

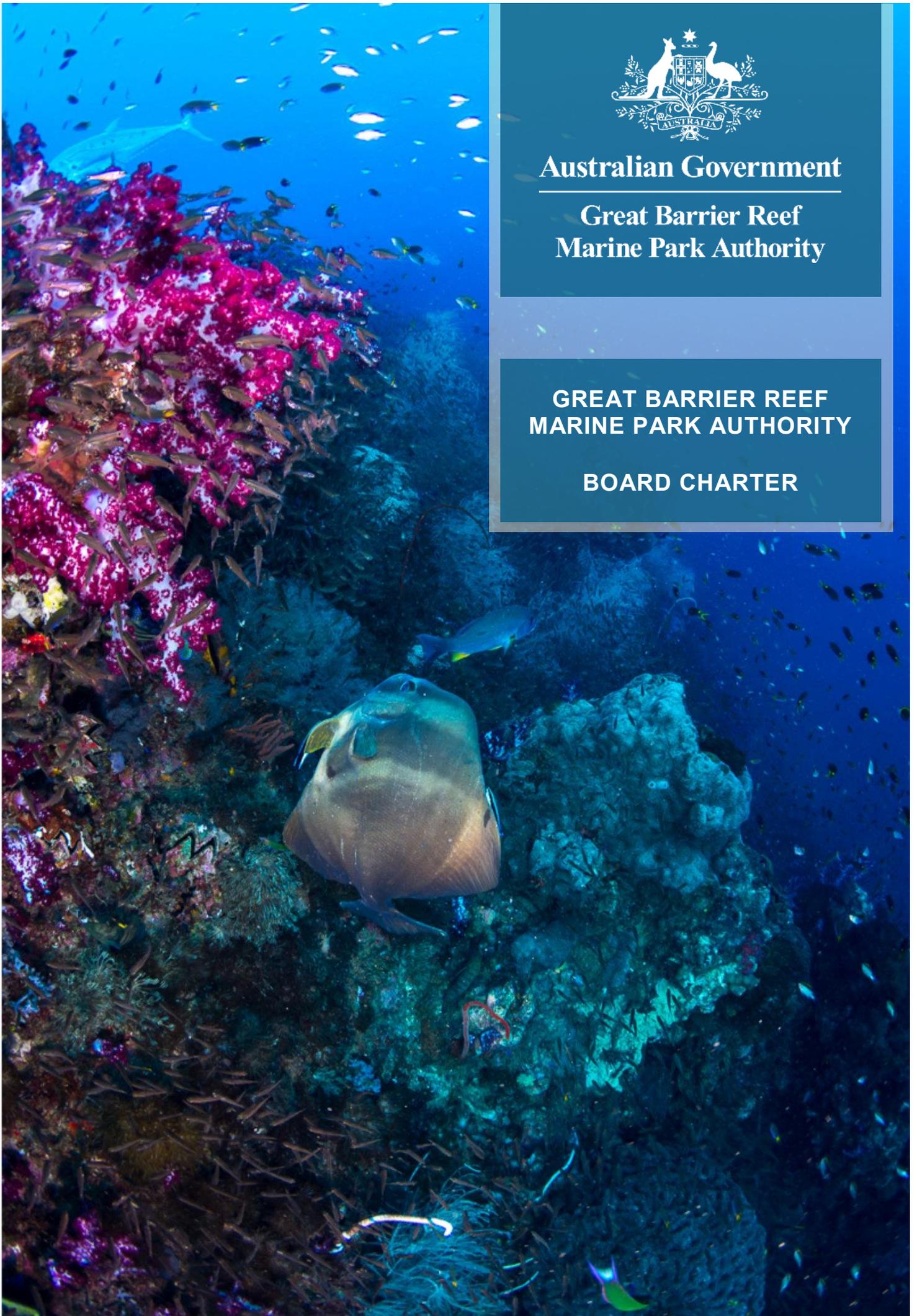


Australian Government

**Great Barrier Reef
Marine Park Authority**

**GREAT BARRIER REEF
MARINE PARK AUTHORITY**

BOARD CHARTER



TRADITIONAL OWNER ACKNOWLEDGEMENT

The Great Barrier Reef Marine Park Authority acknowledges the continuing Sea Country management and custodianship of the Great Barrier Reef by Aboriginal and Torres Strait Islander Traditional Owners whose rich cultures, heritage values, enduring connections and shared efforts protect the Reef for future generations.

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Australian Government

**Great Barrier Reef
Marine Park Authority**

Great Barrier Reef Marine Park Authority
280 Flinders Street
(PO Box 1379)
Townsville QLD 4810, Australia

Phone: (07) 4750 0700
Fax: (07) 4772 6093
Email: info@gbrmpa.gov.au
www.gbrmpa.gov.au

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REVIEW OF BOARD CHARTER

The Great Barrier Reef Marine Park Authority – Board Charter, is not a static document, and will be reviewed annually or more regularly if required.

Any amendments to the Great Barrier Reef Marine Park Authority – Board Charter will be a resolution of the Great Barrier Reef Marine Park Authority Board.

The Board Charter will be publicly accessible through the Great Barrier Reef Marine Park Authority’s website.

APPROVAL

This Great Barrier Reef Marine Park Authority – Board Charter was approved by the Great Barrier Reef Marine Park Authority Board in December 2019 at meeting 258 (MPA Decision 2019-258-11.1).

PURPOSE OF THIS CHARTER

The 'Great Barrier Reef Marine Park Authority – Board Charter (the Charter)', sets out the functions, roles and responsibilities of the Great Barrier Reef Marine Park Authority (the Authority), taking into consideration relevant legislation and management practices within an operational setting.

The Chairperson, Chief Executive Officer (CEO) and other members of the Authority are officials of the Authority.

A reference to 'the board' or 'member/s' in this Charter, is a reference to the Authority established under the *Great Barrier Reef Marine Park Act 1975*.

The Board is accountable to the Minister for the Environment. The role of the Board is to determine the Authority's strategic direction and overall objectives and enable it to fulfil its key functions as outlined in the *Great Barrier Reef Marine Park Act 1975*, Section 7.

When referring to the administration of business of the Board:

- the Marine Park Authority (MPA) Secretariat refers to a team of people
- the Executive Management Group (EMG) includes the General Managers and Accountable Authority
- the Agency refers to the staff and management at the Authority (not the Board)
- specific positions will be identified, where relevant.

The Charter is the primary guiding document for the management of the Board, and is supported by the 'Great Barrier Reef Marine Park Authority – Board Secretariat Procedures Manual'.

LEGAL FRAMEWORK

The Board is managed having regard to relevant legislation, policies, internal procedures and the Accountable Authority Instructions.

Great Barrier Marine Park Act 1975

The *Great Barrier Marine Park Act 1975 (Cth) (Marine Park Act)* sets out the establishment, functions, powers, constitution and meetings of the Authority.

Public Governance, Performance and Accountability Act 2013

The Authority is a listed entity for the purposes of the *Public Governance, Performance and Accountability Act 2013 (Cth) (PGPA Act)* which establishes a framework for the management of performance, financial accountability and the use of public resources across all Commonwealth entities.

The Authority does not have a legal identity separate from the Commonwealth.

The CEO is the accountable authority of the Authority for the purposes of finance law (within the meaning of the PGPA Act).

Public Service Act 1999

For the purposes of the *Public Service Act 1999 (Cth) (Public Service Act)* the CEO is the Agency Head. The CEO and the APS employees assisting the CEO together constitute a statutory Agency.

Other legislation

The Board, should have regard to, or ensure due consideration of other legislation when exercising its powers:

- *Great Barrier Reef Marine Park (Environmental Management Charge-Excise) Act 1993*
- *Great Barrier Reef Marine Park (Environmental Management Charge-General) Act 1999*
- Great Barrier Reef Marine Regulations 2019
- Great Barrier Reef Marine Park Zoning Plan 2003
- *Environment Protection and Biodiversity Conservation Act 1999*

- *Environment Protection (Sea Dumping) Act 1981*
- *Freedom of Information Act 1982*
- *Historic Shipwrecks Act 1976*
- *Native Title Act 1993*
- *Protection of the Sea (Prevention of Pollution from Ships) Act 1983*
- *Sea Installations Act 1987*

There is also legislation enacted by the State of Queensland which is relevant to the Great Barrier Reef for which the Board should have regard to, or ensure due consideration of, when exercising its powers.

ESTABLISHMENT

[Part II, Section 6 of the Marine Park Act](#) provides for the establishment of the Authority, and identifies the purpose of the Authority (in respect of the Marine Park Act and the PGPA Act).

FUNCTIONS

[Part II, Section 7, of the Marine Park Act](#) outlines the functions of the Authority. In summary those functions are:

- provide recommendations, information and advice to the Minister in respect of matters relating to the care and development of the Marine Park
- act on directions given by the Minister (not inconsistent with the Marine Park Act)
- carry out or arrange for research and investigations relevant to the Great Barrier Reef Marine Park (the Marine Park)
- prepare zoning plans or make plans of management for the Marine Park
- receive and disperse monies appropriated by the Parliament for the purpose of payment to Queensland in respect of matters that relate to the Marine Park
- receive and disburse moneys paid to the Authority by Queensland under agreements
- provide or arrange for the provision of educational, advisory and informational services related to the Marine Park
- other functions given to the Authority under other Acts or provided for by the regulations
- exercise powers provided to the Authority relating to the Marine Park under the Marine Park Act or any other Act
- manage of the Marine Park
- prepare and publish plans and policies (which are not legislative instruments).

[Part II, Section 7A of the Marine Park Act](#) outlines the provision of assistance to other institutions and persons in matters relating to environmental management.

POWERS

[Part II, Section 8 of the Marine Park Act](#) outlines the powers of the Authority. In summary those powers include:

- All things that are necessary or convenient to be done for or in connection with the performance of its functions. *Note: The CEO may enter into contracts and other arrangements on behalf of the Commonwealth. See Section 23 of the PGPA Act.*
- Perform any functions in co-operation with Queensland, with an authority of that State or with a local governing body in that State.

[Part II, Section 8B of the Marine Park Act](#) outlines that the CEO is not subject to direction by the Authority in relation to the CEO's performance of functions or exercise of powers under the PGPA Act and the Public Service Act.

Delegations

Part VI, Division 3 of the [Marine Park Act](#) sets out when the Minister, Authority and the CEO may delegate a power or function under the Marine Park Act.

Chapter 4, Part 4-2, Division 2 of the [Marine Park Act](#) sets out when the Finance Minister, the Treasurer, the Finance Secretary and the Accountable Authority of non-corporate Commonwealth entities may delegate a power, function or duty under the PGPA Act or the PGPA Rules.

Part 11, Section 78 of the [Public Service Act](#) sets out when the Prime Minister, the Public Service Minister, Agency Minister, Commissioner, and the Agency Head may delegate their powers or functions under the Public Service Act.

Delegations are written instruments that, in compliance with the *Acts Interpretation Act 1901*, expressly delegate a specific statutory power of the Board, the CEO, Accountable Authority or a Minister, to other officials.

Members will be provided a copy of the relevant instruments of delegation on appointment.

MEMBERSHIP OF THE AUTHORITY

Appointment

Part III, Section 10 of the [Marine Park Act](#) outlines membership of the Authority. In summary:

- Board membership will consist will be a Chairperson, a CEO and five additional members.
- Members are appointed by the Governor-General by written instrument on a part-time basis (excluding the CEO).
- All appointments will be made based on suitable qualifications, significant knowledge, and/or experience in a relevant field identified in the Marine Park Act.
- One part-time member shall be appointed on the nomination of the Queensland Government.
- At least one part-time member shall be an Indigenous person.
- At least one part-time member shall have suitable qualifications, significant knowledge, and/or experience in the tourism industry associated with the Marine Park.
- Membership should continue to reflect gender equity and diversity.
- A person is not eligible for appointment as a part-time member if, at the time of appointment, the person is a member of the governing body of a relevant interest group.

Part VI, Division 1, Section 39ZL of the [Marine Park Act](#) outlines the appointment of the CEO.

In summary:

- The CEO is appointed by the Governor-General by written instrument on a full-time basis
- A person is not eligible for appointment as the CEO if, at the time of appointment, the person is a member of the governing body of a relevant interest group.

Skills Matrix

Making use of the Board Skills Matrix, the Chairperson may provide advice to the Department and the Minister on skills gaps and Authority needs, to inform Board member recruitment decisions.

Period of appointment

Part III, Section 11 of the [Marine Park Act](#) outlines period of appointment for part-time members of the Authority. In summary:

- Members are appointed for a period not exceeding five years.
- A member may be reappointed but cannot hold office for a continuous period exceeding 10-years.
- Any period when a person holds an acting appointment as a part-time member, that period of appointment will be disregarded.

Part VI, Division 1, Section 39ZL of the Marine Park Act outlines the period of appointment of the CEO. In summary:

- The CEO is appointed for a period not exceeding five years.
- The CEO may be reappointed but cannot hold office for a continuous period exceeding 10-years.
- Any period when a person holds an acting appointment as CEO, that period of appointment will be disregarded.

Onboarding and induction

The Minister will write to new part-time members of the Authority, outlining their duties and responsibilities as a member of the Board.

Once the Agency receives notice that members have been appointed, the MPA Secretariat will send (by email) an onboarding package which contains relevant administrative paperwork for completion by the member to formalise their part-time appointment.

The onboarding email will include documents to be completed by the member, as well as requests for further information, to give effect to the operations of the Board. Such documents and requests will include (but are not limited to):

- conflict of interest policy
- conflict of interest declaration form
- personal particulars equity and diversity form
- tax file number declaration
- superannuation standard choice form
- health declaration form
- Australian Federal Police, national police check guide
- Australian Federal Police, national police check form
- fair work information statement
- request for travel information
- information pertaining to frequency of payment of sitting fees, and how superannuation and travel allowance are to be paid
- request for information for member profile, to be published on the Authority's website and in official publications.

All paperwork should be completed as soon as possible and returned to the MPA Secretariat. The conflict of interests declarations should be completed after the induction and meeting with the probity advisor.

The MPA Secretariat will coordinate an induction with new members, preferably within one week of appointment, or at a convenient time before a Board meeting. The induction will be held at the Agency's head office in Townsville.

During the induction, members will:

- meet with an external probity advisor
- meet with the CEO, who will provide an overview of the Authority
- meet separately with general managers, who will give an overview of their respective branches
- meet the MPA Secretariat team
- have the option to obtain a security card to access the Townsville office
- receive hard copies of:
 - the Charter
 - incoming member brief
 - relevant instruments of delegation
 - Authority's gifts and hospitality policy

- Authority's travel policy
- Australian Public Service, and Australian Institute of Company Directors, Code of Conduct
- social media guide for Australian Public Service employees
- information relating to insurance cover
- Board calendar
- current portfolio budget statement
- current corporate plan
- other corporate documents as appropriate.

Leave of absence, resignation or termination of appointment

Leave of absence

[Part III, Section 13 of the Marine Park Act](#) details the leave of absence for part-time members of Authority.

Leave of absence for the Chairperson must be approved by the Minister.

The Chairperson may grant leave of absence to other part-time members (not the CEO) on the terms and conditions that the Chairperson determines. However, if the leave of absence is for a period that exceeds three months, the MPA Secretariat will work with the Chairperson to communicate with the Minister through the Agency's parliamentary processes.

[Part VI, Division 1, Section 39ZP of the Marine Park Act](#) outlines leave of absence for the CEO.

The CEO may take annual leave (recreation leave) in accordance with the Remuneration Tribunal, and in accordance with the instrument of delegation 'Vacancy in the office of the Accountable Authority Delegation 2019'.

The Minister may grant the CEO leave of absence (other than recreation leave).

Resignation

[Part III, Section 14 of the Marine Park Act](#) outlines resignation of part-time members of Authority.

A part-time member of the Authority may resign by providing a letter of resignation to the Governor-General.

The resignation takes effect on the day it is received by the Governor-General or, if a later day is specified in the resignation, on that later day.

[Part VI, Division 1, Section 39ZS of the Marine Park Act](#) outlines resignation of the CEO.

The CEO of the Authority may resign by providing a letter of resignation to the Governor-General.

The resignation takes effect on the day it is received by the Governor-General or, if a later day is specified in the resignation, on that later day.

Termination of appointment

[Part III, Section 16 of the Marine Park Act](#) outlines termination of appointment of part-time members of Authority. [Part VI, Division 1, Section 39ZT of the Marine Park Act](#) outlines termination of appointment of the CEO. In summary, the Governor-General may terminate the appointment of a member where:

- there is evidence of misbehaviour
- the member is unable to perform their duties
- the member becomes bankrupt, applies to take the benefit of any law for the relief of bankruptcy or insolvent debtors, compounds with his or her creditors, or makes an assignment of their remuneration for the benefit of his or her creditors
- the part-time member (not the CEO) is absent, except on leave of absence, for three consecutive meetings
- the CEO (not part-time members) is absent, except on leave of absence, for 14 consecutive days or for 28 days in any 12 months

- the member engages in paid work that conflicts or could conflict with the members duties (the CEO must seek the Ministers approval for outside employment)
- the member becomes a member of the governing body of a relevant interest group
- the member's performance has been unsatisfactory for a period of time
- The member fails to disclose interests in accordance with [Section 29 of the PGPA Act](#).

Acting arrangements

[Part III, Section 15 of the Marine Park Act](#) outlines acting Chairperson and member's arrangements.

Where the Chairperson has been granted leave of absence, by the Minister, the MPA Secretariat will work with the Chairperson and CEO to communicate with the Minister through the Agency's parliamentary process, recommending an acting Chairperson for Ministerial appointment.

Where a member has been granted leave of absence, the MPA Secretariat will work with the Chairperson and CEO to communicate with the Minister through the Agency's parliamentary process, recommending an acting member for Ministerial appointment.

[Part VI, Division 1, Section 39ZM of the Marine Park Act](#) outlines acting appointments for the CEO.

Where the CEO has been granted annual leave (recreation leave) or leave of absence by the Minister, the MPA Secretariat will communicate with the Minister through the Agency's parliamentary process, recommending an acting CEO for ministerial appointment.

The delegation instrument 'Vacancy in the office of the Accountable Authority Delegation 2019' is made under the PGPA Act, Section 110, where the Accountable Authority powers described within the instrument are delegated to the SES Band 1 (General Managers) officials of the Authority from time to time during a period of vacancy, when the accountable authority is unable to exercise the powers or when the Minister has not appointed a person to act as the accountable authority.

Disclosure of interests

Upon appointment, the Agency will provide ongoing opportunities and support for members to disclose any conflicts of interest, including (but not limited to):

- meeting with a probity advisor upon appointment, plus ongoing advice as required
- provision of the Agency's Conflict of Interest policy, and associated declaration form
- advanced viewing of the Board calendar highlighting potential Board agenda items
- preview of Board meeting agenda, before release of papers
- disclosure of interests standing agenda item at Board meeting (including a register of declared interest of all members).

The Authority approved policy regarding the disclosure and management of conflicts of interest (MPA Decision 253/06) sets out the expectations, requirements and procedures for the disclosure and management of conflicts of interest by the CEO and part-time members of the Authority. The obligations arise from statutory requirements under the:

- [Marine Park Act](#)
- [PGPA Act](#)
- [PGPA Rule](#)
- [Public Service Act](#)

Any queries regarding conflict of interest should be directed through the Chairman or the MPA Secretariat.

Outside employment or memberships

Outside employment

Part-time members and the CEO should consider and apply the Authority's approved conflict of interest policy concerning outside employment.

Member of governing body of a relevant interest group

Part-time members and the CEO should consider and apply the Authority's approved conflict of interest policy concerning becoming a member of the governing body of a relevant interest group.

Other terms and conditions

Part III, Section 16B of the Marine Park Act outlines that other matters relevant to part-time members not covered by the GBRMP Act may be determined by the Minister.

Part VI, Division 1, Section 39ZU of the Marine Park Act, outlines that other matters relevant to CEO not covered by the Marine Park Act may be determined by the Minister.

CONDUCT

Code of Conduct

Members of the Authority must act in accordance with the general duties of officials as set out in the Division 3, Subdivision A of the Marine Park Act. In summary the duties include:

- duty of care and diligence in exercising powers, performing functions or duties
- duty to act honestly, in good faith and for a proper purpose
- duty in relation to use of position
- duty in relation to use of information
- duty to disclose interests.

Members will also adopt the Australian Public Service Code of Conduct, and the Code of Conduct for Directors produced by the Australian Institute of Company Directors to guide members and promote high ethical and professional standards and responsible decision-making as members. These codes of conduct will be provided to members as part of their onboarding and induction.

Confidentiality

Members must keep Board discussions, deliberations and decisions confidential if they have not been publicly disclosed by the Agency, unless disclosure is required by law.

Values

The Board's values are to embrace innovation, demonstrate leadership and integrity, and build strong relationships with stakeholders in the management of the Great Barrier Reef.

In undertaking its role, the Board will act with a view to ensuring the Authority:

- continues to provide world-class Marine Park management to protect the Outstanding Universal Value of the Reef
- continues to champion the Australian Government's overarching adaptive management approach to address pressures on the Reef
- takes an agile, risk-based and outcomes-focused approach to regulation and management of the Reef that supports its resilience and ability to respond.

Governance principles

The Board will follow through with the following governance principles (as adopted from the Australian Institute of Company Directors) by ensuring:

- the Authority has a clear purpose, and a strategy which aligns activities to its purpose
- there is clarity about the roles, responsibilities and relationships of the Board
- the Board structure and composition enable it to fulfil its role effectively
- the Board is run effectively, with its performance periodically evaluated
- Board decision-making is informed by an understanding of risk and how risk is managed
- the Agency uses its resources appropriately (under the Direction of the Accountable Authority) and evaluates its performance

- the Board demonstrates accountability by providing information to stakeholders about the Authority and its performance
- there is meaningful engagement of stakeholders, and their interests are understood and considered by the Board
- the expected behaviours of officials of the Authority are clear and understood
- the Board models and works to instil a culture that supports the Authority's purpose and strategy.

MEMBER RESPONSIBILITIES

Minister Statements of Expectation

Upon appointment, the Minister will provide the Chairperson and the CEO individual statements of expectation which will describe the responsibilities and expectations of the Chairperson and CEO respectively.

The Ministers Statements of expectations are included as an appendices to this Charter to ensure the Authority continues to be transparent in its operations, and remains accountable regarding the performance and delivery of the Government's expectations.

The Chairpersons statement of expectation can be found at Appendix 1, the CEO's statement of expectation can be found at Appendix 2.

The independent *Review of Governance of the Great Barrier Reef Marine Park Authority (2017)*, led by Dr Wendy Craik AM, resulted in the Australian Government accepting all 24 review recommendations.

The Chairman, in partnership with the CEO, should continue to implement the recommendations of the review. These responsibilities our outlined in Appendix 3.

Board

To facilitate the Board delivering its functions and powers outlined in Sections 7 and 8 of the Marine Park Act, members have the following responsibilities:

- attending meetings on time and in accordance with the Marine Park Act
- being fully prepared for each meeting, having carefully reviewed all papers distributed in advance of the scheduled meeting
- participating effectively and engaging in Board discussions
- providing objective advice, insights and recommendations, and adopting a broad perspective on matters raised, mindful of the Authority's functions and corporate priorities
- ensuring individual positions are not publicly advocated ahead of decisions being made by the Board
- not advocating individual positions contrary to the established decision of the Board
- approve the Authority's Portfolio Budget Statement performance information
- approve the Authority's Corporate Plan, ensuring it reflects the Authority's strategy, performance information requirements are met, and the strategic work program of the Authority is accurately and clearly communicated
- approve the Authority's Annual Report, including the performance and financial statements.

Chairperson

In addition to the responsibilities of the Board, and the Minister's statement of expectations, the Chairperson has the following responsibilities:

[Part III of the Marine Park Act](#) details responsibilities specific to the Chairperson. In summary:

- granting leave of absence for part-time members
- notifying the Minister of leave of absence for part-time members greater than three months

- convening meetings of the Board
- presiding over meetings of the Board.

Working with the Agency, the Chairperson has the following administrative responsibilities:

- leading the Board to develop a strategic forward meeting calendar, which includes when specific matters may be presented to the Board for consideration
- approving the agenda for meetings
- approve the Board meeting papers for submission to members
- approving the draft minutes of meetings
- drafting and approving the board letter to the Minister
- approving the Board report published on the Authority's website.

Chief Executive Officer

[Part VI, Division 1, Section 39ZK of the Marine Park Act](#) describes the responsibilities of the CEO. In summary, this includes:

- day-to-day administration of the Agency
- all things that are necessary or convenient to be done for or in connection with the performance of his or her duties
- act in accordance with policies determined by the Authority
- comply with written directions given by the Authority to the CEO about the performance of the CEO's responsibilities.

[Part 2-2, Division 2, Subdivision A of the PGPA Act](#) describes the general duties of Accountable Authorities:

- duty to govern the Commonwealth entity, including proper use and management of public resources, promotion of the achievements of the purposes, and financial sustainability of the entity
- duty to establish and maintain systems relating to risk oversight and management, and internal control of the entity
- duty to encourage cooperation with others to achieve common objectives
- duty to impose requirements on others in relation to the use or management of public resources
- duty to keep the responsible Minister and Finance Minister informed.

Working with the MPA Secretariat, the CEO has the following administrative responsibilities:

- provide operational insight and leadership to inform the development of a strategic forward meeting calendar, which includes when specific matters may be presented to the Board for consideration
- ensure the agenda for meetings meets the operational needs of the Agency before Chairman approval of the agenda
- endorse Board meeting papers before Chairman approval, ensuring requests for advice or approvals contain relevant and complete information for members to make an informed recommendations
- review the draft Board meeting minutes, ensuring there is an accurate record of meeting business before Chairman approval
- ensure relevant and contemporary advice from Board meetings is included in the Board letter to the Minister before Chairman approval
- ensure the Board Report reflects the expectations of the Minister, the priorities of the Government and aligns with the Agency's work program before Chairman approval and publishing on the Authority's website
- provide the Authority's Portfolio Budget Statement performance information to the Minister, and ensure financial statements are submitted to the Department within identified timeframes

- approve the Authority's Corporate Plan within identified timeframes, ensuring it reflects the Authority's strategy, performance information requirements are met, and the strategic work program of the Authority is accurately and clearly communicated
- approve the Authority's Annual Report within identified timeframes, including the performance and financial statements, ensuring an accurate reflection of Authority activities, accomplishments and performance.

AGENCY RESPONSIBILITIES

This section outlines the responsibilities of Authority staff in respect of their support of the Board in an operational context.

MPA Secretariat

The Agency will provide secretariat services (MPA Secretariat) to the Board which include (but are not limited to):

- effective and efficient operational management of the Board, including providing internal leadership to ensure the Board has line of sight on the delivery of the Authority's Corporate Plan
- work with the Department of Environment and Energy to facilitate Board member recruitment, membership, and ongoing communications
- onboarding and induction of members
- ongoing communications to and from the Board
- assist the Chairperson and CEO to meet their responsibilities
- meeting administration (agenda, minutes, reports)
- meeting logistics (travel, venue, functions)
- payment of member remuneration
- management of a budget to manage board affairs.

The MPA Secretariat will be guided by this Charter, and use the Secretariat Procedures Manual to operationalise the above services.

The MPA Secretariat will ensure the Board meets its obligations by keeping minutes of its meetings as outlined in the [Meetings of Authority Part III, Section 17 of the Marine Park Act](#).

The MPA Secretariat will ensure the Board meets its obligations of keeping record of decisions made in accordance with [decisions without meetings Part III, Section 18 of the Marine Park Act](#).

General Managers

The General Manager – Reef Strategy leads the MPA Secretariat team and will liaise with the Chairperson and CEO regarding the strategic operations of the Board, and oversee the functions of the MPA Secretariat.

All General Managers will, through their respective branches, ensure the provision of information and/or recommendations to the Board with timely and evidence-based background information, and frame recommendations in the context of the Board's strategy.

Agency staff

Agency staff will engage with the Board through their respective General Managers and/or the CEO. The MPA Secretariat is responsible for outgoing correspondence from the Agency to the Board in-general.

Authority staff should provide the best available information and/or recommendations to the Board with timely and evidence-based background information, and frame recommendations in the context of the Board's strategy.

MEETINGS

Work program (Board Calendar)

The Board, in consultation with the MPA Secretariat and general managers, will maintain a strategic work program, referred to as the Board Calendar, up to 18 months in advance.

The Board Calendar will help the Board and the Agency ensure key strategic priorities for the Authority are brought to the Board's attention, including (but not limited to):

- standard meeting administration and core tasks of the Board
- workshops and training
- authority governance and planning
- matters for decision
- matters for discussion
- matters for noting.

Upon appointment, members will receive a copy of the Board Calendar as part of the induction package.

The MPA Secretariat will ensure the Board Calendar is updated every six months and circulated to members and the general managers.

Administration of meetings

The MPA Secretariat will work with the Chairperson and CEO to deliver an effective Board meeting. Any queries regarding the administration of the Board should be directed to the MPA Secretariat.

Convening a meeting

[Part III, Section 17 of the Marine Park Act](#) describes when the Chairperson shall convene meetings. In summary:

- The Chairperson shall convene such meetings as necessary for the performance of the functions of the Authority
- The Chairperson, on receipt of a request in writing signed by the other members, convene a meeting of the Authority
- The Chairperson shall preside at all meetings
- If the Chairperson is not present (and an acting Chairperson has not been appointed), the members present shall choose one of themselves to preside at the meeting.

Frequency and location of meetings

The Board has determined they will meet six times per year, up to two days in duration.

Meeting dates and locations of meetings will be determined as part of the Board Calendar.

Agendas

At a meeting of the Board, a draft agenda for the next meeting will be presented for discussion.

A final agenda will be sent to members ten working days prior to each meeting.

Meeting Papers

On advice from the Chairperson, the MPA Secretariat will exclude papers from a member where that member has disclosed a material personal interest that gives rise to an actual or potential conflict of interest.

Meeting papers will be provided to members ten working days prior to each meeting.

Minutes and Records of Board Meetings

The MPA Secretariat will ensure the Board meets its obligations by keeping minutes of its meetings as outlined in the [Meetings of Authority Part III, Section 17 of the Marine Park Act](#).

The minutes must record:

- the names of the members present and times of attendance
- interests declared
 - including associated discussion in relation to the disclosure of interests
 - if any information has been excluded from an Authority member
 - if any member absents himself or herself from a meeting of the Authority due to an actual or potential conflict of interest.
- minutes of past meetings confirmed by the Board and approved as a true record
- a complete set recommendations as requested by the meeting papers, including copies of all documents tabled at the meeting
- a complete set of actions arising.

Meeting outcomes

The MPA Secretariat will follow-up on all actions arising minuted at the meeting. At the following meeting, outcomes of actions will be ratified, or an update on the status of actions provided and recorded in the minutes.

Decisions

Quorum

Part III, Section 17 of the Marine Park Act outlines that at meetings, four members constitute a quorum. However if a member has declared an interest in accordance with the Marine Park Act and PGPA Act and is not to be present during deliberations or take part in a decision, the remaining members at the meeting will constitute a quorum with respect to that matter.

Voting

Part III, Section 17 of the Marine Park Act outlines that at meetings a question is decided by a majority of the votes of the members present and voting. The Chairperson presiding the meeting has a deliberative vote and a casting vote.

Decisions without meetings

Part III, Section 18 of the Marine Park Act outlines decisions without meetings, in summary:

- the Board has determined that it may make decisions without a meeting
- the Board has determined the method by which members are to indicate agreement with proposed decisions
- all the members were informed of the proposed decision, or reasonable efforts were made to inform all the members of the proposed decision
- without a meeting, a majority of members entitled to vote on the proposed decision indicate agreement.

The Authority determined the following method to make decisions without meetings:

- in exceptional situations, the Board may make a decision on a matter without a meeting being held
- the MPA Secretariat will email all members (by group email) the proposed decision paper, and any additional supporting information for consideration
- each member, who is entitled to vote, will respond to the recommendations within the requested timeframe by email, ensuring all members and the MPA Secretariat are included in the response
- that a three-working day consideration period (where possible) be added on a matter without a meeting
- members can be provided a briefing from the Authority on any matter without a meeting
- the MPA Secretariat will confirm the Board's decision through an email to all members

- at the next meeting of the Board, the decision will be noted as part of the preliminary agenda business
- the method for decisions without meetings, as described within this Charter (MPA Decision 2019-258-11.1), overtakes decision MPA 173/04 (10/12/1998).

Logistics

Meetings

The MPA Secretariat will coordinate all logistics required to facilitate the meeting of the Board, including:

- booking a venue, required equipment and catering for meetings or Board related functions
- liaising with Board members to book travel arrangements in accordance with the Authority's travel policy.

Members will be sent their travel details 10 working days prior to the Board meeting (subject to any changes requested by the member).

Board events

From time to time, the Board may seek to hold events to support the delivery of its functions, or to deliver on the expectations of the Minister.

Proposals for such events should be discussed with and, where applicable, approved by the Agency; and should be coordinated by the MPA Secretariat.

Participation in meetings

Acknowledgement of Traditional Owners

At each meeting of the Board, the Chairperson should acknowledge Traditional Owners before the commencement of business. Where known, the Traditional Owner groups at the location of the meeting will be recognised.

Members

Members are expected to attend all meetings, except where a leave of absence has been authorised.

Members will participate in meetings having regard to the conduct and responsibilities sections of this Charter.

Attendance by members at meetings may be via electronic means with the consent of the Chairperson. Such arrangements can be made with the MPA Secretariat.

There is no provision for a proxy to attend a meeting in place of an appointed member.

Non-members

A person who is not a member of the Board, may be invited to attend a Board meeting by the Chairperson, preferably after consultation with the CEO.

At the discretion of the Board, the non-member may:

- participate in discussions at Board meetings
- be provided with Board papers
- be excluded from portions of Board meetings on occasions where it is necessary or desirable to do so, such as to maintain legal professional privilege or where sensitive personal information is being discussed.

Guest speakers, observers and advisers are subject to the direction of the Chairperson, in consultation with the CEO, as to their exclusion from the meeting for any particular matter.

Training

As determined by the Board, the MPA Secretariat will coordinate training.

Such training should have clear outcomes of the purpose of the training, and will be conducted directly before, during or after a scheduled meeting of the Board.

PROTOCOLS FOR COMMUNICATIONS AND INTERACTIONS

Media

Should the need arise, the Chairperson may, in consultation with the CEO, develop a media release based on an issue relevant to the management of the Marine Park.

The Chairperson may make public statements relevant to the management of the Marine Park following consultation with the CEO, and where possible provide feedback to members and the MPA Secretariat on the outcome of the media interaction.

In consultation with the Authority's media team, the Chairperson may respond to media interview requests regarding the operation and policies of the Authority. Requests for interview should be directed to the Chairperson through the Authority's media team.

Members must consult with the Authority's media team if contacted by journalists for comment or interview (in their capacity as a member); and should advise the Authority's media team if they are engaging the media on business intersecting with that of the Authority.

Members must follow the Australian Public Service Commission social media guide for Australian Public Service employees. This guide will be provided to members as part of their onboarding and induction

Public statements

Members are not to make any public statements in their capacity as a member of the Board without consulting with the CEO.

Members do not need to consult with the Authority's media team before making any public statements in their personal or other capacity. Any statements made by members in their personal or other capacity about the Reef should not be inconsistent with any published reports and decisions of the Authority.

Members should support the spirit of Board decisions when outside the boardroom.

Stakeholders

The Authority will actively engage with governments, industry and other stakeholders on major issues affecting the Reef and its management.

The Chairperson on behalf of the Board, and in consultation with the CEO, will maintain the Authority's close working relationships with the Australian Government, the Queensland Government, Traditional Owners, industry, scientists and the wider community in relation to the management of the Marine Park and with a view to sustaining public confidence in the activities being undertaken by the Authority with respect to the management and protection of the Reef.

The Board recognises that a key priority is to nurture the strong partnerships between the Authority, Traditional Owners of the Great Barrier Reef and other key stakeholders. The Board will actively consider programs or initiatives that will foster stronger partnerships with future leaders of the Great Barrier Reef. Such programs or initiatives could include (but are not limited to) a mentoring program to be offered to Aboriginal and Torres Strait Islander peoples and other future leaders through which they are invited to attend and observe Board meetings with a view to the development of their skills and experience.

International engagement

The Chairperson and CEO may represent the Authority in fora at state, national and international levels as appropriate and as agreed.

Unless there is a clear need for the Authority Board itself to be represented, most international travel will be conducted for the Authority by the CEO and Agency staff.

Where there are financial costs for such engagements, the CEO will consider and approve attendance at international engagements relevant to the operations of the Authority.

Board statement

Annually, the Board will release a statement about the health and management of the Great Barrier Reef, which will be published on the Authority's website.

Any such statement will be discussed at a meeting of the Board, and approved by the Chairperson.

MPA Secretariat email

To ensure accurate record keeping, and to fulfil the legislative obligations of the Board, all correspondence incoming and outgoing from members, in relation to Board business, will be either through the MPA Secretariat email, or with the MPA Secretariat email copied into correspondence.

Member email accounts

The Chairperson and the CEO will have Authority email accounts.

All other part-time members will nominate their own email accounts for communications with the MPA Secretariat and with other members.

Staff communications to the Board

The MPA Secretariat, the Chairperson and the CEO are the only officials to communicate directly with members unless otherwise approved by the CEO.

Communications from the Board to staff

Members may request access to information from the Agency in relation to specific issues. Members should approach the CEO for such information requests, with the MPA Secretariat copied into the request.

SUBCOMMITTEES

The Board may choose, from time to time, to establish subcommittees to assist it in carrying out its responsibilities.

Reef Advisory Committees

As at the date of this Charter, the following Reef Advisory Committees (RACs) have been established as subcommittees advising the Board:

- Indigenous Reef Advisory Committee
- Tourism Reef Advisory Committee

RACs Charter of Operation and Terms of Reference

The Board must approve a written charter and terms of reference, that clearly sets out the RACs composition, roles and responsibilities, structure and membership requirements and any other matters that the Board may consider appropriate.

Reef Advisory Committees reporting to the Board

RACs established by the Board will be required to record their activities and resolutions and must report back to the Board.

This report will be coordinated by the General Manager, in consultation with the RAC Chairperson, and will be submitted as a Board paper for discussion and or decision.

Responses from the Board to Reef Advisory Committees

Following a meeting of the Board, the Chairperson, in consultation with the CEO, will respond to the report provided by the RAC to the Board.

Audit Committee

The Audit Committee, whilst not a subcommittee of the Board, plays an important role to provide independent assurance and assistance to the Accountable Authority and the Board on the Authority's risk, control and compliance framework, and its financial and performance reporting responsibilities.

The Accountable Authority of the Great Barrier Reef Marine Park Authority has established an Audit Committee in compliance with Section 45 of the PGPA Act and Section 17 of the PGPA Rule, Audit Committees for Commonwealth Entities.

The role of the Audit Committee is to provide independent assurance to the Accountable Authority in respect of the following functions and responsibilities: financial reporting; performance reporting; risk oversight and management; internal control; legislative and policy compliance; internal audit; external audit; governance arrangements; and Parliamentary Committee reports and external reviews.

REPORTING

Letter to the Minister

Following each meeting of the Board, the Chairperson, in consultation with the CEO, should draft a letter to the Minister providing key outcomes and decisions of the meeting.

Board Report

The Authority is subject to the *Freedom of Information Act 1982* which establishes an Information Publication Scheme (IPS) requiring agencies to publish a broad range of information on their website from 1 May 2011.

To facilitate compliance with this legislation, a summary is provided after each Board meeting. Each summary will have regard for any privacy requirements, and include decisions that are required to be made public under the IPS.

The MPA Secretariat will work with the Chairperson and CEO to:

- draft the Board Report
- clear the Board Report through the Chairperson
- upload to website.

CEO's update

Following each meeting of the Board, the CEO may provide a summary of matters discussed (having regard for privacy requirements) in the Agency's 'CEO's Update'.

The MPA Secretariat will provide a summary of items discussed at the meeting to be included in the CEO's update. The CEO's update is coordinated by the Communications Team, who will arrange for approvals of text before the update is circulated to staff.

Decisions database

Decisions that are passed at a Board meeting, will be recorded in the Authority's decisions database to facilitate ease of reference and reciting by staff of the Agency.

The MPA Secretariat will record any decisions following the acceptance of meeting minutes as final by members, and not before. For example: at meeting 252, the Board will accept the minutes of meeting 251 as final. The MPA Secretariat can then record the decisions from meeting 251 in the decisions database.

Register of membership

The MPA Secretariat will keep a register of Board membership, including appointment and cessation dates, and periods of leave of absence.

EVALUATION OF PERFORMANCE

At least once a year, the Board should review its performance, composition and skill base to ensure it is operating efficiently and effectively to fulfil its functions outlined in the Marine Park Act.

The form of any such review will be at the discretion of the Chairperson but, at a minimum, will involve the members conducting a self-assessment of their performance against the Charter, the Ministers statement of expectations, and against the Skills Matrix. To do this, a self-assessment tool has been developed for the Board.

The Chairperson will coordinate an external review of the Board's performance at least every two years by an independent consultant who is engaged by the Authority (with input from the Chairperson) for this purpose. The external review will, at a minimum, include review of the Board's performance against this Charter; the Ministers statement of expectations; assess the Board and Board members against the Skills Matrix, and against any accepted standards and practices relating to the operation of public-sector boards.

The Board is committed to continuing improvement and may engage subject matter experts from time-to-time to advise the Board on any matters it considers appropriate and relevant, including Board development activities.

The Board will have 'continuous improvement' as a standing agenda item at its meetings to discuss proposed activities from members and reflect on any activities undertaken.

The Chairperson is responsible for advising the Minister on the performance of the CEO. The Chairperson will conduct a review of the CEO's performance as outlined in the Board's CEO Board Appraisal Process.

GIFTS AND HOSPITALITY

Members must adhere to the principles and standards outlined in the Authority's gifts and hospitality policy when responding to offers of gifts, benefits and hospitality. The gifts and hospitality policy will be provided to members as part of their onboarding and induction.

Gifts and benefits of more than \$50 AUD are required to be recorded in the Authority's gifts register.

Any enquiries, or declarations regarding gifts, benefits and hospitality should be directed through the MPA Secretariat.

BUDGET AND REMUNERATION

The Agency will cover all costs required to effectively manage the affairs of the Board to fulfil their duties. The MPA Secretariat will manage the budget and associated expenditure.

The MPA Secretariat will keep records of financial expenditure relating to the activities of the Board.

Remuneration

[Part III, Section 12 of the Marine Park Act](#) outlines remuneration and allowances of part-time members of the Authority (Chairperson and other members, excluding CEO).

Current rates of remuneration for part-time office holders can be found at:

<https://www.remtribunal.gov.au/offices/part-time-offices> The MPA Secretariat, through the onboarding and induction process will coordinate payments for members through the Agency's payroll system.

The MPA Secretariat will review the annual determinations by the Remuneration Tribunal to ensure rates of remuneration are current.

Any enquiries regarding payments should be directed through the Secretariat.

[Part VI, Division 1, Section 39ZN of the Marine Park Act](#) outlines remuneration and allowances for the CEO.

Current rates of remuneration for full-time office holders can be found at:

<https://www.remtribunal.gov.au/offices/full-time-offices>.

The relevant General Managers, with the support of the CEO's Executive Assistant, will coordinate the onboarding and induction process and will coordinate payments for the CEO through the Agency's payroll system.

Travel allowances

The Agency will cover reasonable travel, accommodation and meal expenses for members, when attending meetings or official functions, identified in the Board Calendar. Other travel for official purposes, outside of the Board Calendar, will need to be approved by the Chairperson and CEO.

Travel entitlements will be paid in accordance with the Remuneration Tribunal determination, and will be arranged by the MPA Secretariat in accordance with the Authority's travel policy.

INSURANCE

Members

The Australian Government Comcover Fund provides cover for all normally insurable risks, with the exception of workers' compensation, which is the responsibility of Comcare. The classes of cover applicable to members in the delivery of their functions as the Board are:

- general liability
- professional indemnity
- directors and officers liability
- personal accident
- motor vehicle
- travel outside country
- personal effects and travel inside country.

A copy of the statement of cover will be provided to members as part of onboarding and induction.

Support by MPA Secretariat

Specific enquiries regarding insurance coverage should be made through the Secretariat.

The Secretariat will complete a *Risk assessment* to be approved by a relevant delegate at the Authority for any committee activities (outside of committee meetings) that are undertaken as part of the business of the committee.

APPENDIX 1 – MINISTER'S STATEMENT OF EXPECTATIONS - CHAIRPERSON

EXPECTATIONS, FUNCTIONS AND PRIORITIES FOR THE CHAIRPERSON OF THE GREAT BARRIER REEF MARINE PARK AUTHORITY

On 5 October 2017, the Australian Government released the findings of the independent *Review of Governance of the Great Barrier Reef Marine Park Authority*, led by Dr Wendy Craik AM. The Australian Government accepted all 24 review recommendations and has made substantial progress in implementing them, including amending the *Great Barrier Reef Marine Park Act 1975* (the Act) to establish new governance arrangements for the Authority. This includes separation of the previously combined Chairperson and Chief Executive Officer (CEO) role into two positions.

Under this new governance framework, the responsibility for the management of the affairs of the Authority rests with the members of the Authority, which is led by the part-time Chairperson. This includes responsibility for the fulfilment of the statutory functions of the Authority, as set out in section 7 of the Act. The membership of the Authority is collectively referred to as the Board. Other Board members are the full-time Chief Executive Officer, and five part-time members.

The Board formulates and is responsible for the strategic direction for the Authority. As leader of the Board, the Chairperson is responsible for:

- fostering an appropriate board environment and open and inclusive culture for robust Board discussion;
- establishing and maintaining a comprehensive and high-level Board charter underpinned by policies, including a stand-alone conflict of interest policy;
- determining the strategic outcomes and performance standards that the Authority must achieve, and monitoring progress against these;
- establishing the Board's risk appetite and appropriate tolerances;
- ensuring the Board's decision-making process is aligned to the Authority's governance structure, strategic direction, values and risk profile;
- ensuring the Board is prepared to respond in a crisis;
- facilitating the comprehensive, relevant and timely flow of information to the Board from management and ensuring timely decisions are made by the Board;
- issuing delegations to the CEO on behalf of the Board;
- monitoring and advising the Minister on the performance of the Board and CEO; and
- providing advice to the Department and the Minister on skills gaps and needs to inform Board recruitment decisions, making use of the Board skills matrix.

The operational context of the Board is marked by issues which transcend the Marine Park boundaries and have cross-jurisdictional, national and international policy implications. It is in this context that the Chairperson will be expected to lead the Board to:

- continue the Authority's world-class Marine Park management to protect the Outstanding Universal Value of the Reef;
- continue to champion the implementation of the *Reef 2050 Long-Term Sustainability Plan* as the overarching adaptive management approach to address pressures on the Reef including leading the implementation of selected aspects; and
- take an agile, risk-based and outcomes-focused approach to regulation and management of the Reef that supports its resilience and ability to respond to the cumulative impacts of a range of threats to the Reef's health.

The rapidly changing Reef environment means that over the next decade, the Board will need to broaden the focus of marine park management, to actively fostering resilience¹ and assisting the Reef to adapt and recover, such as implementing and building on initiatives outlined in the *Great Barrier Reef Blueprint for Resilience*. Improved monitoring and reporting capabilities are also important to inform adaptive management decisions. In this context, the findings of the *2019 Great Barrier Reef Outlook Report* will have a significant influence on the work of the Authority and management partners over the coming years.

The Chairperson will guide engagement with governments, industry and other stakeholders on major issues affecting the Reef and its management, and is expected to be a trusted voice speaking on the state of the Reef and promoting the activities of the Authority.

The Chairperson will need to maintain the Authority's close working relationships with the Australian Government Department of the Environment and Energy, Queensland Government, Traditional Owners, industry, scientists and the wider community to manage the Marine Park and sustain public confidence in the management and protection of the Reef. In particular, priority should be given to nurturing the strong partnerships between the Authority and Traditional Owners of the Great Barrier Reef, with respect to Traditional Owners as rights holders and their continuing connection to their land and sea country.

When reviewing the Authority's committee structures and stakeholder engagement arrangements, the Board is expected to be mindful of established arrangements and leverage these where possible to avoid additional burden on stakeholders.

The Chairperson will need to work with and through the CEO to protect and manage the Reef. The CEO is responsible for providing strong leadership and operational management of the Authority's human and financial resources to implement the Board's strategy and directions. The Chairperson is expected to acknowledge the CEO's accountability for operational performance of the agency and support the CEO's authority to make operational decisions. The Board may issue directions about the performance of the CEO's responsibilities and delegate powers or functions to the CEO, but may not issue directions in relation to the CEO's powers or functions as 'accountable authority' for the purposes of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and as the 'agency head' for the purposes of the *Public Service Act 1999*.

Several recommendations made by the 2017 Governance Review are directed towards the Authority for implementation. These are set out in the attached table (provided in Appendix 3 of the Charter). The Chairperson and CEO will need to closely support each other to implement the Government's response.

Together, the CEO and Chairperson shall further strengthen the Authority's role to protect and manage the environment, biodiversity and heritage values of the Great Barrier Reef and ensure ecologically sustainable use for current and future generations.

¹ Ecosystem resilience refers to the capacity of an ecosystem to withstand or recover from disturbances and impacts and maintain key functions without collapsing to a different state. Resilience is not about the single, static ecological state, but rather the capacity of an ever-changing, dynamic system to return to a healthy state

APPENDIX 2 – MINISTER'S STATEMENT OF EXPECTATIONS - CEO

PRIORITIES AND FOCUS AREAS FOR THE CHIEF EXECUTIVE OFFICER OF THE GREAT BARRIER REEF MARINE PARK AUTHORITY

The position of Chief Executive Officer (CEO) of the Great Barrier Reef Marine Park Authority (the Authority) was created as part of a new governance framework for the Authority. The framework was established through amendments to the *Great Barrier Reef Marine Park Act 1975* (GBRMP Act), which commenced on 29 October 2018. The GBRMP Act provides for the long-term protection and conservation of the environment, biodiversity and heritage values of the Great Barrier Reef region.

The new governance framework was created following the independent *Review of Governance of the Great Barrier Reef Marine Park Authority (2017)*, led by Dr Wendy Craik AM. The Australian Government accepted all 24 review recommendations and there has been substantial progress in implementing the recommendations including separation of the previously combined Chairperson and CEO role into two positions.

Under the new governance framework, responsibility for the fulfilment of the statutory functions of the Authority as set out in section 7 of the GBRMP Act, rests with the members of the Authority who are the CEO, Chairperson and five other members. The membership of the Authority is collectively referred to as the Board.

While the Board sets the strategic direction for the Authority, the CEO is responsible for implementation of the GBRMP Act with support from the staff of the Authority.

The following outlines the expected priorities and areas of focus for the CEO in governing the Authority and contributing to the priorities and objectives of the Government. The Authority shall perform its functions in accordance with any general directions given by the Minister not inconsistent with the GBRMP Act (s7(2)).

Delivering the Authority's Corporate and Strategic Priorities

Under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), the CEO must govern the Authority in a way that promotes the achievement of its purpose (s15(1)(b)). The Authority's purpose, and the activities to be engaged in to achieve its purpose, are outlined in its Corporate Plan which must be prepared by the CEO (s35 of the PGPA Act).

Each year, the CEO is expected to ensure that the Authority's Corporate Plan remains aligned to the relevant outcome, programs and performance criteria set out in the Portfolio Budget Statement.

Specifically, the CEO will manage the Marine Park in accordance with performance criteria and targets set out in its Corporate Plan. For 2018-2019 these are:

- providing expert knowledge to influence and advise key decision makers on managing, reducing or avoiding significant threats to the Reef
- regulating, and ensuring Marine Park user compliance
- educating and fostering stewardship to enhance protection of the Reef
- enhancing reef resilience through continuous improvement and new initiatives across all aspects of management.

In delivery of these program areas under the Corporate Plan, the CEO is to lead the significant change required within the Authority to shift the focus of Marine Park management to actively fostering resilience²-based management. It is therefore important for the CEO to:

- continue the Authority's world-class Marine Park management to protect the Outstanding Universal Value of the Reef

² Ecosystem resilience refers to the capacity of an ecosystem to withstand or recover from disturbances and impacts and maintain key functions without collapsing to a different state. Resilience is not about the single, static ecological state, but rather the capacity of an ever-changing, dynamic system to return to a healthy state.

- continue to champion the implementation of the *Reef 2050 Long-Term Sustainability Plan* as the overarching adaptive management approach to address pressures on the Reef, including leading the implementation of selected aspects
- take an agile, risk-based and outcomes-focused approach to regulation and management of the Reef that supports its resilience and ability to respond to the cumulative impacts of a range of threats to the Reef's health
- implement and build on initiatives outlined in the *Great Barrier Reef Blueprint for Resilience* to assist the Reef to adapt and recover
- improve monitoring and reporting capabilities to inform adaptive management decisions
- respond to the findings of the *2019 Great Barrier Reef Outlook Report* as a significant influence on the work of the Authority and management partners over the coming years

Corporate Responsibilities

The PGPA Act is the overarching resource management framework under which the CEO establishes and maintains appropriate systems. As the 'accountable authority' for the purposes of the PGPA Act, the CEO is charged with the proper use and management of the Authority's financial resources to implement the Board's strategy and directions (s15(1)(a)).

The *Public Service Act 1999* establishes the values and behaviours for the Authority staff as APS employees and sets out the legal framework for the CEO's effective and fair employment, management and leadership of Authority staff. The CEO is considered the 'agency head' under the *Public Service Act 1999*.

The CEO is charged with the proper use and management of the Authority's financial resources, as well as leadership and operational management of the Authority's human resources, to implement the Board's strategy and directions.

Under the *Work Health and Safety Act 2011*, the CEO has the primary duty of care and various other duties and obligations as the 'person conducting a business or undertaking'. In this capacity, the CEO is required to maintain a due diligence framework to meet obligations under the *Work Health and Safety Act 2011* with regard to physical and psychological health of workers.

The CEO is also charged with appropriate risk oversight and management in fulfilment of the purposes of the Authority, as consistent with careful and proper use of public resources.

The CEO is expected to ensure that the Authority has effective measures in place to deliver, among other corporate legislative responsibilities, the requirements of relevant ancillary legislation including the *Privacy Act 1988*, *Parliamentary Service Act 1999*, *Archives Act 1983* and the *Freedom of Information Act 1982*.

Information on the responsibilities of the CEO under the PGPA Act is available at: <https://www.finance.gov.au/resource-management/accountability/accountable-authorities>

Supporting the Authority Board and the Chairperson

As a member of the Board, the CEO speaks on behalf of the Authority in Board decisions, and has a voice with other Board members in developing the high-level strategic direction of the Authority. The CEO is also expected to work with the Authority's management team to develop policies, and run the organisation in line with Board direction.

As leader of the Authority, the CEO must provide recommendations to the Board with timely and evidence-based background information, and frame recommendations in the context of the Board's strategy.

As a Board member, the CEO is expected to delegate and reserve powers to make decisions appropriately, and participate in succession planning for the Board and CEO. The new CEO, in consultation with the Board, will review the senior executive management capacity of the Authority in recognition of the increase in scale and complexity of the tasks undertaken by the Authority over the past decade.

The CEO, in partnership with the Chairperson, should continue to implement the recommendations of the independent *Review of Governance of the Great Barrier Reef Marine Park Authority*. Several recommendations made by the Review are directed towards the Authority for implementation. These are set out in the attached table (provided in Appendix 3 of the Charter).

Leadership and Cooperation

It is the CEO's role to lift the organisational capacity of the Authority, introduce and embed new governance arrangements, and ensure the Authority is fit to thrive now and into the future.

The operational context in which the CEO must exhibit leadership is marked by issues which transcend the Marine Park boundaries and have cross-jurisdictional, national and international policy implications.

The CEO is also expected to determine the behavioural standards and culture of the organisation, including identifying and actively managing conflicts of interest that may arise within the Authority and the Board.

Relationship building and stakeholder engagement

The CEO will need to maintain close working relationships with relevant Australian and Queensland Government Departments and Agencies, Traditional Owners, industry, scientists and the wider community to manage the Marine Park and sustain public confidence in the management and protection of the Reef.

In particular, priority should be given to nurturing the strong partnerships between the Authority and Traditional Owners of the Great Barrier Reef, with respect to Traditional Owners as rights holders and their continuing connection to their land and sea country.

APPENDIX 3 – MINISTER'S STATEMENT OF EXPECTATIONS – IMPLEMENTATION OF GOVERNMENT RESPONSE TO THE GOVERNANCE REVIEW

Implementation of Government Response to the Governance Review Recommendation	Chairperson	CEO
<p>Comprehensive Board Charter Establish, in consultation with the Board, a comprehensive Board Charter consistent with the Review's recommendations and make this available on the Authority's website. The Charter should be reviewed by the Board, at a minimum, each time a new Chairperson is appointed. The Chairperson is expected to manage the Board's adherence to the Charter. (Recommendation 18)</p>	Lead	<i>Support</i>
<p>Skills matrix and Board member induction Develop and maintain a skills matrix for the Board. Formalise induction processes to ensure new Board members understand their roles and functions and the support available to them (Recommendations 9 and 14).</p>	<i>Support</i>	Lead
<p>Board member recruitment Provide advice to the Department and the Minister on skills gaps and needs to inform Board recruitment decisions, making use of the Board skills matrix. Board members are appointed by the Governor-General (Recommendation 9).</p>	Lead	<i>Support</i>
<p>Committee structures Lead regular reviews and updates of the committee structure in place to support the Board while being cognisant of established arrangements and avoiding additional burden on stakeholders (Recommendation 23). Consider the establishment of a broad-based, high-level stakeholder consultative committee for the provision of advice on stakeholder perspectives, with attention to opportunities to leverage existing structures where possible (Recommendation 24).</p>	Lead	<i>Support</i>
<p>Establishment of policies and guidance for staff Develop policies and guidance in relation to the risk appetite of the agency, guidance for staff when exercising delegations, and guidance for staff around reporting to the Board (Recommendations 19 and 21).</p>	<i>Support</i>	Lead
<p>Managing conflicts of interest Develop clear processes and mechanisms for dealing with the identification and management of conflicts of interest. This must be consistent with the <i>Public Governance, Performance and Accountability Act 2013</i>, the <i>Great Barrier Reef Marine Park Act 1975</i>, and the Board Charter (Recommendation 20).</p>	Joint Lead	Joint Lead
<p>Management of performance Develop and implement an appropriate and ongoing mechanism to review and manage the Board's performance, and the performance of the CEO. Consider the frequency of Board meetings and out of session deliberations (Recommendations 15 and 16).</p>	Lead	<i>Support</i>
<p>Executive Management Capacity In consultation with the Board, review the senior executive management capacity of the Authority in recognition of the increase in scale and complexity of the tasks undertaken by the Authority over the past decade (Recommendation 22).</p>	<i>Support</i>	Lead



Australian Government

Great Barrier Reef
Marine Park Authority

280 Flinders Street, Townsville QLD 4810

Phone: 07 4750 0700

www.gbrmpa.gov.au