflict of Interest Management Plan to the Premier in relation to the matter, or seek Integrity Commissioner's advice prior to consideration of Cabinet or Cabinet committee.

If a Conflict of Interest Management Plan cannot be submitted to the Premier prior to the Cabinet or Cabinet committee meeting, the Minister must at least advise the Premier verbally of the potential conflict prior to the meeting.

At the Cabinet or Cabinet committee meeting:

- the Minister must verbally advise Cabinet or the Cabinet committee of the potential conflict of interest
- the Minister may table any Integrity Commissioner advice about dealing with the conflict
- unless the matter under consideration concerns a general public policy or the Minister has no greater interest than that of other classes of people in the community or within the Cabinet generally, the Minister will withdraw from the meeting while that matter is being considered
- a record will be made of their declaration of the conflict and, if appropriate, that the Minister withdrew from the meeting.

If the Minister has not submitted a Conflict of Interest Management Plan, or obtained Integrity Commissioner advice prior to a Cabinet or Cabinet committee meeting, the Minister should err on the side of caution and declare the conflict and withdraw from the meeting for consideration of the matter.

## **Transparency**

Ministers are not to accept any gift offered in connection with the discharge of their office except as permitted within the Ministerial Handbook (refer to section 3.6).

To avoid falling under an obligation to those in the hospitality or travel industry, a Minister will not knowingly accept travel or hospitality sponsored wholly or partly by any person, organisation, business or interest group which carries on the business of travel or hospitality, where such acceptance would create an obligation and is not related to the business of the Minister's portfolio; unless the travel or hospitality is approved by the Premier, or unless it is provided at rates which are openly available to groups of people other than Ministers of the Crown, or by reason of its triviality could not reasonably be construed as creating an obligation.

## **Use of public resources**

Ministers shall make economical use of the public resources that are made available to them as office holders and will make every endeavour to prevent misuse by other persons. Those resources must only be used in connection with official duties and not for personal benefit.

## **Caretaker conventions**

Ministers and their departmental public servants are bound by the caretaker conventions, in particular, that during the period after the dissolution of the Legislative Assembly, Ministers should not, except in cases of urgency, make any new significant appointments, enter into new contracts or undertakings that would bind an incoming Government, or embark on any new policy initiatives that would bind an incoming Government. Ministers should be aware that a breach of this convention justifies an incoming government reviewing such appointments, contracts or initiatives.

## **Post Ministerial Employment**

In accepting their appointment, Ministers undertake not to take personal advantage, in any future employment, of information obtained as a Minister which is not publicly available, including confidential information on pending contracts or dealings. This does not apply to statutory appointments, nor does it apply to information that a Minister may have of another Minister's department which is not confidential.

Ministers should note that unlawful disclosure of confidential information, including Cabinet-in-Confidence information, may constitute an offence under the Criminal Code.

Ministers undertake that, for a period of two years after leaving office (Assistant Ministers for a period of 18 months), they will exercise care in considering offers of employment or providing services, and will not have business meetings with Government representatives, in relation to their official dealings as a Minister during their last two years in office.

Further, Ministers undertake that, for a period of two years after leaving office, they will not undertake lobbying activities (as set out in the *Integrity Act 2009*) in relation to their official dealings as a Minister in their last two years in office.

Ministers should note that these guidelines do not apply to Government appointments (such as board memberships), advocacy or dealings on behalf of not-for-profit entities (such as engagements with charity organisations, churches or the like), or personal, social or other contact generally available to members of the public.

Where there is any doubt regarding compliance with these requirements, the Premier may seek the advice of the Integrity Commissioner.

### **Random Checks by the Integrity Commissioner**

In accordance with Section 16 of the *Integrity Act 2009*, the Integrity Commissioner will undertake random checks of Minister/Assistant Minister compliance with this Code.

The Integrity Commissioner will meet with each Minister and Assistant Minister within 12 months of any previous formal advice or meeting, at a time determined by the Integrity Commissioner, to discuss their compliance. Ministers and Assistant Ministers are expected to provide the Integrity Commissioner with such relevant materials as are requested, and answer any relevant questions in order for the Integrity Commissioner to carry out or delegate the random checks.

The Integrity Commissioner will advise the Premier of any unresolved issues concerning Ministers or Assistant Ministers' interests, in accordance with s. 29 of the *Integrity Act 2009*.

### **Breaches of the Code**

Any allegation that a Minister has breached this Code of Conduct is to be referred to the Premier.

It is up to the Premier to determine the appropriate sanction for a breach of the code, having regard to the nature and seriousness of the breach.

If a Minister is the subject of an official investigation into a matter of serious impropriety or alleged illegal behaviour of a serious nature (an offence involving serious impropriety), the Minister must accept that to whether the Minister should stand down is a matter of discretion for the Premier. The exercise of the Premier's discretion will be informed by the nature of the investigation in question.

Ministers must stand down if they are charged with an offence involving serious impropriety and may be required under the *Parliament of Queensland Act 2001* to resign from office if convicted.

## Attachment 1

### **EXTRACT FROM CODE OF ETHICS STANDARDS<sup>1</sup>**

#### **2. STATEMENT OF FUNDAMENTAL PRINCIPLES**

The following six fundamental principles draw together the various concepts underpinning the duties of, and obligations on, a member of Parliament, to assist members to better understand their representative role and responsibilities.

##### **1. Integrity of the Parliament**

The public's confidence in the institution of Parliament is essential. Members are to strive at all times to conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of Parliament and avoid any action which may diminish its standing, authority or dignity.

##### **2. Primacy of the public interest**

Members are elected to act in the public interest and make decisions solely in terms of the public interest. Members also have a continuing duty to declare any private interests relating to their public duties as they arise, and to take steps to avoid, resolve or disclose any conflicts arising in a way that protects the public interest.

##### **3. Independence of action**

Parliamentary democracy requires that members make decisions, and be seen to make decisions, in accordance with the public interest and not because they are under any financial obligation or influence. Therefore, members are not to place themselves under any financial obligation to outside individuals or organisations, including the executive government, that might influence them in the discharge of their duties and responsibilities, and must act at all times in accordance with rules set down by the Parliament for outside appointments.

##### **4. Appropriate use of information**

In the course of their duties members often receive information which is either confidential or prized (that is, not available to the general public). Members are not to misuse any confidential or prized information, particularly for personal gain.

##### **5. Transparency and scrutiny**

It is vital to parliamentary democracy that the public has confidence in the integrity of the decision-making process of Parliament. To ensure transparency, public scrutiny and public confidence, it is necessary that each member disclose their pecuniary interests on a continuing and ad hoc basis when the need arises.

##### **7. Appropriate use of entitlements**

Members are provided certain entitlements to assist them to discharge their duties and responsibilities. Members are to ensure that they comply with any guidelines for the use of these entitlements.

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<sup>1</sup> Adopted by the Legislative Assembly on 17 May 2001. Legislative Assembly (Queensland), *Votes and Proceedings*, No. 12, 17 May 2001, p 112.



**EXTRACT FROM PART 3 OF PUBLIC SECTOR ETHICS ACT 1994**

**Division 2            The ethics values**

**6            Integrity and impartiality**

In recognition that public office involves a public trust, public service agencies, public sector entities and public officials seek to promote public confidence in the integrity of the public sector and—

- (a) are committed to the highest ethical standards; and
- (b) accept and value their duty to provide advice which is objective, independent, apolitical and impartial; and
- (c) show respect towards all persons, including employees, clients and the general public; and
- (d) acknowledge the primacy of the public interest and undertake that any conflict of interest issue will be resolved or appropriately managed in favour of the public interest; and
- (e) are committed to honest, fair and respectful engagement with the community.

**7            Promoting the public good**

In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, public service agencies, public sector entities and public officials—

- (a) accept and value their duty to be responsive to both the requirements of government and to the public interest; and
- (b) accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions; and
- (c) accept and value their duty to manage public resources effectively, efficiently and economically; and
- (d) value and seek to achieve excellence in service delivery; and
- (e) value and seek to achieve enhanced integration of services to better service clients.

**8            Commitment to the system of government**

(1) In recognition that the public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public service agencies, public sector entities and public officials—

- (a) accept and value their duty to uphold the system of government and the laws of

the State, the Commonwealth and local government; and

- (b) are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and
  - (c) accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.
- (2) Subsection (1) does not limit the responsibility of a public service agency, public sector entity or public official to act independently of government if the independence of the agency, entity or official is required by legislation or government policy, or is a customary feature of the work of the agency, entity or official.

## **9 Accountability and transparency**

In recognition that public trust in public office requires high standards of public administration, public service agencies, public sector entities and public officials—

- (a) are committed to exercising proper diligence, care and attention; and
- (b) are committed to using public resources in an effective and accountable way; and
- (c) are committed to managing information as openly as practicable within the legal framework; and
- (d) value and seek to achieve high standards of public administration; and
- (e) value and seek to innovate and continuously improve performance; and
- (f) value and seek to operate within a framework of mutual obligation and shared responsibility between public service agencies, public sector entities and public officials.

## **Attachment 2**

### **POTENTIAL CONFLICTS OF INTEREST**

#### **Example 1: Direct Interests**

Ministers may have pecuniary interests which may be affected, positively or negatively, by decisions they make as a Minister or as a Member of Cabinet. Examples could include:

- an interest in a company that trades directly with the State of Queensland;
- directorship or management of a company which is affected by a Cabinet or other government decision; or
- membership of a superannuation scheme or an interest in a managed fund where a Minister has control over investment decisions.

Direct interests such as these may raise actual conflicts of interest or give rise to a perception of a conflict of interest, and must be managed appropriately.

#### **Example 2: Indirect Interests**

Ministers may have pecuniary interests several steps removed from themselves that are sufficiently indirect so as not to pose a realistic risk of conflict.

The most common instance of this interest is where a Minister holds an interest in a company which is not itself affected by a Cabinet or other government decision, but where that company in turn holds shares in another company that will be affected by such a decision. These situations may arise at multiple removes, i.e. a company may hold shares in a second company that holds shares in a third company which is affected by a Cabinet or other government decision. In this type of scenario the company affected by the relevant decision may be several steps distant from the company in which the Minister has an interest.

While this may give rise to a conflict of interest in some circumstances, the interests of the Minister could be so distant and insignificant so as to pose no legitimate perception of a conflict of interest. In some cases such interests will be unknown to a Minister, especially when the interest resides with a Minister's partner. Whether it is reasonable for a Minister to have been unaware of this interest when involved in a related Cabinet decision will depend on all the circumstances, including the size and value of the interest concerned, its degree of remoteness from the Minister and the nature of the decision being made.

For example, if a Minister is the Trustee of a trust fund together with other trustees and has the power to vote or make decisions on the investments or business conducted by the fund then the risk of a conflict of interest increases even if the fund is managed by another party. This risk would have to be carefully managed to avoid a conflict or perception of conflict.

Given the potential variation and complexity of financial investments, it is strongly recommended that Ministers seek their own legal and financial advice on their personal circumstances.

### **Example 3: Remote Interests**

Ministers may have pecuniary interests that are sufficiently remote from their influence and control that they do not pose a realistic risk of conflict. Examples could include:

- membership of a large superannuation scheme with numerous members and widely diversified investments; or
- an interest in a managed fund, where a Minister has no control over investment decisions, and where the investment profile of the fund is broadly spread.

The Minister should declare this interest i.e. membership or investment in the relevant superannuation fund, managed fund or other entity. Details of the investments of that entity are not required.

Once a remote interest has been declared no further declaration or disclosure is required unless a Minister becomes aware of circumstances that might give rise to a real or perceived conflict of interest.

For the purpose of determining whether an interest should be treated as a remote interest, the following factors are relevant:

- the extent to which the Minister can influence investment decisions of the entity;
- the extent to which the Minister is involved in the management of the entity;
- the extent to which a Minister reasonably may be expected to have a detailed knowledge of the investments of the entity; and
- the extent to which an entity's investments are sufficiently diversified that the value of a Minister's interest would be unlikely to be significantly affected by decisions of Cabinet.

Categorisation and declaration of an interest as a remote interest is the responsibility of the Minister concerned.

The remote interest classification and reporting requirements apply to the interests of the partner of a Minister as well.

### **Example 4: Non-pecuniary Interests**

During the course of official duties Ministers will be privy to a substantial amount of confidential and government information. The use of confidential and government information by a Minister to gain for themselves, or a family member, friend or associate, a direct or indirect financial advantage that may accrue either during or after their term of office may be contrary to law, as well as to this Code of Conduct.

For example, a Minister may obtain confidential information about a proposed development in a bushland area within their electorate. The Minister may secretly trade that information to an environmental group that the Minister knows would start protest action to protect the area, and in return seek support from the group's leadership at the next election. Or the Minister may share information with a person who uses it for their own advantage, or for the disadvantage of others.

### **Example 5: General Interests**

Ministers may have a perceived conflict of interest due to their own general interests or those of a partner, family member or close associate. However, the possibility of a conflict does not arise because the matter to be determined by Cabinet concerns a general public policy or where the Minister has no greater interest than that of other classes of people in the community or within the Cabinet generally.

For example, a Minister may bring a submission to Cabinet which proposes changes to the way in which boat licence fees are set, while that Minister may also personally own a boat. Given that the Minister has no greater interest than that of other boat owners in the community, it is appropriate for the Minister to declare the interest and for a record to be made that the Minister declared a perceived conflict of interest. The Minister may continue to participate fully in the determination of the Government's policy on the matter.

For example, an Executive Council Minute before Cabinet proposed by a Minister for submission to the Governor in Council recommends a nominee for appointment to the board of a statutory entity. The nominee is a long term member of the political party to which all the other Ministers belong. While the Minister has long known the nominee and their party political interests are aligned, their relationship is of minor personal intensity. As the Minister's interests associated with the nominee are shared within Cabinet generally, they do not need to be declared and the Minister may continue to participate fully in the determination of the Government's policy on the matter.

## Attachment 3

<b>Minister/Assistant Minister</b>  <b>Conflict of Interest Management Plan</b>
---

<b>Personal Details</b>	
<b>Name:</b>	
<b>Ministerial portfolio:</b>	
<b>Conflict of Interest Details</b>	
<b>Details of personal interest:</b>	<i>Personal interests include pecuniary interests and intangible interests such as relationships, associations, roles and responsibilities. A Minister's personal interests include the interests of the Minister's partner, dependents or organisations with which they are affiliated.</i>
<b>How does the personal interest have the potential to conflict with the Minister's public duties:</b>	<i>This should be a short statement about how the personal interest could conflict with the Minister's responsibilities or matters proposed for consideration of Cabinet or a Cabinet Committee</i>
<b>Management Actions</b>	
<b>Management Actions to respond to the conflict:</b>	<i>Management actions should be settled in consultation with the Integrity Commissioner</i>
<b>Minister's certification</b>	
<b>I declare that the above details are correct to the best of my knowledge and that I have consulted with the Integrity Commissioner</b>	
_____	____ / ____ / ____
<b>Signature</b>	<b>Date</b>
<b>Premier's certification</b>	
<b>I certify receipt of the Conflict of Interest Management Plan on the</b>	
	<b>day of</b> _____ <b>20..</b>
_____	____ / ____ / ____
<b>Signature</b>	<b>Date</b>

## DECLARATION OF INTERESTS

**THIS FORM MUST BE LODGED WITH YOUR MINISTER UPON COMMENCEMENT.**

### Personal Details

Surname:	Given Names:
Ministerial Office:	

### Declaration

As a Ministerial Staff Member you have a higher level of accountability and therefore are expected to disclose your interests, including your partner and/or dependents within your knowledge.

Sections of the form that are not relevant to the disclosure of your interests should be left blank.

### Partner and Dependents

<b>Partner</b>	
<b>Dependents</b>	

### Shareholdings in public and private companies

e.g. Ministerial Staff Member, Partner, Dependent	Name of company

### Family and business trusts and nominee companies

	Name of trust/nominee company

### Real estate

	Precise address

### Directorships in or employment by public and private companies

	Name of company	Position held

Appendix 2

Partnerships		
	Name of partnership	
Liabilities		
	Nature of liability	Creditor
Bonds, debentures and like investments		
	Type of investment	Investment body
Savings and investment accounts		
	Nature of account	Bank/Institution
Other assets		
	Description of asset	
Other substantial sources of income		
	Source of income	
Organisational memberships		
	Name of organisation	Membership status



Other interests	
	Description of interest

Other information which may be of assistance	

Ministerial staff member's certification	
<p>I certify that:</p> <ul style="list-style-type: none"> <li>a) the information provided in this statement, properly reflects, to my knowledge, my interests and/or the interests of my partner and/or dependents within my knowledge, and</li> <li>b) the information provided is in accordance with the <i>Declaration of Interests</i> directive (2014/01); and</li> <li>c) I understand that under the <i>Declaration of Interests</i> directive (2014/01), if there is a change to the interests after giving this declaration, I shall provide a revised version of the declaration to the Minister as soon as practicable after the change comes to my knowledge.</li> </ul>	
<p>_____</p> <p><b>Signature</b></p>	<p>____/____/____</p> <p><b>Date</b></p>

Minister's signature		
<b>Name of Minister</b>	<b>Signature</b>	<b>Date</b>

## VARIATION OF DECLARATION OF INTEREST

**THIS FORM IS TO BE LODGED WITH YOUR MINISTER.**

### Personal Details

Surname:

Given Names:

Ministerial Office:

### Details of Alterations

(Refer to the **Declaration of Interests** directive (2014/01) when completing this section.)

#### Additions

Category	Details

#### Deletions

Category	Details

### Ministerial staff member's certification

I certify that:

- d) the information provided in this statement, properly reflects, to my knowledge, my interests and/or the interests of my partner and/or dependents within my knowledge, and
- e) the information provided is in accordance with the **Declaration of Interests** directive (2014/01); and
- f) I understand that under the **Declaration of Interests** directive (2014/01), if there is a change to the interests after giving this declaration, I shall provide a revised version of the declaration to the Minister as soon as practicable after the change comes to my knowledge.

\_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Signature**
**Date**

### Minister's signature

\_\_\_\_\_

**Name of Minister**

\_\_\_\_\_

**Signature**

\_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Date**

**ANNUAL REVIEW OF DECLARATION OF INTERESTS - NO VARIATION**

(This form is to be submitted if the annual review of your Declaration of Interests indicates that no change to the information previously supplied is required.)

**THIS FORM IS TO BE LODGED WITH YOUR MINISTER.**

**Personal Details**

Surname:	Given Names:
Ministerial Office:	

**Ministerial staff member's certification**

I certify that:

- g) the information provided in this statement, properly reflects, to my knowledge, my interests and/or the interests of my partner and/or dependents within my knowledge, and
- h) the information provided is in accordance with the *Declaration of Interests* directive (2014/01); and
- i) I understand that under the *Declaration of Interests* directive (2014/01), if there is a change to the interests after giving this declaration, I shall provide a revised version of the declaration to the Minister as soon as practicable after the change comes to my knowledge.

\_\_\_\_\_ / / \_\_\_\_\_  
**Signature** **Date**

**Minister's signature**

\_\_\_\_\_ / / \_\_\_\_\_  
**Name of Minister** **Signature** **Date**

<b>MINISTERIAL OFFICES</b>
Declaration of Gifts Received

**MINISTER/STAFF**

Register Number: \_\_\_\_\_

Ministerial Office: \_\_\_\_\_

Name: \_\_\_\_\_

Date Received: \_\_\_\_\_

Description of Gift: \_\_\_\_\_

From whom the Gift was received: \_\_\_\_\_

Please provide details of any specific wishes and/or expectations expressed by the donor in relation to this gift? \_\_\_\_\_

\_\_\_\_\_

<b>CERTIFICATION OF MINISTER/STAFF</b>
I certify that the above property records the receipt of the Gift in accordance with the Ministerial Handbook.
Signature: _____ Date: _____

**MINISTERIAL SERVICES:**

Retail Value of Gift in Country of Origin In Australian Dollars \$ \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please print on purple paper

QUEENSLAND MUSEUM		
Is the Gift of historic or public use or value?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you intend to retain the gift?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Director: _____	Date: _____	

TO BE COMPLETED BY MINISTERIAL SERVICES
Date Gift Received:
Date Sent for Valuation:
Name of Valuer:
Date Returned from Valuer:
Gift Location:

COMMENTS:

ACKNOWLEDGMENT OF RETURN OF MINISTERIAL GIFT
I, _____, acknowledge receipt of the following gift returned to me .
Office of the _____
Signature: _____ Date: _____

<b>MINISTERIAL OFFICES</b>
<b>DECLARATION OF GIFTS MADE</b>

**MINISTER/STAFF**

Register Number: \_\_\_\_\_

\* Form only required for gifts over \$350 retail.

Ministerial Office: \_\_\_\_\_

Name: \_\_\_\_\_

Date gift made: \_\_\_\_\_

Description of gift: \_\_\_\_\_

To whom the gift was \_\_\_\_\_

Manufacturer's wholesale value of the gift in the place of origin: \_\_\_\_\_

Value of Gift in Australian Dollars (GST)                      \$ \_\_\_\_\_

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**CERTIFICATION OF MINISTER/STAFF**

I certify that the above property records the presentation of the Gift in accordance with the Ministerial Handbook.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**GUIDELINE FOR THE GRANT OF INDEMNITIES AND LEGAL ASSISTANCE TO  
MINISTERS AND ASSISTANT MINISTERS**

**Introduction**

1. This Guideline states the principles and practices for determining the provision of legal assistance and/or indemnities to Ministers in relation to investigations, inquiries, civil proceedings and criminal proceedings.

**Meaning of terms**

2. In this Guideline-

**“Civil Proceeding”** includes, but is not limited to, any claim, action or legal proceedings taken against a Minister in any court or tribunal or other forum of any State, Territory or the Commonwealth, including proceedings for administrative matters (for example complaints under the *Anti-Discrimination Act 1991*) and proceedings before professional regulatory bodies.

**“Indemnity”** means –

- (a) the payment of any damages and costs awarded against the Minister or agreed to as part of a negotiated settlement; and
- (b) the payment of reasonable expenses incurred by a Minister before the application for legal assistance and/or an indemnity is made.

**“Inquiry or Investigation”** includes, but is not limited to, an inquiry or investigation by -

- (a) the Crime and Corruption Commission;
- (b) a commission under the Commission of Inquiry Act 1950;
- (c) the Anti-Discrimination Commission Queensland;
- (d) the Ombudsman;
- (e) the Commission for Children and Young People and Child Guardian;
- (f) the Auditor General and the Queensland Audit Office;
- (g) a parliamentary committee of any State, Territory or Commonwealth Parliament;
- (h) the Parliamentary Commissioner under the Crime and Misconduct Act 2001;
- (i) an investigation by a coroner of any State or Territory, including an inquest; and
- (j) any other State, Commonwealth or Territory body with investigatory or inquiry powers under a State, Commonwealth or Territory Act.

**“Legal Assistance”** means the costs of legal representation and advice provided by the Crown Solicitor or another legal representative.

**“Minister”** includes a Minister of the Crown, a former Minister of the Crown, a former Parliamentary Secretary, an Assistant Minister and a former Assistant Minister.

**“Minister’s Duties”** include the Minister’s official duties, the Minister’s role as a member of the Cabinet including speaking about matters considered by Cabinet or the actions of Government and the Minister’s role in advising another Minister about that Minister’s duties.

**“Relevant Department”** see paragraph 20.

### **General principles**

3. The State will provide Legal Assistance and/or an Indemnity to a Minister if the Civil Proceeding, Inquiry or Investigation relates to the Minister’s duties.
4. The Crown Solicitor will normally provide Legal Assistance, but if it is reasonable in the circumstances private legal representation may be provided. For example, separate legal representation should be provided if there is a potential conflict in the State and the Minister both having the same legal representative.
5. The State will not provide Legal Assistance to a Minister in relation to an Inquiry or Investigation by a police service or other entity with responsibility for investigating offences in relation to the commission of an offence, unless approval in writing has first been obtained from the Premier. In deciding whether to grant approval the Premier must:
  - (a) be satisfied that the Inquiry or Investigation arises from or relates to the proper discharge of the Ministers’ duties;
  - (b) consider the advice from the Crown Solicitor on the prospects of the Inquiry or Investigation resulting in a conviction; and
  - (c) obtain an undertaking from the Minister that the Minister will reimburse the State if the Minister is found guilty of an offence (pursuant to paragraphs 25 and 26).
6. The State will not provide Legal Assistance to a Minister to defend a charge of a criminal offence, including a charge made pursuant to a private complaint or a private prosecution, unless approval in writing has first been obtained from the Premier. In deciding whether to grant approval the Premier must:
  - (a) be satisfied that the charge arises from or relates to the proper discharge of the Ministers’ duties;
  - (b) consider the advice from the Crown Solicitor on the prospects of a conviction; and
  - (c) obtain an undertaking from the Minister that the Minister will reimburse the State if the Minister is found guilty of an offence (pursuant to paragraphs 25 and 26).
7. A Minister is not entitled to Legal Assistance under paragraphs 5 and 6 and the Legal Assistance granted may be withdrawn if the Premier considers that:
  - (a) the Minister is not cooperating fully with the legal representatives appointed by the State to represent the employee; or
  - (b) the information provided by the Minister to support the grant of Legal Assistance is found to be incorrect or misleading.
8. The State will not provide Legal Assistance to a Minister to commence Civil Proceedings, including judicial review (which do not relate to the Minister’s duties) and



defamation actions, unless approval has first been obtained from the Attorney-General. If the Minister making the application is the Attorney-General, approval must be obtained from the Premier.

### **Civil Proceedings**

9. As a general principle in Civil Proceedings, including proceedings for defamation, the State will normally meet the costs of the Minister's defence and of any damages and costs awarded against the Minister, or agreed to as part of a reasonable negotiated settlement, if the claim arose-
  - (a) in circumstances in which the State is vicariously liable for the acts of the Minister; or
  - (b) in circumstances in which the State would not be vicariously liable but the Minister was –
    - i. exercising an independent discretion conferred upon the Minister; and
    - ii. acting within the scope of the Minister's duties.
10. The State will not meet costs or damages where the claim arose in circumstances where the Minister acted-
  - (a) maliciously or in disregard of the State's interest; or
  - (b) in a way that would make it proper for the State to seek contribution or Indemnity in respect of damages for which the State might be liable.

### **Inquiries and investigations**

11. The State will provide Legal Assistance to a Minister in relation to appearances before, or making submissions to, or participating in an Inquiry or Investigation if-
  - (a) the Inquiry or Investigation relates to the Minister's duties; and
  - (b) the Minister has been required, or it is reasonable for the Minister, to appear before, make submissions or otherwise participate in the matter.
12. The State will not provide Legal Assistance to a Minister for the purpose of initiating or continuing separate legal proceedings by or on behalf of the Minister in relation to an Inquiry or Investigation, unless special approval in writing has first been obtained from the Attorney-General.

### **Application**

13. A Minister may seek Legal Assistance and/or an Indemnity by applying in writing to the Attorney-General, or if the Minister is the Attorney-General, the Premier.
14. If the application relates to Legal Assistance for an Inquiry or Investigation in relation to the commission of an offence, or to defend a criminal charge, the Minister may apply in writing to the Premier.
15. The Minister must apply as soon as reasonably practicable after the Minister becomes aware of the matter.

16. The application must include the following information-

- (a) the matter for which Legal Assistance and/or an Indemnity is being sought;
- (b) the type of assistance sought; and
- (c) any other material relevant to assessing the application.

## Decision

17. The decision to grant Legal Assistance and/or an Indemnity is made by the Attorney-General and the Premier. If the application relates to Legal Assistance for an Inquiry or Investigation in relation to the commission of an offence, or to defend a criminal charge, the decision is made by the Premier.

18. However, if the Minister is the Premier or the Attorney-General, the matter must be referred to Cabinet by a Minister who is not seeking Legal Assistance and/or an Indemnity.

19. The advice of the Crown Solicitor must be sought before a decision is made. If the Crown Solicitor is not available to advise on the matter, a Senior Deputy Crown Solicitor's advice may be sought instead. If a conflict of interest arises to prevent the Crown Solicitor or a Senior Deputy Crown Solicitor from advising in relation to a decision, the matter may be referred to the Solicitor-General for advice.

20. A decision to grant Legal Assistance and/or an Indemnity must state –

- (a) the matters for which Legal Assistance and/or an Indemnity is provided;
- (b) the form of Legal Assistance to be provided;
- (c) the department or agency ("**the Relevant Department**") liable for the costs of providing the Legal Assistance and/or an Indemnity, and, where relevant, for instructing the Crown Solicitor or other legal representative; and
- (d) any conditions on which the Legal Assistance and/or an Indemnity is granted.

21. Legal Assistance may be provided for a stage or stages of a matter only, and may be reviewed at the conclusion of the stage for which Legal Assistance has been provided.

22. Where a Minister is granted Legal Assistance or Indemnity for a civil proceeding involving a claim in defamation, the decision-makers may make it a condition of the grant that the Minister obtain appropriate legal advice about any necessary steps, including to mitigate any damages the State may be liable for if the statement is ultimately found to be defamatory. If a Minister does not take appropriate steps, the decision-makers may take that factor into account in considering whether to amend or withdraw the grant or the conditions of the grant under this Guideline.

23. It is a condition of any Legal Assistance and/or an Indemnity that the Minister will:

- (a) keep the Attorney-General, or the Premier if the matter relates to the commission of an offence, informed in relation to the progress of the matter at the intervals set out in the decision to grant Legal Assistance; and

(b) provide itemised monthly invoices to the Crown Solicitor on a monthly basis, who will certify to the Attorney-General that they are reasonable and may be paid. It is then for the Attorney-General to determine whether the invoice is to be paid.

24. Where the Minister is the Attorney-General, the Attorney-General is to comply with the conditions in paragraph 23 (a) and (b) by reporting to the Premier.

### **Costs: Payment**

25. Where the Minister is not represented by the Crown Solicitor, any costs of counsel that exceed the scale rates payable to counsel by Crown Law will not be met by the State, unless the Attorney-General and the Premier have given written consent prior to counsel being retained. Where the Minister is the Attorney-General, the Premier's consent is required. Where the Minister is the Premier, the Attorney-General's consent is required.

26. If Legal Assistance is provided, the costs of Legal Assistance may, subject to this Guideline, be met by the Relevant Department before the Investigation, Inquiry or proceedings are completed.

27. The cost of providing Legal Assistance will not be met by the State if the Minister is found guilty of an offence in criminal proceedings or of official misconduct as a result of an Inquiry or Investigation.

28. However, the cost of providing Legal Assistance incurred in the course of an Inquiry or Investigation may be met by the Relevant Department before the Inquiry or Investigation is finalised if the Minister has given an undertaking to reimburse the State for any costs that would not be met in accordance with paragraph 27. The undertaking must be in a form approved by the Crown Solicitor.

29. The Minister may not enter any settlement agreement in Civil Proceedings except with the approval of the Attorney-General and Premier (or if one of those is the Minister, the Cabinet) after obtaining the advice of the Crown Solicitor (or a Senior Deputy Crown Solicitor or the Solicitor-General if applicable).

## MINISTERIAL SERVICES

### ENTERTAINMENT CERTIFICATION

MINISTERIAL OFFICE: \_\_\_\_\_ DATE OF FUNCTION:  
\_\_\_\_\_

VENUE: \_\_\_\_\_  
FUNCTION \$ \_\_\_\_\_ (Gst inclusive)

COST OF

ENTERTAINMENT Type:     Entertainment     Working Meal

Description of event :

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**Participants:** Include all people for whom expenditure was incurred (this is a requirement for Fringe Benefit Tax purposes) Note: Partners or relatives of employees are considered associates for FBT and attract Fringe benefits tax. They should be identified as Government attendees in the list below

Number of Participants	Organisation of Participants
1	
2	
3	
4	
5	
6	

7	
8	
9	
10	

**CERTIFICATION AND APPROVAL**

Certification of Claimant:	Approval of Expenditure:
<p>I certify that the above entertainment was for official purposes in accordance with the Ministerial Handbook and the information above represents the true details in relation to the event.</p> <p><b>Signature of Claimant: Date</b></p>	<p>The above expenditure is approved for payment in accordance with the Ministerial Handbook.</p> <p><b>Signature of Minister Date</b></p>