

NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY (REGISTER OF MEMBERS'
INTERESTS) ACT
No. 49 of 1982
TABLE OF PROVISIONS

Section

PART I - PRELIMINARY

1. Short title
2. Commencement
3. Definitions

PART II - DISCLOSURE OF MEMBERS' INTERESTS

4. Return to be submitted to Clerk
5. Form of returns
6. Register of Members' Interests
7. Change in information in Register
8. Inspection of Register
9. Restriction on publication

PART III - MISCELLANEOUS

10. Failure to comply with Act



NORTHERN TERRITORY OF AUSTRALIA

No. 49 of 1982

AN ACT

Relating to the establishment and maintenance of a register of interests of members of the Legislative Assembly, and for related purposes

[Assented to 22 July 1982]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

PART I - PRELIMINARY

1. SHORT TITLE

This Act may be cited as the *Legislative Assembly (Register of Members' Interests) Act 1982*.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. DEFINITIONS

In this Act, unless the contrary intention appears -

"Assembly" means the Legislative Assembly;

"Clerk" means the Clerk of the Assembly;

"family", in relation to a member, means -

(a) the spouse of that member; and

(b) the children of that member who are wholly or mainly dependent on him for support;

Legislative Assembly (Register of Members' Interests)

"financial benefit" means -

- (a) the remuneration, fee or other pecuniary sum exceeding \$500 received by a member in respect of a contract of service entered into, or paid office held, by him; and
- (b) the total of all remuneration, fees or other pecuniary sums received by a member in respect of any trade, profession or vocation engaged in by the member where the total exceeds \$500,

other than remuneration received by the member under the *Remuneration Tribunal Act*;

"income source" means -

- (a) a person or body of persons with whom a member entered into a contract of service or held a paid office; or
- (b) a trade, profession or vocation engaged in by a member;

"member" means a member of the Assembly;

"Register" means the Register of Members' Interests established under section 6;

"return" means a return in a form approved in accordance with section 5;

"return period" means the period of time between the making of successive returns;

"spouse", in relation to a member, means a person, whether or not legally married to the member, who is living with the member as his or her spouse on a permanent and bona fide domestic basis.

PART II - DISCLOSURE OF MEMBERS' INTERESTS

4. RETURN TO BE SUBMITTED TO CLERK

(1) Subject to this section, a member shall, within 90 days after 30 June in each year, submit to the Clerk a return.

(2) A person who is a member on the date of commencement of this Act shall, on or before the date determined by the Speaker, submit to the Clerk a return.

Legislative Assembly (Register of Members' Interests)

(3) A person who is elected as a member shall, within 60 days after making and subscribing the oaths or affirmations as required by section 13 of the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, submit to the Clerk a return.

5. FORM OF RETURNS

(1) A return required by this Part to be submitted shall be in a form approved by the Speaker and shall contain -

- (a) the name and description of each company, partnership, association or other body in which the member holds or held during the return period, a beneficial interest;
- (b) a concise description of each trust in which the member or his family holds or held during the return period, a beneficial interest;
- (c) the address and description of all land in which the member has a beneficial interest;
- (d) the name of each company or other body in which the member holds or held during the return period, an office of any kind;
- (e) any other substantial interest of the member or of his family of which the member has knowledge, whether of a pecuniary nature or otherwise, and which the member considers might appear to raise a conflict between his private interest and his public duty as a member;
- (f) in the case of a return of a member pursuant to section 4(1) -
 - (i) where the member receives or is entitled to receive a financial benefit during any part of the return period - a statement of the income source of the financial benefit;
 - (ii) the source of all significant contributions made in cash or otherwise (other than a contribution by the Territory or a statutory authority of the Territory) to any travel beyond the limits of the Territory undertaken by the member during the return period; and
 - (iii) particulars of all gifts of or above, or in total of or above, the amount or value of \$500 received by the member during the return period from a person other than a person related to the member or his spouse; and

Legislative Assembly (Register of Members' Interests)

- (g) in the case of a return of a member pursuant to section 4(2) or (3) - a statement of all income sources that the member has or expects to have in the period commencing on the date of the return until 30 June next following.

(2) Nothing in this section shall require a member to disclose the amount of a financial benefit entered in the Register in relation to the member or a member of his family.

6. REGISTER OF MEMBERS' INTERESTS

(1) The Clerk shall maintain a Register of Members' Interests and shall cause to be entered therein, as soon as practicable after he receives it, all information submitted to him pursuant to section 4.

(2) The Register shall be in a form approved by the Speaker and may consist of the returns submitted pursuant to section 4.

7. CHANGE IN INFORMATION IN REGISTER

(1) Subject to sub-section (2), a member shall, within 60 days of any change occurring in relation to information in respect of himself or his family contained in the Register, notify the Clerk of such change and supply the Clerk with such detail as the Clerk requires to enable the Register to be amended in accordance with sub-section (3).

(2) Sub-section (1) shall not require a member to notify the Clerk of any change in information contained in the Register which occurs after 1 April in each year.

(3) Where the Clerk is notified in pursuance of sub-section (1), he shall amend the Register accordingly.

8. INSPECTION OF REGISTER

(1) A person may, during the normal business hours of the office of the Clerk, inspect the entries made in the Register in relation to a particular member and his family on providing to the Clerk the person's name and address.

(2) The Clerk shall cause to be recorded in the Register, in such manner as he thinks fit but so that the information is readily available to any other person who later inspects the relevant entries, the name and address of each person who has inspected those entries and the date on which the inspection was made.

Legislative Assembly (Register of Members' Interests)

(3) A person inspecting an entry in the register shall not provide to the Clerk as his name a name other than his full and correct name, or as his address an address other than his correct residential address.

Penalty: \$200.

9. RESTRICTION ON PUBLICATION

A person shall not publish or comment on information contained in the Register unless the information published constitutes a fair and accurate summary, or the comment is a fair comment, and it is published or made, without malice, in the public interest.

PART III - MISCELLANEOUS

10. FAILURE TO COMPLY WITH ACT

A wilful contravention of a requirement of this Act is a contempt of the Assembly and may be dealt with accordingly.
