

South Australia

Members of Parliament (Register of Interests) Regulations 1993

under the *Members of Parliament (Register of Interests) Act 1983*

Contents

- 1 Short title
- 2 Commencement
- 3 Revocation
- 4 Interpretation
- 5 Form of returns

Schedule 1—Prescribed form—Primary return

Schedule 2—Prescribed form—Ordinary return

Legislative history

1—Short title

These regulations may be cited as the *Members of Parliament (Register of Interests) Regulations 1993*.

2—Commencement

These regulations will come into operation on 1 July 1993.

3—Revocation

The *Members of Parliament (Register of Interests) Regulations 1983* (see *Gazette 4.8.1983 p294*) are revoked.

4—Interpretation

In these regulations, unless the contrary intention appears—

the Act means the *Members of Parliament (Register of Interests) Act 1983*.

5—Form of returns

- (1) For the purposes of section 4(1) of the Act, a primary return must be in the form as set out in Schedule 1.
- (2) For the purposes of section 4(2) of the Act, an ordinary return must be in the form as set out in Schedule 2.
- (3) A primary return or an ordinary return and each annexure to the return must be signed by the Member to whom it relates in the presence of a witness who must subscribe his or her signature to the return and each annexure.

Schedule 1—Prescribed form—Primary return

Parliament of South Australia

Register of Members' interests

Primary return

Defined terms are underlined and definitions appear after Item 10

This return must be submitted to the Registrar, within 30 days after taking and subscribing the oath or affirmation as a Member.

Please complete this return by typewriter.

Surname:

Other names:

.....

Electoral district:

.....

Item 1 Anticipated income sources for next 12 months	
<p>Name of—</p> <ul style="list-style-type: none">• employer of• body with which paid office is held by• trade, vocation, business or profession engaged in by <p>any of the following:</p> <ul style="list-style-type: none">• Member• <u>family member</u>• trustee of <u>family trust</u> (in capacity as such)• <u>family company</u> <p>whether current or expected during the 12 months after the date of this return.</p> <p>NB There is no need to disclose the fact that you are a Member of Parliament, a Minister or that you are a member of a Parliamentary committee.</p>	

Item 2 Directorships etc	
Name of any company or other body, corporate or unincorporate, in which	
<ul style="list-style-type: none"> • Member; or • <u>family member</u> holds any office as director or otherwise.	
Item 3 Investments	
Name or description of any body in which any of the following:	
<ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> is an investor , ie where any of the above—	
<ul style="list-style-type: none"> • has deposited \$10 000 or more with the body • has lent \$10 000 or more to the body • owns or has a beneficial interest in shares or debentures of the body • has a life insurance policy issued by the body. 	
Item 4 Political and trade and professional associations	
Name of any political, trade or professional bodies to which the Member belongs.	

Item 5 Involvement with trusts	
Name and address of each trustee and a concise description of any non-testamentary trust which has as a trustee or beneficiary any of the following: <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u>. 	
Item 6 Interests in land	
Address or description of land which is owned by any of the following: <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> or in which any of the above has a beneficial interest. If the interest is held as security for a debt, you do not have to disclose the interest.	
Item 7 Contributions made to funds for Member's benefit	
Details of any fund in which any of the following: <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> has an actual or prospective interest to which contributions are made by someone other than the Member or a <u>person related to the Member</u> .	

Item 8 Creditors	
<p>Name and address of person to whom or body to which any of the following:</p> <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> <p>owes \$7 500 or more (no need to disclose creditors who are relations by blood or marriage).</p>	
Item 9 Debtors	
<p>Name and address of natural persons who owe \$10 000 or more to any of the following:</p> <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> <p>(no need to disclose debtors who are relations by blood or marriage).</p>	
Item 10 Other substantial interests	
<p>Details of any other substantial interest held by any of the following:</p> <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> <p>of which Member is aware and which might appear to raise a material conflict between Member's private interest and Member's public duty.</p>	

Family member:
The Member's spouse and those of the Member's children who are under 18 and who normally reside with the Member.

Family trust:
A trust (other than a testamentary trust)

- of which the Member or a family member is a beneficiary; and
- which is established or administered wholly or substantially in the interests of the Member or of a family member or any such persons together.

Family company:
A proprietary company

- in which the Member or a family member is a shareholder; and
- in respect of which the Member or a family member or any such persons together are in a position to cast or control the casting of more than one half of the maximum number of votes that might be cast at a general meeting of the company.

Person related to a Member:
Family member, trustee of a family trust, or a family company.

NB If there is insufficient space on this form, please request the Registrar for additional pages.

Signature of Member

Signature of witness

Date

Schedule 2—Prescribed form—Ordinary return

Parliament of South Australia

Register of Members' interests

Ordinary return

Defined terms are underlined and definitions appear after Item 13

This return must be submitted to the Registrar, no later than **30 August**.

Please complete this return by typewriter.

You must supply **all** information for the return period, irrespective of the fact that it may have been previously disclosed in an earlier return.

Surname:

Other names:

Electoral district:

Item 1 Employment and business	
Name of— <ul style="list-style-type: none">• employer of• body with which paid office is held by• trade, vocation, business or profession engaged in by any of the following: <ul style="list-style-type: none">• Member• <u>family member</u>• trustee of <u>family trust</u> (in capacity as such)• <u>family company</u> where the income from that source exceeded \$1 000 during the <u>return period</u> . NB There is no need to disclose the fact that you are a Member of Parliament, a Minister or that you are a member of a Parliamentary committee.	

Item 2 Directorships etc	
Name of any company or other body, corporate or unincorporate, in which <ul style="list-style-type: none"> • Member; or • <u>family member</u> held any office as director or otherwise during the <u>return period</u> .	
Item 3 Travel contributions	
Name of source of contributions (in cash or kind) of an amount or value of \$750 or more to Member's or a <u>family member's</u> travel and/or accommodation and associated costs and expenses outside South Australia during the <u>return period</u> (but not including contribution by the State, a State public authority, an employer or person related by blood/marriage). <p>NB If the same person gives you a number of travel benefits and the value of all the benefits comes to \$750 or more, you must disclose that source.</p>	
Item 4 Gifts	
Particulars, including the name of the donor, of gifts of an amount or value of \$750 or more received by any of the following: <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> during the <u>return period</u> from someone who is not related to the Member or a <u>family member</u> by blood/marriage. <p>NB If you receive several gifts from the same person and the value of all the gifts comes to \$750 or more, you must disclose that source.</p>	

Item 4A Contracts with Crown	
<p>Particulars of any contract made during the <u>return period</u> with the Crown in right of the State by any of the following:</p> <ul style="list-style-type: none">• Member• <u>family member</u>• trustee of <u>family trust</u> (in capacity as such)• <u>family company</u> <p>where any monetary consideration payable by a party to the contract equals or exceeds \$7 500.</p> <p>NB If each contract of a class of contracts with the Crown is an ordinary commercial or arm's length contract, you need only disclose particulars of the class of contracts (rather than particulars of the individual contracts).</p>	
Item 5 Interests in land	
<p>Address or description of land which is owned by any of the following:</p> <ul style="list-style-type: none">• Member• <u>family member</u>• trustee of <u>family trust</u> (in capacity as such)• <u>family company</u> <p>or in which any of the above has a beneficial interest.</p> <p>NB Interests in land which you have by way of security for debt should be disclosed at Item 12.</p>	

Item 6 Investments	
<p>Name or description of any body in which any of the following:</p> <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> <p>is an investor, ie where any of the above—</p> <ul style="list-style-type: none"> • has deposited \$10 000 or more with the body • has lent \$10 000 or more to the body • owns or has a beneficial interest in shares or debentures of the body <p>or</p> <ul style="list-style-type: none"> • has a life insurance policy issued by the body. 	
Item 7 Political and trade and professional associations	
Name of any political, trade or professional bodies to which the Member belongs.	
Item 8 Involvement with trusts	
<p>Name and address of each trustee and a concise description of any non-testamentary trust which has as a trustee or beneficiary any of the following:</p> <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u>. 	

Item 9 Other sources of benefits	
<p>Name and address of person who has granted the use of any land or of anything to any of the following:</p> <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> <p>during the <u>return period</u> where the use is worth \$750 or more and where the person conferring the right is not related to the Member or a <u>family member</u> by blood/marriage. Do not repeat interests already disclosed at Item 5.</p> <p>NB If the same person grants you several benefits which total \$750 or more in value, you must disclose that source.</p>	
Item 10 Contributions made to funds for Member's benefit	
<p>Details of any fund in which any of the following:</p> <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> <p>has an actual or prospective interest to which contributions are made by someone other than the Member or a <u>person related to the Member</u>.</p>	

Item 11 Creditors	
Name and address of person to whom or body to which any of the following: <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> owes \$7 500 or more (no need to disclose creditors who are relations by blood or marriage).	
Item 12 Debtors	
Name and address of natural persons who owe \$10 000 or more to any of the following: <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> (no need to disclose debtors who are relations by blood or marriage).	
Item 13 Other substantial interests	
Details of any other substantial interest held by any of the following: <ul style="list-style-type: none"> • Member • <u>family member</u> • trustee of <u>family trust</u> (in capacity as such) • <u>family company</u> of which Member is aware and which might appear to raise a material conflict between Member's private interest and Member's public duty.	

Return period:

The 12 months ending on 30 June preceding date of this return **or** where the Member's previous return was a primary return, the period from the date of the primary return until the following 30 June.

Family member:

The Member's spouse and those of the Member's children who are under 18 and who normally reside with the Member.

Family trust:

A trust (other than a testamentary trust)

- of which the Member or a family member is a beneficiary; **and**
- which is established or administered wholly or substantially in the interests of the Member or of a family member or any such persons together.

Family company:

A proprietary company

- in which the Member or a family member is a shareholder; **and**
- in respect of which the Member or a family member or any such persons together are in a position to cast or control the casting of more than one half of the maximum number of votes that might be cast at a general meeting of the company.

Person related to a Member:

Family member, trustee of a family trust or a family company.

NB If there is insufficient space on this form, please request the Registrar for additional pages.

Signature of Member

Signature of witness

Date

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Revocation of regulations

The *Members of Parliament (Register of Interests) Regulations 1993* were revoked by Sch 3 of the *Members of Parliament (Register of Interests) Regulations 2008* on 1.9.2008.

Principal regulations and variations

Year	No	Reference	Commencement
1993	167	<i>Gazette 1.7.1993 p409</i>	1.7.1993: r 2
1995	29	<i>Gazette 13.4.1995 p1427</i>	13.4.1995: r 2
2003	147	<i>Gazette 12.6.2003 p2500</i>	12.6.2003: r 2

Provisions varied

Provision	How varied	Commencement
Sch 1	heading substituted by 147/2003 Sch 1	12.6.2003
Sch 2	heading substituted by 147/2003 Sch 1	12.6.2003
Item 4A	inserted by 29/1995 r 3	13.4.1995