

LEGISLATIVE COUNCIL

STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS

INQUIRY INTO THE PECUNIARY INTERESTS REGISTER

TERMS OF REFERENCE

Resolution passed by the Legislative Council on Wednesday 25 September 2002:

1. That this House notes the requirements of section 14A (1) of the Constitution Act 1902 and the Constitution (Disclosures by Members) Regulation 1983 for Members to disclose the following pecuniary interests or other matters:
 - (a) real property
 - (b) sources of income
 - (c) gifts
 - (d) contributions to travel
 - (e) interests and positions in corporations
 - (f) positions in trade unions and professions or business associations
 - (g) debts
 - (h) dispositions of property, and
 - (i) discretionary disclosures.
2. That this House further notes section 14A (2) of the Constitution Act 1902 which states:
 - (2) If a Member of either House of Parliament wilfully contravenes any regulation made under subsection (1), that House may, in accordance with subsection (3), declare his seat vacant and the seat of the Member shall thereupon become vacant.
3. That this House notes that in response to Questions without Notice directed to the Honourable Edward Obeid, he stated, among other things:
 - (a) "...Since I became a minister I have had no active part in any professional practice or in any business." – Letter to Premier in Hansard, 8 September 1999, p. 64,
 - (b) "...my pecuniary interests of 1999 stand." – Hansard, 29 August 2000, p. 8392,
 - (c) "I have complied with the requirements of my pecuniary register every year." – Hansard, 31 August 2000, p. 8555,
 - (d) "My pecuniary interests are well in order..." – Hansard, 5 September 9 2000, p. 8602

- (e) “...I have answered enough questions on my pecuniary interests. They are there for everyone to see. They comply with the requirements of the Constitution...” – Hansard, 31 October 2000, p. 9331,
 - (f) “...Anything I have to say about my pecuniary interests is well recorded. Any time that I feel it should be corrected, I have done so.” – Hansard proof, 18 September 2002, p. 16.
4. That the Standing Committee on Parliamentary Privilege and Ethics investigate and report on:
- (a) whether, under section 14A (2) of the Constitution Act 1902, the Honourable Edward Obeid, Minister for Mineral Resources and Minister for Fisheries, has wilfully contravened the requirements of clause 12 of the Constitution (Disclosures by Members) Regulation 1983 by failing to disclose any pecuniary interest as required under the Regulation,
 - (b) what, if any, sanctions should be enforced in relation to the conduct of the Honourable Edward Obeid, Minister for Mineral Resources and Minister for Fisheries, in this matter, and
 - (c) whether the provisions of the Constitution (Disclosures by Members) Regulation 1983 should be amended to provide for the provision of supplementary or amended disclosures by Members.
5. That the Committee have power to take evidence, and to send for persons, papers, records and things.
6. That leave be given to Members and Officers of the Legislative Council to appear and give evidence to the Committee in relation to the inquiry.
7. That the Committee report in relation to paragraph 4 (a) and (b) by Thursday 31 October 2002, and in relation to paragraph 4 (c) as the Committee thinks fit.

(Minutes of the Proceedings of the Legislative Council, No. 36, Wednesday 25 September 2002, entry No. 14)