

GREAT BARRIER REEF MARINE PARK AUTHORITY BOARD

Policy for the disclosure
and management of
conflict-of-interests



TRADITIONAL OWNER ACKNOWLEDGEMENT

The Reef Authority acknowledges the expertise, wisdom, and enduring connections that have informed the guardianship of the Reef for millennia. We pay our respects to the Traditional Owners as the first managers of this Land and Sea Country, and value their traditional knowledge which continues to inform the current management and stewardship of the Reef for future generations.

REVIEW OF THE BOARD'S POLICY FOR DISCLOSURE AND MANAGEMENT OF CONFLICT-OF-INTERESTS

The Great Barrier Reef Marine Park Authority Board's Policy for the disclosure and management of conflict-of-interests (Col Policy) is reviewed biennially or more regularly if required.

Amendments to the Col Policy are made by resolution of the Great Barrier Reef Marine Park Authority Board.

The Col Policy is publicly accessible through the Great Barrier Reef Marine Park Authority's website.

APPROVAL

This Col Policy (Version 1) was approved by the Great Barrier Reef Marine Park Authority Board on 27 February 2025 at meeting MPA 289 (MPA Decision No 2025-289-04).

© Commonwealth of Australia 2025

Published by the Great Barrier Reef Marine Park Authority

The *Great Barrier Reef Marine Park Authority Board Charter* is licensed by the Commonwealth of Australia for use under a Creative Commons By Attribution 4.0 International licence with the exception of the Coat of Arms of the Commonwealth of Australia, the logo of the Great Barrier Reef Marine Park Authority, any other material protected by a trademark, content supplied by third parties and any photographs. For licence conditions see: <http://creativecommons.org/licenses/by/4.0>



While all efforts have been made to verify facts, the Great Barrier Reef Marine Park Authority takes no responsibility for the accuracy of information supplied in this publication.

Aboriginal and Torres Strait Islander readers are advised this publication may contain names and images of deceased persons.

This publication should be cited as:

Great Barrier Reef Marine Park Authority 2025, *Great Barrier Reef Marine Park Authority Board's Policy for the disclosure and management of conflict-of-interests*, The Reef Authority, Townsville.

Comments and questions regarding this document are welcome and should be addressed to:

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

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



TABLE OF CONTENTS

PURPOSE.....	2
RELEVANT LEGISLATION	2
<i>GREAT BARRIER REEF MARINE PARK ACT 1975 (CTH)</i>	2
<i>PUBLIC GOVERNANCE, PERFORMANCE AND ACCOUNTABILITY ACT 2013 (CTH) (PGPA ACT)</i> .	3
<i>PUBLIC SERVICE ACT 1999 (CTH) (PSA)</i>	3
TERMINATION OF APPOINTMENT	4
A CULTURE OF PRO-DISCLOSURE	4
PROCEDURES FOR DISCLOSURE AND MANAGEMENT	5
<i>DISCLOSING INTERESTS</i>	5
<i>MANAGING CONFLICTS OF INTEREST</i>	5
<i>MATERIAL PERSONAL INTERESTS</i>	6
<i>OUTSIDE PAID WORK</i>	7
<i>MEMBERSHIP OF A GOVERNING BODY OF A RELEVANT INTEREST GROUP</i>	7
<i>OBTAINING PROBITY ADVICE</i>	8
SECRETARIAT RESPONSIBILITIES	8
REFERENCES	10
SCHEDULE 1 – SUMMARY OF LEGISLATIVE RESPONSIBILITIES	11
SCHEDULE 2 – DISCLOSURE STATEMENT	13
<i>TABLE 1 – INVOLVEMENT IN THE MANAGEMENT OF OTHER ENTITIES</i>	14
<i>TABLE 2 – OUTSIDE PAID WORK</i>	14
<i>TABLE 3 – POSSIBLE MATERIAL PERSONAL INTERESTS</i>	14
<i>TABLE 4 – OTHER INTERESTS</i>	14
SCHEDULE 3 – PROBITY ADVISER	15



PURPOSE

1. This policy sets out the expectations, requirements and procedures for the disclosure and management of conflicts of interest by the Chief Executive Officer (CEO) and part-time Board Members of the Great Barrier Marine Park Authority (Reef Authority). These obligations arise from statutory requirements under the:
 - a) *Great Barrier Reef Marine Park Authority Act 1975 (Cth) (the **GBRMP Act**)*;
 - b) *Public Governance, Performance and Accountability Act 2013 (Cth) (the **PGPA Act**)*;
 - c) *Public Governance, Performance and Accountability Rule 2014 (Cth) (the **PGPA Rule**)*; and
 - d) *Public Service Act 1999 (Cth) (PSA)*.
2. A **conflict of interest** means an actual, potential or perceived conflict between obligations and duties that Board Members owe to the Reef Authority, and their own personal interests or the interests of individuals or organisations with whom they have a relationship or an interest in. A conflict of interest includes direct or indirect interests, does not need to be a pecuniary interest, and can include roles held by Board Members in other organisations.
3. Board Members are responsible for acting in accordance with this Policy and procedure, including the requirements set out for making disclosures and updating such disclosures whenever there is a change in circumstances.

RELEVANT LEGISLATION

4. A summary of the application of the statutory obligations referred to below is attached in [Schedule 1](#).

GREAT BARRIER REEF MARINE PARK ACT 1975 (CTH)

Outside employment

Part-Time Members

5. Board Members must not engage in any paid work that, in the Minister's opinion, conflicts or could conflict with the proper performance of his or her duties.¹
6. The Explanatory Memorandum for the *Great Barrier Reef Marine Park Amendment (Authority Governance Other Matters) Bill 2017* states, by way of example, how this clause is intended to operate:

*...if a person received income for undertaking activities which are regulated by the Authority, it would not be appropriate for them to make decisions relating to the regulation of such activities.*²

Chief Executive Officer

7. The CEO must not engage in paid work outside the duties of his or her office without the Minister's approval.³

Membership of governing body of a relevant interest group

8. A Board Member must not be a member of the governing body of a relevant interest group.⁴
9. A Board Member is a member of the governing body of a relevant interest group if:
the Board member is involved in the management of another entity (whether incorporated or otherwise)⁵, and



- a) the other entity represents one or more groups of people who:
 - i. are directly involved in advocating about the management of the Marine Park; or
 - ii. use the Marine Park for commercial purposes.⁶
10. The Explanatory Memorandum for the *Great Barrier Reef Marine Park Amendment (Authority Governance Other Matters) Bill 2017* states that a **relevant interest group** is:

...one that is directly involved in advocating views in relation to the management of the Marine Park, or a group that represents people who use the Marine Park, or a group that represents people who use the Marine Park for commercial purposes. The Authority manages the Marine Park, including through issuing permits and developing zoning plans and plans of management which affect what particular individuals or organisations are permitted to do within the Marine Park. It would be inappropriate for a person to be a member of the Authority if that person's work or public occupation involves lobbying or advocating policy or actions to governments that are clearly intended for specific benefits for themselves, or their organisation.⁷

PUBLIC GOVERNANCE, PERFORMANCE AND ACCOUNTABILITY ACT 2013 (CTH) (PGPA ACT)

Material personal interests

11. As officials of a Commonwealth entity⁸, Board Members have an ongoing duty to disclose, to each other Board Member, and to the Minister, details of all material personal interests that relate to the affairs of the Reef Authority⁹. If disclosure is not made, the Board Member may be found to be in breach of section 29 of the PGPA Act by the Board Member.

What is a 'material personal interest'?

12. A 'material personal interest' is a particular type of interest that can give rise to a conflict of interest.
13. There is no definition of 'material personal interest' in the PGPA Act. However, the following principles, have been developed at common law, and should be applied when considering whether an interest held by a Board Member constitutes a material personal interest:
 - a) **Material** – the interest needs to be of some substance or value, rather than merely a slight or low value interest.¹⁰ Any interest that has the capacity to influence the conduct of a Board Member in their capacity as a Board Member is material, regardless of how it arises.
 - a) **Personal** – the interest must be an interest personal to the Board Member themselves. It will not be personal if it is an interest of someone else only. The interest *may not* be personal if it affects the Board Member as a member of a wide group or class and in the same manner and to the same degree that it affects other members of the group or class.
 - b) The interest need not be pecuniary.¹¹
14. Board Members should be aware that whether they have a conflict or possible conflict or not is ultimately based on an objective test rather than their own subjective opinion.

PUBLIC SERVICE ACT 1999 (CTH) (PSA)

15. Board Members are bound by the Australian Public Service (APS) Code of Conduct.¹²
16. Consequently, Board Members must (among other things):
 - a) take reasonable steps to avoid a conflict of interest (real or apparent) in connection with their duties (as a Board member); and
 - b) disclose details of any material personal interest in connection with their duties (as a Board member).



17. In addition, the APS Code of Conduct requires that (among other things) Board Members must behave with honesty and integrity, comply with all Australian laws (including the PGPA Act), maintain appropriate confidentiality, and not seek to improperly gain a benefit from their employment.

TERMINATION OF APPOINTMENT

18. The GBRMP Act provides that the Governor-General may terminate the appointment of Board Members in certain circumstances, including if:
- a) in the case of the Part-Time Members, the Board Member engages in paid work that, in the Minister's opinion, conflicts or could conflict with the proper performance of his or her duties;¹³
 - b) in the case of the CEO, if the CEO engages in paid work outside the duties of his or her office without the Minister's approval;¹⁴
 - c) the Board Member becomes a member of the governing body of a relevant interest group;¹⁵ or
 - d) the Board Member fails, without reasonable excuse, to disclose a personal material interest to the Minister.¹⁶

A CULTURE OF PRO-DISCLOSURE

19. The Reef Authority supports a culture of pro-disclosure and Board Members are responsible for modelling and supporting this culture.
20. Consistent with this culture, and in order to meet their applicable statutory obligations, each Board Member must disclose any actual, perceived or potential conflict of interest or role that the member has from time-to-time if that interest or role could conflict, or could potentially conflict, or could be seen by outsiders to conflict, with the proper performance of the Board Member's office, irrespective of whether the interest:
- a) is direct or indirect;
 - b) is material or not;
 - c) is personal or not;
 - d) is pecuniary or not;
 - e) was acquired before or after the Board Member's appointment; and
 - f) irrespective of whether or not there is any particular matter under consideration by the Reef Authority that gives rise to an actual conflict of interest.
21. Board Members should be aware that whether they have a conflict or possible conflict or not is ultimately based on an objective test rather than their own subjective opinion. Disclosure of interests and other roles is designed to mitigate the risk of:
- a) Board Members discharging their function in a way that is tainted by a private interest;
 - b) a perception of impropriety;
 - c) a loss of confidence in the deliberations and decisions of the Reef Authority.
22. To support a pro-disclosure culture, the Reef Authority has appointed an independent probity adviser. The role of the independent probity adviser is described at [Schedule 3](#).



23. If a Board Member becomes aware of an undisclosed actual, potential or perceived conflict of interest of another Board Member, the Board Member must draw this to the attention of the Chairperson of the Reef Authority (or CEO, if the interest relates to the Chairperson).

PROCEDURES FOR DISCLOSURE AND MANAGEMENT

DISCLOSING INTERESTS

On appointment as Board Member

24. Board Members must complete a Reef Authority Disclosure Statement after receiving their instrument of appointment using the form in [Schedule 2](#).
25. Disclosure statements must be provided to the Chairperson and Secretariat, and disclosures made must be available to all other Board members through the Conflict-of-Interest Register.
26. The Chairpersons' disclosure statements must be provided to the CEO and Secretariat.

Updating disclosures of interests as a Board Member

27. Board Members must update in writing their Reef Authority disclosure statement as soon as practicable whenever there is a change in their interests (including a new or possible material personal interest, or a change in the nature or extent of an existing interest).
28. In addition to the ongoing obligation to update changes to interests, Board Members must review and update their disclosure statement each financial year. The Secretariat will ensure Board Members are requested to complete the annual update by 30 June each year.
29. Updated disclosure statements must be provided to the Chairperson (and in relation to the Chairperson, the CEO) and the Secretariat, and disclosures made must be available to all other Board members through the Conflict-of-Interest Register.
30. Updated disclosure statements may be required to be provided to the Minister in certain circumstances set out in this Policy.

MANAGING CONFLICTS OF INTEREST

31. The Chairperson (and CEO, in relation to Chairperson disclosures) will be guided by the procedures set out below, which will apply unless the Chairperson / CEO has proposed (on the advice of the probity adviser if necessary), and the Board Members have accepted, an alternative.
32. The Chairperson (and CEO, in relation to Chairperson disclosures) must assess and manage all disclosed and identified conflicts of interest in accordance with this policy and may seek probity advice at any time (refer Clause 47).

Conduct of meetings

Prior to meeting

33. At least 5 working days prior to the distribution of materials for a Board Meeting, the Secretariat will email all Board Members requesting each member review the agenda of the upcoming meeting and advise, in writing, if any items of business may give rise to a conflict of interest.
34. The Chairperson, or CEO where the Chairperson has declared an interest, will direct the Secretariat to exclude from materials to be provided to Board Members any information (including Board papers, minutes, agenda items) that relates to a matter in which the Board Member has:
- a) a material personal interest;



- b) related outside paid work;
- c) related membership of a relevant interest group (even where the Board Member is not a member of the governing body of the relevant interest group);
- d) any other type of interest that the Chairperson, or CEO (in relation to the Chairperson), considers is of such a nature that the relevant Board Member should not receive information relating to the matter.

During meetings

- 35. If Clause 34 above applies to the Chairperson, the Chairperson will vacate the meeting (and leave the room) and the other Board Members present must choose one of themselves to preside while the matter is being considered.
- 36. If a Board Member wishes to raise an issue in relation to an interest of another Board Member, the Board Member who has the interest will absent themselves while the matter is discussed.

MATERIAL PERSONAL INTERESTS

- 37. The following requirements apply to material personal interests in addition the above requirements for managing conflicts of interest more broadly. In particular, the below requirements do not circumvent the requirement to provide an updated disclosure statement.
- 38. If a Board Member has a new material personal interest, or a change to the nature and extent of an existing material personal interest, the Board Member must, as soon as practicable after the Board Member becomes aware of the interest or change:
 - a) Make a written or verbal disclosure of the interest (including details of the nature and extent of the interest, and how the interest relates to the affairs of the Reef Authority) at the next meeting of the Marine Park Authority Board;
 - b) Ensure that this verbal disclosure is recorded in the minutes of the meeting (in practice, the Secretariat will attend to recording the minutes, which can be confirmed by the Board Member at the next meeting); and
 - c) Ensure that the Secretariat provides an updated disclosure statement, containing a declaration of the material personal interest, to the Minister in writing.¹⁷

Conduct of meeting

During meetings

- 39. In respect of a matter which the Board Member has disclosed a material personal interest, unless the other Board Members otherwise determine, the Board Member must not:
 - a) be present during any consideration by the Board Members on the matter;¹⁸ or
 - b) take part in any decision (including any vote) on the matter.¹⁹
- 40. For the purposes of making a determination under Clause 39 above, the Board Member who has made the disclosure:
 - a) must not be present during any consideration by the other Board Members on the matter²⁰;
 - b) must not take part in making the determination²¹; and
 - c) must ensure the determination is recorded in the minutes of the meeting (in practice, the Secretariat will attend to recording the minutes, which can be Confirmed by the Board Member at the next meeting).²²



To avoid any doubt, a determination that may be made under Clause 39 above is not restricted to covering only the matters in Subclauses 39 (a) and (b), nor must it cover both the matters in those Subclauses. For example, it is open to the other Board members to determine that the Board Member who has disclosed a personal material interest may be present during any consideration by the Board Members on the matter and may participate in discussions on the matter, but must not take part in any decision (including any vote) on the matter.

41. The minute taker will record in the minutes of the Marine Park Authority Board:
- a) any disclosure of a material personal interest made by a Board Member during any meeting;
 - b) the discussion, if any, in relation to the disclosure of a Board Member;
 - c) if any information has been excluded from a Board Member;
 - d) if any Board Member absents himself or herself from a meeting of the Authority due to a material personal interest; and
 - e) any determination by the Marine Park Authority Board referred to in Clause 39 above.

OUTSIDE PAID WORK

42. If a Board Member wishes to engage in outside paid work, or substantially change any existing arrangements for outside paid work, the Board Member must seek the Minister's prior approval for the paid work. A written request (outlining the paid work arrangements) seeking Ministerial approval must be provided to the Secretariat for provision to the Minister.
43. If Ministerial approval is given, the Board Member must update their disclosure statement.

MEMBERSHIP OF A GOVERNING BODY OF A RELEVANT INTEREST GROUP

44. If a Board Member has a new, changed or proposed involvement in the management of another entity, the Board Member must advise the Chairperson (or the CEO if the Board Member is the Chairperson) immediately.
45. The Chairperson / CEO must:
- a) discuss the matter with the relevant Board Member;
 - b) assess whether the new, changed or proposed involvement in the management of the other entity is likely to give rise to membership of the governing body of a relevant interest group, having regard to the principles set out or below;
 - c) If the Chairperson / CEO's assessment is that the new, changed or proposed involvement in the management of the other entity is likely to give rise to membership of a governing body of a relevant interest group, the Chairperson / CEO must:
 - i. arrange for the Secretariat to advise the Minister; and
 - ii. (unless the involvement is only proposed and is not yet occurring) advise the Board Member that they cannot participate in meetings or receive Reef Authority materials until a response is received from the Minister regarding the continuing appointment of the Board Member on the Board, or the issue has otherwise been resolved.
46. When assessing whether a Board Member is a member of the governing body of a relevant interest group, the following principles should be applied:
- a) *'involved in the management'* of another entity, requires consideration of whether they are involved in organising, supervising or directing the entity.²³ Status as a director, board member or in another leadership role may indicate this, however, consideration should be given to the role description on a case-by-case basis



- b) *'another entity'* is to be read broadly. It includes entities that are not incorporated
- c) *'represents one or more groups of people'*; does not necessarily require:
 - i. the entity in question to represent one or more groups of people in a legal capacity; or
 - ii. the entity in question to speak on behalf of one or more groups of people - an entity may still *'represent one or more groups of people'*, by advocating for or in the interests of one or more groups of people);
- d) *'relevant interest group'* may not necessarily be met where a the entity represents one or more groups of people who are directly involved in advocating generally about the Marine Park (and not advocating about the management of the Marine Park)
- e) *'use the Marine Park for commercial purposes'* includes using the Marine Park for any commerce or business purposes
- f) *'advocating about the management of the Marine Park'* is not affected by whether an entity has a range of other priorities which are not connected with advocating about the management of the Marine Park / using the Marine Park for commercial purposes.

OBTAINING PROBITY ADVICE

- 47. Any Board Member having concerns regarding any issue of conflict of interest or duty must consult with the Chairperson (or CEO, if the Board Member is the Chairperson) and may:
 - a) consult the independent probity adviser described in [Schedule 3](#); and
 - b) where it is suggested by the probity adviser that it is appropriate for the member to do so, obtain independent legal advice to avoid or resolve any actual, potential or perceived conflict of interest or duty.
- 48. The Chairperson (or CEO, if the Board Member is the Chairperson) may consult the independent probity adviser and seek advice where there are concerns relating to any issue of conflict of interest or duty of a Board Member.
- 49. Any Board Member wanting to consult the probity adviser must do so via the Secretariat.
- 50. The Secretariat will arrange for the provision of advice to the Board from the independent probity adviser on request.
- 51. The Secretariat will arrange for Board members to meet with the probity adviser at the commencement of onboarding, prior to the distribution of Reef Authority briefing materials or briefings by the Reef Authority.
- 52. The role of the independent probity adviser is described at [Schedule 3](#).

SECRETARIAT RESPONSIBILITIES

- 53. The Authority Secretariat is responsible for:
 - a) maintaining a conflict-of-interest register of Board Members' declarations of interests, which is available to all other Board Members but otherwise kept confidential. This register will include:
 - i. any standing interests disclosed by Board Members as well as new or revised interests that are declared; and
 - ii. any steps taken to manage conflicts of interest;



- b) forwarding updated Disclosure Statements to the Chairperson (or the CEO, in the case of Chairperson Disclosure Statements) for assessment and if necessary, probity advice;
- c) on advice from the Chairperson / CEO, forwarding to the Minister all details of material personal interests, paid work and memberships of governing bodies of relevant interest groups;
- d) requesting each member review the agenda of the upcoming meeting and advise if any items of business may give rise to a conflict of interest;
- e) on advice from the Chairperson / CEO, ensuring the distribution of information to individual Board Members is consistent with their respective conflicts of interest; and requesting, at the beginning of each financial year, a review and completion of Disclosure Statements by Board Members;
- f) arranging the provision of advice from the independent probity.



REFERENCES

1. [Great Barrier Reef Marine Park Act 1975](#), section 15A.
2. [Explanatory Memorandum, Great Barrier Reef Marine Park Amendment \(Authority Governance Other Matters\) Bill 2017](#), paragraph 33.
3. *Great Barrier Reef Marine Park Act 1975*, section 39ZQ.
4. *Great Barrier Reef Marine Park Act 1975*, section 15B (in relation to Board members), section 39ZR (in relation to the CEO).
5. *Great Barrier Reef Marine Park Act 1975*, section 10 (10) (a).
6. *Great Barrier Reef Marine Park Act 1975*, section 10(10) (b) (i) and (ii).
7. Explanatory Memorandum, *Great Barrier Reef Marine Park Amendment (Authority Governance Other Matters) Bill 2017*, paragraph 22.
8. *Great Barrier Reef Marine Park Act 1975*, section 6(2)(b) and (c), and [Public Governance, Performance and Accountability Act 2013](#), section 13(2) and 13(3) (a) and (b).
9. *Public Governance, Performance and Accountability Act 2013*, section 29 (1). *The Great Barrier Reef Marine Park Act 1975*, section 16A, also requires compliance with section 29 of the *Public Governance, Performance and Accountability Act 2013*.
10. *Grand Enterprises Pty Ltd v Aurium Resources Ltd* (2009) 256 ALR 1.
11. *The Bell Group (in liq) v Westpac Banking Corporation* (No. 9) (2008) 70 ACSR 1.
12. [Public Service Act 1999](#), section 14. [Public Services Regulations 2023](#), section 8. The *APS Code of Conduct* is set out in section 13 of the *Public Service Act 1999*.
13. *Great Barrier Reef Marine Park Act 1975*, section 16(2)(c).
14. *Great Barrier Reef Marine Park Act 1975*, section 39ZT(2)(c).
15. *Great Barrier Reef Marine Park Act 1975*, section 39ZT(2)(d) (in relation to the CEO), section 16(2)(d) (in relation to Part-Time Members).
16. *Great Barrier Reef Marine Park Act 1975*, section 39ZT(2)(f) (in relation to the CEO), section 16(2)(f) (in relation to Part-Time Members).
17. The requirements identified under Clause 38, sub-sections (a),(b) and (c) are intended to assist to meet the statute (*Public Governance, Performance and Accountability Act Rule 2014*, section 16A).
18. [Public Governance, Performance and Accountability Act Rule 2014](#), section 16B(2)(a).
19. *Public Governance, Performance and Accountability Act Rule 2014*, section 16B(2)(b).
20. *Public Governance, Performance and Accountability Act Rule 2014*, section 16B(3)(a).
21. *Public Governance, Performance and Accountability Act Rule 2014*, section 16B(3)(b).
22. *Public Governance, Performance and Accountability Act 2013*, section 16B(4).
23. Oxford English Dictionary definition of 'management' reads as 'the activity of running and controlling a business or similar organisation'.



SCHEDULE 1 – SUMMARY OF LEGISLATIVE RESPONSIBILITIES

Obligations		Part-Time Members	CEO
Great Barrier Reef Marine Park Act 1975	15A – must not engage in any paid work that, in the Minister’s opinion, conflicts or could conflict with the proper performance of duties.	X	
	15B – must not be a ‘member of the governing body of a relevant interest group’ 10(10) – a person is a member of the ‘governing body of a relevant interest group’ if: <ul style="list-style-type: none"> the person is involved in the management of another entity (incorporated or otherwise); and the other entity represents one or more groups of people who: <ul style="list-style-type: none"> are directly involved in advocating about the management of the Marine Park; or use the Marine Park for commercial purposes. 	X	X
	16A – disclosure of material personal interests under s 29 of the PGPA Act must be made to the Minister (<i>this is in addition to requirements under the PGPA Act – see below</i>).	X	
	39ZQ – must not engage in any paid work outside the duties of his or her office without the Minister’s approval.		X
	39ZR – must not be a ‘member of the governing body of a relevant interest group.’		X
Public Governance, Performance and Accountability Act 2013	29 – an official of Commonwealth entity who has a <i>material personal interest</i> that relates to the affairs of the entity must disclose details of the interest. (Under s 6 of GBRMP Act, the CEO and other members are officials of the Authority (a listed entity). There is no legislative definition of ‘material personal interest’. However, material personal interests are not confined to pecuniary interests. The PGPA Rule sets out further detail how and when interests must be disclosed – see below. Under the GBRMP Act disclosure by part-time members are to be made to the Minister (see s 16A above)).	X	X



Obligations		Part-Time Members	CEO
Public Governance, Performance and Accountability Rule 2014	13 – the accountable authority who has a material personal interest must disclose interest in writing to the Minister, setting out: nature and extent of interest, how it relates to the Authority and do so as soon as practicable after the accountable Authority becomes aware of the interest.		X
	16 – An official who has a material personal interest must disclose that interest in accordance with any instructions given by the accountable authority of the entity.	X	
	16A – Members of the Authority board that have a material personal interest must disclose that interest orally or in writing to each other, setting out details of the nature and extent of the interest and how the interest relates to the Authority. Disclosure must be made at a meeting of the board as soon as practicable after the member becomes aware of the interest (including any changes to the interest). The member must ensure the disclosure is recorded in the minutes of the board meeting. <i>(This provision applies to CEO because of s 16C)</i>	X	X
	16B – a member of the Authority board is not to be present during any consideration of a matter or vote on a matter in which they have disclosed a material personal interest in the matter <u>unless</u> the other members of the board otherwise determine. The member with the material personal interest must not be present while the other members consider or determine whether that member is able to be present or vote on the matter. <i>(This provision applies to CEO because of s 16C)</i>	X	X
Public Service Act 1999	13(7) – APS Code of Conduct provides that a person must: <ul style="list-style-type: none"> take reasonable steps to avoid a conflict of interest (real or apparent) in connection with their employment; and disclose details of any material personal interest in connection with their employment. <i>(Applies to CEO as Agency Head and to Agency members under s 14 of the A</i>	X	X



SCHEDULE 2 – DISCLOSURE STATEMENT

GREAT BARRIER REEF MARINE PARK AUTHORITY BOARD MEMBER'S STANDING DISCLOSURE OF INTERESTS AND PARTICULARS

To: The Chairperson of Great Barrier Reef Marine Park Authority Board (or CEO where the disclosure is made by the Chairperson).

CC. Secretariat

1. This Disclosure of Interests and Particulars (**disclosure statement**) is provided to you for the purposes of the Authority's Policy Regarding the Disclosure and Management of Conflicts of Interest (and my associated statutory obligations referred to in that Policy) and for the purposes of the good governance of the Great Barrier Reef Marine Park Authority (**Authority**).
2. I am, or it is proposed that I be involved in, the management of the entities listed in **Table 1 (Involvement in the Management of Other Entities)**.

Note: Involvement in management may include a role such as director, partner, board member, or member however it is not limited to these and depends on the nature and extent of your involvement. Entities may include, but are not limited to, companies, corporations, firms, associations, groups and statutory authorities. It does not matter whether the entity is incorporated or not.

3. I engage, or propose to engage in, the outside paid work listed in **Table 2 (Outside Paid Work)**.
4. I have set out in **Table 3 (Possible Material Personal Interests)** all interests that might be material personal interests that relate to the affairs of the Authority.

Note: It does not matter whether the interests are pecuniary or not.

5. I have set out in **Table 4 (Other Interests)** all other interests I have that might present an actual, potential or perceived conflict that relates to the affairs of the Authority.

Note: This includes investments (including, but not limited to, companies and trusts) that you or your close family have made.

6. Whenever there is a change in the matters required to be disclosed (including a new interest or a change in the nature or extent in an existing interest), I will provide you with an updated disclosure statement as soon as is practicable.

SIGNED by:

[Insert Name of Signatory]

[Insert Signature]

DATED:

[Insert Date]



TABLE 1 – INVOLVEMENT IN THE MANAGEMENT OF OTHER ENTITIES

Name of the entity (if there are none, state 'nil')	Nature and extent of your involvement / proposed involvement	Do you consider this involves being a member of a governing body of a relevant interest group?	If so, has the Minister been advised?

TABLE 2 – OUTSIDE PAID WORK

Name of the entity [if there are none, state 'nil']	Nature and extent of the paid work	Do you consider the work conflicts or could conflict with your duties?	Has the Minister approved?

TABLE 3 – POSSIBLE MATERIAL PERSONAL INTERESTS

Nature and extent of the interest	How does interest relate to the affairs of the Authority?	Has the interest been disclosed to the Minister?

TABLE 4 – OTHER INTERESTS

Describe the interest	How does interest relate to the affairs of the Authority?



SCHEDULE 3 – PROBITY ADVISER

1. The Authority has appointed a probity adviser who is independent to the Authority.
2. The role of the probity adviser is to provide the following services:
 - a) Probity induction for all new Board Members;
 - b) Annual probity refresher updates to the Authority Board; and
 - c) Provide advice to the Authority Board on the management of potential conflicts of interest.
3. The probity adviser may be consulted (via the Secretariat) by the Chairperson, any other Board Member, or the Authority Board, at any time at the cost of the Authority.
4. A copy of all advice provided by the probity adviser must be provided to the Authority's internal lawyer responsible for managing the Authority's engagement of the probity adviser, and to the Chairperson (or to the CEO, if the advice concerns the Chairperson). The Chairperson (or CEO, where relevant) must exercise discretion in deciding whether it is appropriate for any advice to be shared further with other Board Members, the Secretariat, the Minister and / or any other person. Other than as stated in this paragraph, the probity adviser will keep the subject matter of advice provided confidential and will not disclose it, except as required by the Chairperson (or CEO, where relevant) or by law.
5. The probity adviser will keep a record of any approach he or she may have from, or discussion with, a Board Member, including the date and time of any discussions, who the discussions were with, the nature of conflict and a summary of any advice provided.
6. The probity adviser may refer any person consulting with them under paragraph 3 above to the Authority's internal lawyers for legal advice, or may consult with the Authority's internal lawyers, if they consider this is required.
7. Given that the probity adviser's client is the Authority Board, and not individual Board Members, the probity adviser may suggest that it is appropriate for a Board Member to obtain independent legal advice in some circumstances, such as where the provision of advice that is in the best interests of the Authority Board may conflict with providing advice that is in the best interests of an individual Board Member.