

**Submission
No 7**

**REVIEW OF THE CONSTITUTION (DISCLOSURES BY MEMBERS)
REGULATION 1983**

Name: Mr Alister Henskens MP
Position: Member of Parliament
Date Received: 14 September 2018

Dear Mark,

I respond to your call for submissions on the above as follows:

1. If there is to be continuous disclosure then there ought to be a generous period of time after a trigger for disclosure arises before the obligation to disclose arises. Any imposition of continuous disclosure needs to take into account the fact that MP's are busy people and that in order to properly fulfil their parliamentary duties, they ought not to be burdened by constant administrative burdens like continuous disclosure obligation. The public benefit from placing this new burden needs to be carefully assessed against the real benefit to be obtained from a system which currently requires 6 monthly disclosures at present. I am not convinced that the benefits to the public justify the burden.
2. I think the monetary thresholds from 1983 should clearly be increased and then regularly increased by CPI thereafter. The burden/ benefit arguments in 1 equally apply to this issue.
3. Public service thought the parliament is already quite onerous for one's family. Many MP's have partners and children who will not appreciate the public having access to information about their private affairs. We do not want to deter men and women from coming into Parliament because of these types of incursions into family privacy. If there is to be any requirement for expanding the class of persons who are the object of the disclosures then I would say that these disclosures should not be on a public register but only capable of being inspected by a limited and restricted class of persons with criminal offences for the publication of this information by any person or news organisation. At the moment the Ministerial code of conduct requires confidential disclosures of related persons and I think a similar system should be used if these types of disclosures are made. Clearly Eddie Obeid was able to use family members and family trusts to hide assets from proper disclosure and these matters should be tightened up but in a more private manner where they relate to family members.

Regards,

Alister

Alister Henskens SC MP
Member for Ku-ring-gai