

# Constitution (Disclosures by Members) Regulation 1983

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New South Wales

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### Authorisation

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# Constitution (Disclosures by Members) Regulation 1983



New South Wales

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# Constitution (Disclosures by Members) Regulation 1983



New South Wales

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation may be cited as the *Constitution (Disclosures by Members) Regulation 1983*.

### 2 (Repealed)

### 3 Interpretation

- (1) In this Regulation, except in so far as the context or subject-matter otherwise indicates or requires:

**Clerk** means:

- (a) in relation to a Member of the Legislative Council—the Clerk of the Legislative Council, or
- (b) in relation to a Member of the Legislative Assembly—the Clerk of the Legislative Assembly.

**discretionary return** means a return in or to the effect of Form 4.

**general election** means:

- (a) in relation to a Member of the Legislative Council—a periodic Council election, or
- (b) in relation to a Member of the Legislative Assembly—a general election of Members of the Legislative Assembly.

**Member** means a Member of either House of Parliament.

**ordinary return** means a return in or to the effect of Section 2 of Form 2.

**ordinary return period**, in relation to an ordinary return required to be lodged by a Member in a particular year, means:

- (a) where the last return lodged by the Member was an ordinary return—the period of 12 months ending on 30th June in that particular year, or
- (b) where the last return lodged by the Member was a primary return—the period commencing on the primary return date in relation to the Member and ending on 30th June in that particular year.

**primary return** means a return in or to the effect of Section 2 of Form 1.

**primary return date**, in relation to a person who becomes a Member (not being a re-elected Member), means the date on which he or she takes the pledge of loyalty required by section 12 of the Act.

**re-elected Member** means a person who is returned as a Member at a general election and who had ceased to be a Member by reason of the termination, either by dissolution or expiry, of the Legislative Assembly immediately preceding that general election.

**register** means the Register of Disclosures by Members of the Legislative Council compiled and maintained under clause 17 or the Register of Disclosures by Members of the Legislative Assembly compiled and maintained under clause 18.

**return** means any of the following:

- (a) a primary return,
- (b) an ordinary return,
- (c) a supplementary ordinary return,
- (d) a discretionary return.

**supplementary ordinary return** means a return in or to the effect of Section 2 of Form 3.

**the Act** means the [Constitution Act 1902](#).

- (2) A reference in this Regulation to a primary return or an ordinary return that was last lodged by a Member includes:
  - (a) a reference to a primary return or ordinary return in or to the effect of the relevant form set out in Schedule 1 (as in force before its substitution by the [Constitution \(Disclosures by Members\) Amendment Regulation 2007](#)) if that was the last return lodged by the Member, or
  - (b) a reference to a primary return or ordinary return in or to the effect of the relevant form set out in Schedule 1 (as in force before its substitution by the [Constitution \(Disclosures by Members\) Amendment Regulation 2008](#)) if that was the last return

lodged by the Member.

- (3) Notes included in this Regulation (except for directions, or examples and other notes in a Form) do not form part of this Regulation.

### **3A Forms**

- (1) In this Regulation, a reference to a Form is a reference to a Form in Schedule 1.
- (2) The relevant portion of a Form that is required to be completed by a Member must be completed in accordance with such of the following directions and guidelines (if any) as are consistent with this Regulation:
- (a) any directions specified in the Form,
  - (b) any guidelines issued or approved from time to time by the appropriate parliamentary committee for the Member.
- (3) Any examples or other notes included in a Form are provided only for the purpose of assisting Members to complete the Form.
- (4) In this clause, the **appropriate parliamentary committee** for a Member means:
- (a) a committee of the House of Parliament to which the Member belongs that is authorised by that House to issue or approve guidelines of the kind referred to in subclause (2) (b), or
  - (b) if a joint committee of the Houses of Parliament is so authorised by both Houses, that joint committee.

## **Part 2 Lodgment of returns by Members**

### **4 Primary returns**

A person who becomes a Member (not being a re-elected Member) must, within 3 months after the date on which he or she takes the pledge of loyalty required by section 12 of the Act, lodge a primary return with the Clerk.

### **5 (Repealed)**

### **6 Ordinary returns**

- (1) A Member shall, before the prescribed date in each year, lodge with the Clerk an ordinary return unless the primary return date in relation to the Member is after 30th April in that year.
- (2) For the purposes of subclause (1), the prescribed date in any year is:
- (a) except as provided in paragraph (b)—1st October in that year, or

- (b) where there are no Members of the Legislative Assembly on 1st October in that year by reason of the termination, either by dissolution or expiry, of the Legislative Assembly—the date on which the Legislative Assembly first meets after 1st October in that year.

#### **6A Supplementary ordinary returns**

- (1) A Member must, on or before the relevant date in each year (commencing in the calendar year of 2008), lodge a supplementary ordinary return with the Clerk if the Member has lodged either of the following returns (a ***previous return***):
  - (a) an ordinary return in respect of the ordinary return period ending on 30th June of the previous year,
  - (b) a primary return for which the primary return date was after 30th April but before 1st October of the previous year.
- (2) For the purposes of subclause (1), the relevant date in any year is:
  - (a) except as provided in paragraph (b)—31st March in that year, or
  - (b) where there are no Members of the Legislative Assembly on 31st March in that year by reason of the termination, either by dissolution or expiry, of the Legislative Assembly—the date on which the Legislative Assembly first meets after 31st March in that year.
- (3) The ***supplementary ordinary return period*** in relation to a Member who is required to lodge a supplementary ordinary return under subclause (1) is:
  - (a) in the case of a Member whose previous return was an ordinary return—the period commencing on 1st July and ending on 31st December of the previous year, or
  - (b) in the case of a Member whose previous return was a primary return:
    - (i) where the primary return date in relation to the Member was on or before 1st July of the previous year—the period commencing on 1st July and ending on 31st December of the previous year, or
    - (ii) where the primary return date in relation to the Member was after 1st July of the previous year—the period commencing on the primary return date and ending on 31st December in the previous year.
- (4) For the purposes of making disclosures in a supplementary ordinary return:
  - (a) the provisions of clauses 8, 12, 13, 14 and 16 apply with the following modifications:
    - (i) a reference in the provisions to an ordinary return is to be read as if it were a reference to a supplementary ordinary return, and

- (ii) a reference in the provisions to the ordinary return period in relation to a Member is to be read as if it were a reference to the supplementary ordinary return period in relation to the Member, and
  - (iii) any requirement imposed by the provisions to disclose a matter in an ordinary return is to be read as if it were a requirement to disclose the matter in a supplementary ordinary return, but only if the matter was not disclosed in the previous return and it occurred, or was received or had, during the supplementary ordinary return period,
- (b) the provisions of clauses 9, 10, 11, 15 and 15A apply with the following modifications:
  - (i) a reference in the provisions to an ordinary return is to be read as if it were a reference to a supplementary ordinary return, and
  - (ii) a reference in the provisions to the ordinary return period in relation to a Member is to be read as if it were a reference to the supplementary ordinary return period in relation to the Member, and
  - (iii) any requirement imposed by the provisions to disclose a matter in an ordinary return is to be read as if it were a requirement to disclose the matter in a supplementary ordinary return, but only if the matter occurred, or was received or had, during the ordinary supplementary ordinary return period (regardless of whether or not it was disclosed in the previous return).
- (5) A Member is not excused from disclosing in a subsequent ordinary return any matter that the Member has previously disclosed in a supplementary ordinary return for a supplementary ordinary return period that occurred during the ordinary return period for the ordinary return.

#### **6B Discretionary returns**

- (1) If a Member considers it appropriate to do so, the Member may lodge a discretionary return with the Clerk at any time before the date on which the Member is next required to lodge an ordinary return or supplementary ordinary return.
- (2) A discretionary return may contain such disclosures as the Member wishes to make concerning any or all of the matters that under this Regulation are required or permitted to be disclosed in an ordinary return.

### **Part 3 Pecuniary interests etc to be disclosed**

#### **7 Interpretation: Part 3**

- (1) In this Part, except in so far as the context or subject-matter otherwise indicates or requires:



**address** means:

- (a) in relation to a person other than a corporation—the last residential or business address of the person known to the Member disclosing the address,
- (b) in relation to a corporation—the address of the registered office of the corporation in New South Wales or, where there is no such office, the address of the principal office of the corporation in the place in which it is incorporated, or
- (c) in relation to any real property—the postal address of the property or the particulars of title of the property.

**debt** means:

- (a) a debt arising from a loan of money, or
- (b) a debt arising from the supply of goods or services.

**disposition of property** means any conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, and includes:

- (a) the allotment of shares in a company,
- (b) the creation of a trust in respect of property,
- (c) the grant or creation of any lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property,
- (d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of any debt, contract or chose in action, or of any interest in respect of property,
- (e) the exercise by a person of a general power of appointment over property in favour of any other person, and
- (f) any transaction entered into by any person with intent thereby to diminish, directly or indirectly, the value of his or her own property and to increase the value of the property of any other person.

**donor** means a person who makes a gift.

**gift** means any disposition of property made otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the donee to the donor, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel.

**income** means assessable income within the meaning of the [Income Tax Assessment Act 1936](#) or the [Income Tax Assessment Act 1997](#) of the Commonwealth, but does not include remuneration payable under the [Parliamentary Remuneration Tribunal Act](#)

1975.

**interest** means:

- (a) in relation to any property—any estate, interest, right or power whatever, whether at law or in equity, in or over the property, or
- (b) in relation to any corporation—a relevant interest (within the meaning of the [Corporations Act 2001](#) of the Commonwealth) in any securities issued or made available by the corporation.

**listed public company** means a listed public company within the meaning of the [Corporations Act 2001](#) of the Commonwealth.

**occupation** includes trade, profession and vocation.

**political party** means a body or organisation, whether incorporated or unincorporated, having as one of its objects or activities the promotion of the election to the Parliament of New South Wales of a candidate or candidates endorsed by it or by a body or organisation of which it forms part.

**professional or business association** means a body or organisation, whether incorporated or unincorporated, having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

**property** includes money.

**relative**, in relation to any Member, means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the Member or of the Member's spouse or de facto partner, or
- (b) the spouse or de facto partner of the Member or of any other person specified in paragraph (a).

**Note—**

"De facto partner" is defined in section 21C of the [Interpretation Act 1987](#).

**securities** has the same meaning as it has in section 92 (1) of the [Corporations Act 2001](#) of the Commonwealth.

**travel** includes accommodation incidental to a journey.

- (2) A reference in this Part to a disclosure concerning any real property, income, corporation or other thing, includes a reference to a disclosure concerning any real property situated, income derived, corporation incorporated, or other thing arising or received, outside New South Wales.

- (3) For the purposes of this Part, gifts or contributions to travel given, loans made, or goods or services supplied, to a Member by 2 or more corporations which are related to each other for the purposes of section 50 of the [Corporations Act 2001](#) of the Commonwealth shall be regarded as having been given, made or supplied by a single corporation.
- (4) A reference in this Part to a description that is reasonably sufficient to identify a matter is a reference to a description that would enable a reasonable person to identify the nature or the kind of matter.

#### **7A Use of Member's parliamentary position to provide services**

A reference in this Part to a service provided by a Member involving the use of the Member's parliamentary position is a reference to any service provided by the Member to another person that arises from or relates to the use of the Member's position as a Member, including (but not limited to) any of the following services:

- (a) the provision of public policy advice,
- (b) the development of strategies, or the provision of advice, on the conduct of relations with the Government or Members,
- (c) lobbying the Government or other Members on a matter of concern to the person to whom the service is provided.

#### **8 Real property**

- (1) A Member shall disclose in a primary return and an ordinary return:
  - (a) the address of each parcel of real property in which the Member had an interest:
    - (i) in the case of a primary return—on the primary return date, or
    - (ii) in the case of an ordinary return—at any time during the ordinary return period, and
  - (b) the nature of the interest in each such parcel of real property.
- (1A) A Member may provide all of the following information about a parcel of land in which the Member has an interest as an alternative to disclosing the address of the parcel if the parcel is used by the Member for residential purposes:
  - (a) a statement that the parcel is the principal place of residence for the Member or a secondary place of residence for the Member (as the case requires),
  - (b) the location of the parcel by suburb or area.
- (2) An interest in a parcel of real property need not be disclosed by a Member in a primary return or an ordinary return if:

- (a) the Member had the interest only in his or her capacity as the executor or administrator of the estate of a deceased person and the Member was not a beneficiary under the will or intestacy, or
- (b) the Member had the interest only in his or her capacity as a trustee and the Member acquired the interest in the ordinary course of any occupation of the Member which is not related to his or her duties as a Member.

## **9 Sources of income**

(1) A Member shall disclose:

- (a) in a primary return—each source of income that the Member received, or reasonably expects to receive, in the period commencing on the primary return date and ending on the next succeeding 30th June, and
- (b) in an ordinary return—each source of income received by the Member at any time during the ordinary return period.

(2) A reference in subclause (1) to each source of income received, or reasonably expected to be received, by a Member is a reference to:

- (a) in relation to income from being an employee of another person (including an employee of a corporation):
  - (i) the name of the occupation in which the Member is engaged, and
  - (ii) a description that is reasonably sufficient to identify the kinds of services provided, or to be provided, for that income, and
  - (iii) the name and address of the Member's employer, and
- (b) in relation to income from being the holder of another office (including the holder of an office in a corporation or other body):
  - (i) the name or title of the office held by the Member, and
  - (ii) a description that is reasonably sufficient to identify the kinds of services provided, or to be provided, for that income, and
  - (iii) in the case of an office held in a corporation or other body—the name and address of the corporation or body, and
- (c) in relation to income from a partnership the Member has entered into with other persons:
  - (i) the name of the occupation (if any) in which the Member is engaged, and
  - (ii) a description that is reasonably sufficient to identify the kinds of services provided, or to be provided, for that income, and

- (iii) the name (if any) under, and address from which, the partnership is conducted, and
  - (d) in relation to income for a service provided under any other kind of contract, agreement or arrangement:
    - (i) the name of the occupation (if any) in which the Member is engaged, and
    - (ii) a description that is reasonably sufficient to identify the service, and
    - (iii) the name and address of the person from whom the income was, or is reasonably expected to be, received, and
  - (e) in relation to income from a trust—the name and address of the settlor and the trustee, and
  - (f) in relation to any other income—a description that is reasonably sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
- (2A) Without limiting subclause (2), if:
- (a) the source of income was, or is reasonably expected to be, received:
    - (i) from the Member's employer (including where the employer is a corporation), or
    - (ii) for an office held by a Member in a body (including where the body is a corporation), or
    - (iii) under a contract or any other agreement, and
  - (b) the Member knows that the source of income was, or is reasonably expected to be, received for the provision by the Member of any service involving the use of the Member's parliamentary position,
- the disclosure required by subclause (1) in relation to that source of income must also include a description that is reasonably sufficient to identify the business carried on by the employer, body or other party to the contract or agreement (as the case may be).
- (3) The source of any income need not be disclosed by a Member in a primary return or an ordinary return if the amount of the income received, or reasonably expected to be received, by the Member from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.

## **10 Gifts**

- (1) A Member shall disclose in an ordinary return:

- (a) the description of each gift received by the Member at any time during the ordinary return period, and
  - (b) the name and address of the donor of each such gift.
- (2) A gift received by a Member need not be disclosed in an ordinary return if:
  - (a) the amount of the gift did not exceed \$500 unless:
    - (i) the gift was 1 of 2 or more gifts made by 1 person at any time during the ordinary return period, and
    - (ii) the amount of those 2 or more gifts exceeded, in the aggregate, \$500,
  - (b) the gift was a political contribution disclosed, or required to be disclosed, under Part 6 of the [Election Funding and Disclosures Act 1981](#), or
  - (c) the donor was a relative of the Member.
- (3) For the purposes of this clause, the amount of a gift comprising property other than money shall be deemed to be an amount equal to the value of the property.

## **11 Contributions to travel**

- (1) A Member shall disclose in an ordinary return:
  - (a) the name and address of each person who made any financial or other contribution to any travel undertaken by the Member at any time during the ordinary return period,
  - (b) the dates on which the travel was undertaken, and
  - (c) the names of the States, Territories of the Commonwealth and overseas countries in which the travel was undertaken.
- (2) A financial or other contribution to any travel undertaken by a Member need not be disclosed in an ordinary return if:
  - (a) the contribution was made from public funds (including a contribution arising from travel on free passes issued under any Act or from travel in government vehicles),
  - (b) the contribution was made by a relative of the Member,
  - (c) the contribution was made in the ordinary course of any occupation of the Member which is not related to his or her duties as a Member,
  - (d) the amount of the contribution did not exceed \$250 unless:
    - (i) the contribution was 1 of 2 or more contributions made by 1 person at any time during the ordinary return period, and

- (ii) the amount of those 2 or more contributions exceeded, in the aggregate, \$250,
  - (e) the contribution was a political contribution disclosed, or required to be disclosed, under Part 6 of the *Election Funding Act 1981*, or
  - (f) the contribution was made by a political party of which he or she was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable him or her to represent the party within Australia.
- (3) For the purposes of this clause, the amount of a contribution (other than a financial contribution) shall be deemed to be an amount equal to the value of the contribution.

## **12 Interests and positions in corporations**

- (1) A Member shall disclose in a primary return and an ordinary return:
- (a) the name and address of each corporation in which he or she had an interest or held any position (whether remunerated or not) on the primary return date or at any time during the ordinary return period, as the case may be,
  - (b) the nature of the interest, or the description of the position held, in each such corporation, and
  - (c) except in the case of a listed public company—a description of the principal objects of each such corporation.
- (2) An interest, or position held, in a corporation need not be disclosed by a Member in a primary return or an ordinary return if the corporation is:
- (a) formed for the purpose of providing recreation or amusement or promoting commerce, industry, art, science, religion or charity or for any other community purpose,
  - (b) required to apply its profits (if any) or other income in promoting its objects, and
  - (c) prohibited from paying any dividend to its members.
- (3) A Member need not disclose any matter that the Member would otherwise be required to disclose under this clause if the Member has already made a disclosure about the same matter when making a disclosure for the purposes of clause 9 (Sources of income).

## **13 Positions in trade unions and professional or business associations**

A Member shall disclose in a primary return and an ordinary return:

- (a) the name of each trade union and each professional or business association in which he or she held any position (whether remunerated or not) on the primary return date

or at any time during the ordinary return period, as the case may be, and

(b) the description of the position held in each such union or association.

#### **14 Debts**

(1) A Member shall disclose in a primary return and an ordinary return the name and address of each person to whom the Member was liable to pay any debt:

(a) in the case of a primary return—on the primary return date, or

(b) in the case of an ordinary return—at any time during the ordinary return period.

(2) A liability to pay a debt shall be disclosed by a Member in a primary return and an ordinary return whether or not the amount, or any part of the amount, to be paid was due and payable on the primary return date or at any time during the ordinary return period, as the case may be.

(3) A liability to pay a debt need not be disclosed by a Member in a primary return or an ordinary return if:

(a) the amount to be paid did not exceed \$500 on the primary return date or at any time during the ordinary return period, as the case may be, unless:

(i) the debt was 1 of 2 or more debts which the Member was liable to pay to 1 person on the primary return date or at any time during the ordinary return period, as the case may be, and

(ii) the amounts to be paid exceeded, in the aggregate, \$500.

(b) the Member was liable to pay the debt to a relative,

(c) in the case of a debt arising from a loan of money—the Member was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or

(d) in the case of a debt arising from the supply of goods or services:

(i) the goods or services were supplied in the period of 12 months immediately preceding the primary return date or were supplied during the ordinary return period, as the case may be, or

(ii) the goods or services were supplied in the ordinary course of any occupation of the Member which is not related to his or her duties as a Member.

#### **15 Dispositions of property**

(1) A Member shall disclose in an ordinary return particulars of each disposition of real property by the Member at any time during the ordinary return period whereby the



Member retained either wholly or in part, the use and benefit of the property or the right to reacquire the property at a later time.

- (2) A Member shall disclose in an ordinary return particulars of each disposition of property to a person by any other person under arrangements made by the Member, being a disposition made at any time during the ordinary return period, whereby the Member obtained, either wholly or in part, the use and benefit of the property.

#### **15A Provision of client services**

- (1) Any Member who is or was engaged by a person (the **principal**) to provide any service that involves the use of the Member's parliamentary position (a **relevant service**) to or on behalf of any client of the principal must disclose:
- (a) in a primary return—each relevant service the Member provided, or reasonably expects to provide, to or on behalf of any clients of the principal in the period commencing on the primary return date in relation to the Member and ending on the next succeeding 30th June, and
  - (b) in an ordinary return—each relevant service provided to or on behalf of any clients of the principal that the Member provided at any time during the ordinary return period.
- (2) A reference in subclause (1) to each relevant service provided, or reasonably expected to be provided, by a Member to or on behalf of any clients of the principal is a reference to:
- (a) a description that is reasonably sufficient to identify the nature of the service, and
  - (b) the names and addresses of the persons that the Member knows, or ought reasonably to know, have directly benefited or are likely to benefit directly from the provision of the service, and
  - (c) a description that is reasonably sufficient to identify the nature of the business carried on by any of the persons referred to in paragraph (b).
- (3) A Member is required to disclose a relevant service under subclause (1) regardless of whether or not the Member also received, or is also reasonably expected to receive, a payment, gift or other financial benefit from the client or other person to whom the service is (or is to be) provided.
- (4) For the purposes of this clause:
- (a) a **client** of a principal is any person to whom a service is, or is to be, provided or made available in circumstances where the principal has received, or is reasonably expected to receive, consideration in money or money's worth for the service, and
  - (b) a Member is or was **engaged by a principal** to provide a relevant service to or

on behalf of clients of the principal if the Member provides or provided the service in connection with any of the following:

- (i) any contract of employment that the Member has entered into with the principal,
  - (ii) where the Member is an officer of the principal—the Member’s functions as an officer of the principal,
  - (iii) any other contract, agreement or arrangement that the Member has entered into with the principal under which the Member receives, or is reasonably expected to receive, consideration in money or money’s worth, and
- (c) a relevant service is or was provided **on behalf of a client of the principal** if the client has or had requested that the service be provided to another person on the client’s behalf.

- (5) Nothing in this clause requires a Member to disclose a relevant service under subclause (1) that was provided by the Member before the primary return date in relation to the Member.

**Note—**

The primary return date for a Member (other than a re-elected Member) is the day on which he or she takes the pledge of loyalty required by section 12 of the Act.

- (6) In this clause:

**function** includes a power, authority or duty.

**officer**, in relation to a person that is a corporation, has the same meaning as officer of a corporation has in section 9 of the [Corporations Act 2001](#) of the Commonwealth.

## **16 Discretionary disclosures generally**

A Member may, at his or her discretion, disclose in any return any direct or indirect benefits, advantages or liabilities, whether pecuniary or not:

- (a) which are not required to be disclosed by any provision of this Part, and
- (b) which the Member considers might appear to raise a conflict between his or her private interests and his or her public duty as a Member or which he or she otherwise desires to disclose.

## **Part 4 Registers of pecuniary interests etc disclosed**

### **17 Register of Disclosures by Members of the Legislative Council**

The Clerk of the Legislative Council shall compile and maintain a register to be called the “Register of Disclosures by Members of the Legislative Council” in respect of disclosures of

pecuniary interests and other matters made by Members of the Legislative Council pursuant to this Regulation.

## **18 Register of Disclosures by Members of the Legislative Assembly**

The Clerk of the Legislative Assembly shall compile and maintain a register to be called the “Register of Disclosures by Members of the Legislative Assembly” in respect of disclosures of pecuniary interests and other matters made by Members of the Legislative Assembly pursuant to this Regulation.

## **19 Form of registers**

- (1) A register shall be in loose-leaf form and shall, at any time, comprise the returns lodged by Members within the previous 8 years.
- (2) A register shall be divided into parts as follows:
  - (a) There shall be a separate part of a register for the primary returns lodged under clause 4.
  - (b) There shall be separate parts of a register for the ordinary returns lodged in respect of each ordinary return period, together with:
    - (i) primary returns lodged under clause 4 in respect of primary return dates in that period, and
    - (ii) supplementary ordinary returns lodged under clause 6A in that period, and
    - (iii) discretionary returns lodged under clause 6B in that period.
- (3) The returns filed in any part of a register shall be filed in alphabetical order according to the surnames of the Members concerned.

## **20 Inspection of registers**

- (1) A register shall be open to public inspection at the office of the Clerk required to compile and maintain the register between the hours of 10.00 am and 4 pm on any day except Saturday, Sunday or a day which is a public holiday throughout New South Wales.
- (2) A register shall be open to inspection by Members at the office of the Clerk required to compile and maintain the register at any time the register is open for public inspection under subclause (1) and:
  - (a) in the case of the Register of Disclosures by Members of the Legislative Council—at any time the Legislative Council is sitting, or
  - (b) in the case of the Register of Disclosures by Members of the Legislative Assembly—at any time the Legislative Assembly is sitting.

## **21 Tabling and publication of registers**

- (1) The Clerk of the Legislative Council shall:
  - (a) within 21 sitting days of the Legislative Council after the last day for the lodgment of primary returns under clause 4—furnish to the President of the Legislative Council for tabling in the Legislative Council a copy of the Register of Disclosures by Members of the Legislative Council, and
  - (b) within 21 sitting days of the Legislative Council after the last day for the lodgment of any ordinary returns under clause 6—furnish to the President of the Legislative Council for tabling in the Legislative Council a copy of that part of the Register of Disclosures by Members of the Legislative Council that has not been previously tabled in the Legislative Council.
- (2) The Clerk of the Legislative Assembly shall:
  - (a) within 21 sitting days of the Legislative Assembly after the last day for the lodgment of primary returns under clause 4—furnish to the Speaker of the Legislative Assembly for tabling in the Legislative Assembly a copy of the Register of Disclosures by Members of the Legislative Assembly, and
  - (b) within 21 sitting days of the Legislative Assembly after the last day for the lodgment of any ordinary returns under clause 6—furnish to the Speaker of the Legislative Assembly for tabling in the Legislative Assembly a copy of that part of the Register of Disclosures by Members of the Legislative Assembly that has not been previously tabled in the Legislative Assembly.
- (3) For the purposes of subclauses (1) and (2), sitting days shall be counted, whether or not they occur during the same session.
- (4) Unless a copy of a register or a copy of part of a register tabled in the Legislative Council or Legislative Assembly is ordered to be printed upon its being tabled, the Clerk of the Legislative Council or the Clerk of the Legislative Assembly, as the case may be, shall cause it to be published as a parliamentary paper by the Government Printer.
- (5) The Clerk of the Legislative Council or the Clerk of the Legislative Assembly, as the case may require, may, for the purposes of the tabling or publication of a copy of a register, or of a part of a register, referred to in this clause, delete:
  - (a) any notes or directions concerning the completion of a return,
  - (b) where no disclosures are made under a particular main heading in a return—any matter under that heading apart from the word “NIL”, and
  - (c) any page number or other matter that is not relevant to any disclosure in a return.

## Part 5 Miscellaneous

### 22 Nil return

Where no disclosures are included in a primary return, ordinary return or supplementary ordinary return, the return shall nevertheless be lodged.

### 23 Contravention of Regulation

A contravention of this Regulation shall not attract any criminal or civil liability, except to the extent expressly provided by section 14A of the Act.

### 24 Summary of operation of this Regulation in 2007

- (1) **Summary of requirements in 2007** For the avoidance of doubt, this clause summarises the operation of this Regulation (as amended by the *Constitution (Disclosures by Members) Amendment Regulation 2007*) in the calendar year of 2007.
- (2) **When ordinary return for 2006–2007 is due** The ordinary return for 2006–2007 must be lodged before 1st October 2007. The ordinary return period to which the return will relate will be:
  - (a) where the last return lodged by the Member is an ordinary return—the period beginning on 1st July 2006 and ending on 30th June 2007, or
  - (b) where the last return lodged by the Member was a primary return—the period commencing on the primary return date in relation to the Member and ending on 30th June 2007.
- (3) **Members required to lodge first ordinary return** The following Members will be required to lodge an ordinary return for 2006–2007 before 1st October 2007:
  - (a) any re-elected Member,
  - (b) any Member of the Legislative Council whose term of office does not expire with the general election to be held on 24 March 2007 (the **2007 general election**),
  - (c) any Member (other than a re-elected Member) who:
    - (i) is elected at the 2007 general election or subsequently, and
    - (ii) takes the pledge of loyalty required by section 12 of the Act on or before 30th April 2007.
- (4) **Requirements in relation to recently elected Members** Any Member (other than a re-elected Member) who is elected at the 2007 general election will also be required to lodge a primary return within 3 months after he or she takes the pledge of loyalty required by section 12 of the Act. However, a Member elected in 2007 or subsequently who takes the pledge of loyalty after 30th April 2007 will not be required to lodge an

ordinary return for 2006–2007.

(5) **Supplementary ordinary returns not required until 2008** No Member will be required to lodge a supplementary ordinary return until 31st March 2008. The return period for those Members who are required to lodge such returns in 2008 will be:

- (a) in the case of a Member whose last return in 2007 was an ordinary return—the period commencing on 1st July 2007 and ending on 31st December 2007, or
- (b) in the case of a Member whose last return was a primary return:
  - (i) where the date on which the Member took the pledge of loyalty was on or before 1st July 2007—the period commencing on 1st July 2007 and ending on 31st December 2007, or
  - (ii) where the date on which the Member took the pledge of loyalty was after 1st July 2007—the period commencing on that date and ending on 31st December 2007.

## Schedule 1 Forms

(Clauses 3 (1) and 3A)

### Form 1 Primary return

(Clause 3 (1), definition of “primary return”)

#### Directions

- 1 This form is in two sections. The first section (Section 1—Guidance Notes and Examples) outlines the requirements of the [Constitution \(Disclosures by Members\) Regulation 1983](#) for each type of interest to be disclosed, and gives examples as to how to make entries on the return. The second section of the form (Section 2—Member’s Primary Return) sets out the return that is to be filled in by the Member. Only the second section of this form needs to be lodged with the Clerk.
- 2 The pecuniary interests and other matters required to be disclosed in the return set out in Section 2 of this form are prescribed in clauses 8, 9, 12, 13, 14 and 15A of the [Constitution \(Disclosures by Members\) Regulation 1983](#).
- 3 The particulars required to complete this form are to be written in block letters or typed.
- 4 If any space is insufficient in this form for all the particulars required to complete it, attach an appendix for that purpose which is properly identified and signed by the Member.
- 5 A reference in this form to the **primary return period** in relation to a Member is a reference to the period commencing on the day on which the Member took the pledge of loyalty and ending on the next succeeding 30th June.
- 6 If a Member is not required to disclose a kind of pecuniary interest or other matter under a particular main heading in this form, “NIL” or “N/A” (as relevant) is to be placed in an appropriate space under that heading.
- 7 The entries marked as “Example entry only” or “Example entries only” are provided by way of example only.
- 8 Matter marked with an asterisk (\*) is to be omitted if it is not appropriate for the Member concerned.

#### SECTION 1—GUIDANCE NOTES AND EXAMPLES

##### Part 1 Real property

Under clause 8 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 1 of the

return the address of each parcel of real property in which you had an interest (or the alternative information permitted by the Regulation if you use the parcel for residential purposes) on the date on which you took the pledge of loyalty and the nature of the interest in the real property. Make a separate entry for each parcel of real property held, separated by a line, in Part 1 of the return.

**Example entries only—**

Address of each parcel of real property	Nature of interest
Principal place of residence Suburb—Surry Hills	Joint tenant
1 Pitt Street, Sydney NSW 2000	Sole owner

## Part 2 Sources of income

Under clause 9 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 2 of the return each source of income that you received, or reasonably expect to receive, during the primary return period. You must disclose income received, or which you expect to receive:

- (a) as an employee, as part of a partnership, as an office holder (including an office holder in a corporation or body) or under any other contract, agreement or arrangement (such as a self-employed consultant/contractor) (use Part 2.1 of the return), and
- (b) from a trust (use Part 2.2 of the return), and
- (c) from any other source (use Part 2.3 of the return).

### 2.1 Income from employment, offices, partnerships and services

Under clause 9 (2) (a)–(d) of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 2.1 of the return any income you have received or reasonably expect to receive during the primary return period as an employee, as part of a partnership, as an office holder (including an office holder in a corporation or body) or under any other contract, agreement or arrangement (such as a self-employed consultant/contractor).

You must also describe the services you provide in receiving that income. The description of the services provided must be reasonably sufficient to identify the service provided in return for that income. Services from which you do not derive any income do not need to be disclosed.

You must make a separate entry for each different source of income in the appropriate Table in Part 2.1 of the return. For example, if you are employed and hold an office, two separate entries should be made respectively in Tables 2.1.1 and 2.1.2 in Part 2.1 of the return. Separate multiple entries in each Table by a line. Where the Table is not relevant to your circumstances because you do not receive that kind of income, enter “NIL” in that Table (for example, if you do not derive any income, whether as an employee, as an office holder, from a partnership or otherwise under a contract, agreement or arrangement, you must enter “NIL” in all Tables). Where the Table (or part of a Table) is not relevant to your circumstances because the conditions under which you would be required to make a disclosure do not apply in relation to you, enter “N/A” in that Table or part of the Table (for example, if you are not required to disclose the nature of the business of your employer because the services you provided did not arise from or relate to the use of your position as a Member).

Where you provide services that “arise from or relate to the use of” your position as a Member, you must complete the last column in each Table. This includes (but is not limited to) where you engage in:

- (a) the provision of public policy advice, or
- (b) the development of strategies or the provision of advice on the conduct of relations with the Government or Members, or
- (c) lobbying the Government or other Members on a matter of concern to the person to whom the service is provided.

**Note, where the provision of services “arise from or relate to the use of” your position as a Member, you may also need to complete Part 6 of the return.**

**Table 2.1.1 Income received as an employee—Example entry only:**

<b>Name of occupation</b>	<b>Description of kinds of services provided or to be provided</b>	<b>Name and address of employer</b>	<b>Nature of business of the employer (where the services provided or to be provided relate to your position as a Member)</b>
Solicitor	Employed solicitor providing legal services to clients, in the areas of criminal and family law	ABC Lawyers, 1 Pitt Street, Sydney NSW 2000	N/A

**Table 2.1.2 Income received as holder of office—Example entry only:**

<b>Name or title of the office and a description of kinds of services provided or to be provided</b>	<b>Name and address of corporation or body (if any) in which the office is held</b>	<b>Nature of business carried on by the entity (where the services provided or to be provided relate to your position as a Member)</b>
Local councillor	Hurstville City Council, MacMahon Street, Hurstville NSW 2220	N/A

**Table 2.1.3 Income from partnership—Example entry only:**

<b>Name of occupation (if any)</b>	<b>Description of kinds of services provided or to be provided</b>	<b>Name and address of the partnership</b>	<b>Nature of business carried on by the partnership (where the services provided or to be provided relate to your position as a Member)</b>
Solicitor	Partner of the law firm and to provide commercial legal services specialising in litigation, property, intellectual property, competition and corporate law	XYZ Lawyer, 3 Smith Street, Paddington NSW 2021	N/A

**Table 2.1.4 Income from services provided under any other contract, agreement or arrangement—Example entry only:**

<b>Name of occupation (if relevant) and a description of services provided or to be provided</b>	<b>Name and address of parties to any contract, agreement or arrangement to provide services</b>	<b>Nature of business carried on by the other party to the contract, agreement or arrangement (where the services provided or to be provided relate to your position as a Member)</b>



Public affairs consultant—Providing public affairs advice, including lobbying MPs and government departments on the issue of regulation of electrical appliances	XYZ Corporation, 1 Pitt Street, Sydney NSW 2000	Manufacturer of electrical appliances
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## 2.2 Income from a trust

Under clause 9 (2) (e) of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you are required to disclose in Part 2.2 of the return any source of income which you received or reasonably expect to receive during the primary return period from a trust, including the name and address of the settlor and the trustee. Make a separate entry in Part 2.2 of the return (separated by a line) for each trust.

**Example entry only—**

Name and address of settlor	Name and address of trustee
XY Settlor, 2 George Street, Sydney NSW 2000	AB Trustee, 10 George Street, Sydney NSW 2000

## 2.3 Other income

Under clause 9 (2) (f) of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you are required to disclose in Part 2.3 of the return any other income received or which you expect to receive during the primary return period and provide a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.

**Example entry only—**

### Disclosure of other income

Income from the operation of a farm at 1 Pitt Street, Orange NSW, 2800 of which I am the sole proprietor.

## Part 3 Interests and positions in corporations

Under clause 12 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 3 of the return the following particulars for each corporation in which you had an interest or held any position (whether remunerated or not) on the date on which you took the pledge of loyalty:

- (a) the name and address of each corporation,
- (b) the nature of the interest (if any) or a description of the position held,
- (c) except in the case of a listed public company, a description of the principal objects of each such corporation.

If you received income in respect of any position held in a corporation, that information should be disclosed in Part 2 of the return.

**Example entries only—**

Name and address of corporation	Nature of interest (if any) or description of position held	Description of principal objects of corporation (where corporation is not a listed public company)
CD Corporation Limited, 1 Martin Place, Sydney NSW 2000	Shareholder	N/A

MD Corporation Pty Limited, 33 Kingsgrove Road, Kingsgrove NSW 2208	Majority shareholder	To provide financial advice to its clients
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#### Part 4 Positions in trade unions and professional or business associations

Under clause 13 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 4 of the return the name of each trade union and professional or business association in which you held any position (whether remunerated or not) on the date on which you took the pledge of loyalty and a description of the position held.

**Example entry only—**

Name of trade union or association	Description of position
ABC Trade Union	Member Honorary Secretary

#### Part 5 Debts

Under clause 14 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 5 of the return the name and address of each person to whom you were liable to pay any debt on the date on which you took the pledge of loyalty. You must disclose all debts, whether or not the amount to be paid was due and payable on the date on which you took the pledge of loyalty.

You do not need to disclose a debt that:

- (a) does not exceed \$500 unless the debt was 1 of 2 or more debts owed to 1 person and the amount of those 2 or more debts together exceeds \$500 in aggregate, or
- (b) is owed to a relative of yours (as defined by clause 7 (1) of the [Constitution \(Disclosures by Members\) Regulation 1983](#)), or
- (c) is owed to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
- (d) arises from the supply of goods and services which were supplied in the 12 month period immediately preceding the primary return date, or
- (e) arises from the supply of goods and services in the ordinary course of any occupation not related to your duties as a Member.

**Example entry only—**

##### Disclosure of debts

Personal loan made by Mr John Smith of 1 Pitt Street, Sydney NSW 2000.

#### Part 6 Client services

Under clause 15A of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose the details set out in Part 6 of the return if you have provided, or reasonably expect to provide, “client services” at any time during the primary return period.

Client services are provided by you if:

- (a) you are engaged by a person (whether an individual or corporation) to provide services to or on behalf of any of that person’s clients, and

(b) that person has received or is reasonably expected to receive consideration in money or money's worth from the client for your services, and

(c) the services relate to your Parliamentary position.

You are engaged by a person (whether an individual or corporation) to provide services if you provide services in connection with:

(a) any contract of employment with the person, or

(b) your role as an officer of the person (such as a corporation), or

(c) any other contract, agreement or arrangement that you have entered into with the person in respect of which you receive consideration in money, or money's worth, for providing the services.

Services relate to your Parliamentary position if the services "arise from or relate to the use of" your position as a Member. This includes (but is not limited to) where you engage in:

(a) the provision of public policy advice, or

(b) the development of strategies or the provision of advice on the conduct of relations with the Government or Members, or

(c) lobbying the Government or other Members on a matter of concern to the person to whom the service is provided.

You are required to disclose the persons who receive the benefit of your client services even if you did not directly receive any payment from that person.

You must make a separate entry in Part 6 of the return for each person who directly receives the benefit of your services. You must also disclose who receives the benefit of your services if the client of the person who engages you requests that the services be provided to some other person. For example, if you are employed by, or are a director of Company X, and Company X contracts with Person Y for you to provide consultancy services to Company Z, you must disclose the provision of client services to both Person Y and Company Z.

Please note, your engagement with a person to provide client services should be disclosed in Part 2 of the return.

**Example entry only—**

<b>Names and addresses of persons who benefit or are likely to benefit from the services</b>	<b>Description of the services reasonably sufficient to identify the nature of the service provided or to be provided</b>	<b>Nature of business of persons who directly benefited or are likely directly to benefit</b>
Smith Constructions Pty Ltd, 1 Orange Street, Paddington NSW 2021	Advising on public policy regarding public infrastructure and the development of strategies on the conduct of relations with the Government, and lobbying government departments in relation to projects managed by the company	Construction company specialising in public infrastructure such as roads

## Part 7 Discretionary disclosures

Under clause 16 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), a Member may disclose in Part 7 of the return any direct or indirect benefits, advantages or liabilities that are not required to be disclosed by the Regulation but which the Member considers might appear to raise a conflict between his or her private interests and his or her public duty as a Member or which he or she otherwise wishes to disclose.

SECTION 2—MEMBER’S PRIMARY RETURN

Constitution (Disclosures by Members) Regulation 1983

Primary Return—Legislative \*Council/\*Assembly

Disclosures of pecuniary interests and other matters by:

.....  
(full name of Member)

as at .....  
(primary return date)

.....  
(Member’s signature)

.....  
(Date)

Part 1 Real property

Address of each parcel of real property	Nature of interest

Part 2 Sources of income

2.1 Income from employment, offices, partnerships and services

Table 2.1.1 Income received as an employee

Name of occupation	Description of kinds of services provided or to be provided	Name and address of employer	Nature of business of the employer (where the services provided or to be provided relate to your position as a Member)

Table 2.1.2 Income received as holder of office

Name or title of the office and a description of kinds of services provided or to be provided	Name and address of corporation or body (if any) in which the office is held	Nature of business carried on by the entity (where the services provided or to be provided relate to your position as a Member)

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**Table 2.1.3 Income from partnership**

<b>Name of occupation (if any)</b>	<b>Description of kinds of services provided or to be provided</b>	<b>Name and address of the partnership</b>	<b>Nature of business carried on by the partnership (where the services provided or to be provided relate to your position as a Member)</b>

**Table 2.1.4 Income from services provided under any other contract, agreement or arrangement**

<b>Name of occupation (if relevant) and a description of services provided or to be provided</b>	<b>Name and address of parties to any contract, agreement or arrangement to provide services</b>	<b>Nature of business carried on by the other party to the contract, agreement or arrangement (where the services provided or to be provided relate to your position as a Member)</b>

**2.2 Income from a trust**

<b>Name and address of settlor</b>	<b>Name and address of trustee</b>

**2.3 Other income****Disclosure of other income****Part 3 Interests and positions in corporations**

<b>Name and address of corporation</b>	<b>Nature of interest (if any) or description of position held</b>	<b>Description of principal objects of corporation (where corporation is not a listed public company)</b>

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**Part 4 Positions in trade unions and professional or business associations**

Name of trade union or association	Description of position

**Part 5 Debts**

**Disclosure of debts**

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**Part 6 Client services**

Names and addresses of persons who benefit or are likely to benefit from the services	Description of the services reasonably sufficient to identify the nature of the service provided or to be provided	Nature of business of persons who directly benefited or are likely directly to benefit

**Part 7 Discretionary disclosures**

**Disclosures that are discretionary**

**Form 2 Ordinary return**

(Clause 3 (1), definition of "ordinary return")

**Directions**

- 1 This form is in two sections. The first section (Section 1—Guidance Notes and Examples) outlines the requirements of the [Constitution \(Disclosures by Members\) Regulation 1983](#) for each type of interest to be disclosed, and gives examples as to how to make entries on the return. The second section of the form (Section 2—Member's Ordinary Return) sets out the return that is to be filled in by the Member. Only the second section of this form needs to be lodged with the Clerk.
- 2 The pecuniary interests and other matters required to be disclosed in the return set out in Section 2 of this form are

prescribed by clauses 8 to 15A of the [Constitution \(Disclosures by Members\) Regulation 1983](#).

- 3 The particulars required to complete this form are to be written in block letters or typed.
- 4 If any space is insufficient in this form for all the particulars required to complete it, attach an appendix for that purpose which is properly identified and signed by the Member.
- 5 A reference in this form to the **ordinary return period** in relation to a Member is a reference to:
- (a) where the last return lodged by the Member was an ordinary return—the period of 12 months ending on 30th June in the year this return is required to be lodged, or
  - (b) where the last return lodged by the Member was a primary return—the period commencing on the day on which the Member took the pledge of loyalty and ending on 30th June in the year this return is required to be lodged.
- 6 If a Member is not required to disclose a kind of pecuniary interest or other matter under a particular main heading in this form, “NIL” or “N/A” (as relevant) is to be placed in an appropriate space under that heading.
- 7 The entries marked as “Example entry only” or “Example entries only” are provided by way of example only.
- 8 **You must disclose ALL matters required to be disclosed as set out in the return in Section 2 of this form (and as required by the [Constitution \(Disclosures by Members\) Regulation 1983](#)) for the ordinary return period applicable to you. Specifically, even where you have listed a pecuniary interest for the period of 1 July to 31 December of the previous year in your most recent supplementary ordinary return (such as a source of income, gift, contribution to travel, disposition of property or client services), you must again list that item in this return.**
- 9 Matter marked with an asterisk (\*) is to be omitted if it is not appropriate for the Member concerned.

SECTION 1—GUIDANCE NOTES AND EXAMPLES

Part 1 Real property

Under clause 8 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 1 of the return the address of each parcel of real property in which you had an interest (or the alternative information permitted by the Regulation if you used the parcel for residential purposes) at any time during the ordinary return period and the nature of the interest in the real property. Make a separate entry for each parcel of real property held, separated by a line, in Part 1 of the return.

Example entries only—

Address of each parcel of real property	Nature of interest
Principal place of residence Suburb—Surry Hills	Joint tenant
1 Pitt Street, Sydney NSW 2000	Sole owner

Part 2 Sources of income

- Under clause 9 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 2 of the return each source of income that you received during the ordinary return period. You must disclose income received:
- (a) as an employee, as part of a partnership, as an office holder (including an office holder in a corporation or body) or under any other contract, agreement or arrangement (such as a self-employed consultant/contractor) (use Part 2.1 of the return), and
  - (b) from a trust (use Part 2.2 of the return), and
  - (c) from any other source (use Part 2.3 of the return).

2.1 Income from employment, offices, partnerships and services

Under clause 9 (2) (a)–(d) of the *Constitution (Disclosures by Members) Regulation 1983*, you must disclose in Part 2.1 of the return any income you have received during the ordinary return period as an employee, as part of a partnership, as an office holder (including an office holder in a corporation or body) or under any other contract, agreement or arrangement (such as a self-employed consultant/contractor).

You must also describe the services you provide in receiving that income. The description of the services provided must be reasonably sufficient to identify the service provided in return for that income. Services from which you do not derive any income do not need to be disclosed.

You must make a separate entry for each different source of income in the appropriate Table in Part 2.1 of the return. For example, if you are employed and hold an office, two separate entries should be made respectively in Tables 2.1.1 and 2.1.2 in Part 2.1 of the return. Separate multiple entries in each Table by a line. Where the Table is not relevant to your circumstances because you do not receive that kind of income, enter “NIL” in that Table (for example, if you do not derive any income, whether as an employee, as an office holder, from a partnership or otherwise under a contract, agreement or arrangement, you must enter “NIL” in all Tables). Where the Table (or part of a Table) is not relevant to your circumstances because the conditions under which you would be required to make a disclosure do not apply in relation to you, enter “N/A” in that Table or part of the Table (for example, if you are not required to disclose the nature of the business of your employer because the services you provided did not arise from or relate to the use of your position as a Member).

Where you provide services that “arise from or relate to the use of” your position as a Member, you must complete the last column in each Table. This includes (but is not limited to) where you engage in:

- (a) the provision of public policy advice, or
- (b) the development of strategies or the provision of advice on the conduct of relations with the Government or Members, or
- (c) lobbying the Government or other Members on a matter of concern to the person to whom the service is provided.

**Note, where the provision of services “arise from or relate to the use of” your position as a Member, you may also need to complete Part 9 of the return.**

Table 2.1.1 Income received as an employee—Example entry only:

Name of occupation	Description of kinds of services provided	Name and address of employer	Nature of business of the employer (where the services provided relate to your position as a Member)
Solicitor	Employed solicitor providing legal services to clients, in the areas of criminal and family law	ABC Lawyers, 1 Pitt Street, Sydney NSW 2000	N/A

Table 2.1.2 Income received as holder of office—Example entry only:

Name or title of the office and a description of kinds of services provided	Name and address of corporation or body (if any) in which the office is held	Nature of business carried on by the entity (where the services provided relate to your position as a Member)
Local councillor	Hurstville City Council, MacMahon Street, Hurstville NSW 2220	N/A

Table 2.1.3 Income from partnership—Example entry only:



Name of occupation (if any)	Description of kinds of services provided	Name and address of the partnership	Nature of business carried on by the partnership (where the services provided relate to your position as a Member)
Solicitor	Partner of the law firm and to provide commercial legal services specialising in litigation, property, intellectual property, competition and corporate law	XYZ Lawyer, 3 Smith Street, Paddington NSW 2021	N/A

**Table 2.1.4 Income from services provided under any other contract, agreement or arrangement—Example entry only:**

Name of occupation (if relevant) and a description of services provided	Name and address of parties to any contract, agreement or arrangement to provide services	Nature of business carried on by the other party to the contract, agreement or arrangement (where the services provided relate to your position as a Member)
Public affairs consultant—Providing public affairs advice, including lobbying MPs and government departments on the issue of regulation of electrical appliances	XYZ Corporation, 1 Pitt Street, Sydney NSW 2000	Manufacturer of electrical appliances

## 2.2 Income from a trust

Under clause 9 (2) (e) of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you are required to disclose in Part 2.2 of the return any source of income which you received during the ordinary return period from a trust, including the name and address of the settlor and the trustee. Make a separate entry in Part 2.2 of the return (separated by a line) for each trust.

**Example entry only—**

Name and address of settlor	Name and address of trustee
XY Settlor, 2 George Street, Sydney NSW 2000	AB Trustee, 10 George Street, Sydney NSW 2000

## 2.3 Other income

Under clause 9 (2) (f) of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you are required to disclose in Part 2.3 of the return any other income received during the ordinary return period and provide a description sufficient to identify the person from whom, or the circumstances in which, the income was received.

**Example entry only—**

### Disclosure of other income

Income from the operation of a farm at 1 Pitt Street, Orange NSW 2800 of which I am the sole proprietor.

### Part 3 Gifts

Under clause 10 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you are required to disclose in Part 3 of the return any gifts (including gifts of cash) received during the ordinary return period and the name and address of the person from whom the gift was received.

You do not need to disclose a gift that:

- (a) does not exceed \$500 in value unless the gift was 1 of 2 or more gifts made by 1 person at any time during the ordinary return period and the amount of those 2 or more gifts together exceeds \$500 in aggregate, or
- (b) is a political donation disclosed, or required to be disclosed, under Part 6 of the [Election Funding Act 1981](#), or
- (c) is from a donor who is a relative of yours (as defined by clause 7 (1) of the [Constitution \(Disclosures by Members\) Regulation 1983](#)).

#### Example entry only—

Description of each gift I received at any time during the ordinary return period	Name and address of donor
4 tickets to the XYZ sporting event	XYZ Sports Union, 1 Pitt Street, Sydney NSW 2000

### Part 4 Contributions to travel

Under clause 11 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you are required to disclose the information set out in Part 4 of the return for any contribution to any travel (including accommodation incidental to a journey) undertaken by you during the ordinary return period.

You do not need to disclose a contribution if:

- (a) the contribution was made from public funds (including a contribution arising from travel on free passes issued under any Act or from travel in government vehicles), or
- (b) the contribution was made by a relative of yours (as defined by clause 7 (1) of the [Constitution \(Disclosures by Members\) Regulation 1983](#)), or
- (c) the contribution was made in the ordinary course of any occupation which is not related to your duties as a Member, or
- (d) the amount of the contribution did not exceed \$250 unless the contribution was 1 of 2 or more contributions made by 1 person at any time during the ordinary return period and the amount of those 2 or more contributions exceeded, in the aggregate, \$250, or
- (e) the contribution was a political contribution disclosed, or required to be disclosed, under Part 6 of the [Election Funding Act 1981](#), or
- (f) the contribution was made by a political party of which you are a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable you to represent the party within Australia.

#### Example entry only—

Name and address of each person who made any financial or other contribution to travel undertaken at any time during the ordinary return period	Dates on which travel was taken	Names of States, Territories of the Commonwealth and overseas countries in which travel undertaken

Brisbane City Council, 1 Smith Street, Brisbane QLD 4000	31 August to 4 September	Brisbane, Queensland
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## Part 5 Interests and positions in corporations

Under clause 12 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 5 of the return the following particulars for each corporation in which you had an interest or held any position (whether remunerated or not) at any time during the ordinary return period:

- (a) the name and address of each corporation,
- (b) the nature of the interest (if any) or a description of the position held,
- (c) except in the case of a listed public company, a description of the principal objects of each such corporation.

If you received income in respect of any position held in a corporation, that information should be disclosed in Part 2 of the return.

### Example entries only—

Name and address of corporation	Nature of interest (if any) or description of position held	Description of principal objects of corporation (where corporation is not a listed public company)
CD Corporation Limited, 1 Martin Place, Sydney NSW 2000	Shareholder	N/A
MD Corporation Pty Limited, 33 Kingsgrove Road, Kingsgrove NSW 2208	Majority shareholder	To provide financial advice to its clients

## Part 6 Positions in trade unions and professional or business associations

Under clause 13 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 6 of the return the name of each trade union and professional or business association in which you held any position (whether remunerated or not) at any time during the ordinary return period and a description of the position held.

### Example entry only—

Name of trade union or association	Description of position
ABC Trade Union	Member Honorary Secretary

## Part 7 Debts

Under clause 14 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 7 of the return the name and address of each person to whom you were liable to pay any debt at any time during the ordinary return period. You must disclose all debts, whether or not the amount to be paid was due and payable at any time during that period.

You do not need to disclose a debt that:

- (a) does not exceed \$500 unless the debt was 1 of 2 or more debts owed to 1 person and the amount of those 2 or more debts together exceeds \$500 in aggregate, or
- (b) is owed to a relative of yours (as defined by clause 7 (1) of the [Constitution \(Disclosures by Members\) Regulation 1983](#)), or
- (c) is owed to a bank, building society, credit union or other person whose ordinary business includes the lending

of money and the loan was made in the ordinary course of business of the lender, or

- (d) arises from the supply of goods and services which were supplied during the ordinary return period, or
- (e) arises from the supply of goods and services in the ordinary course of any occupation not related to your duties as a Member.

**Example entry only—**

**Disclosure of debts**

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Personal loan made by Mr John Smith of 1 Pitt Street, Sydney NSW 2000.

---

**Part 8 Dispositions of property**

Under clause 15 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose in Part 8 of the return particulars of each disposition of:

- (a) real property by you at any time during the ordinary return period whereby you retained, wholly or in part, the use and benefit of the property or the right to reacquire the property at a later time, or
- (b) property to a person by any other person under arrangements made by you during the ordinary return period whereby you obtained, either wholly or in part, the use and benefit of the property.

**Example entry only—**

**Disclosure of dispositions of property**

---

Disposition of Lot 5, DP1234 on 30 May to XYZ Corporation, whereby a right is conferred on Mr Smith MP to use the property.

---

**Part 9 Client services**

Under clause 15A of the [Constitution \(Disclosures by Members\) Regulation 1983](#), you must disclose the details set out in Part 9 of the return if you have provided “client services” at any time during the ordinary return period.

Client services are provided by you if:

- (a) you are engaged by a person (whether an individual or corporation) to provide services to or on behalf of any of that person’s clients, and
- (b) that person has received or is reasonably expected to receive consideration in money or money’s worth from the client for your services, and
- (c) the services relate to your Parliamentary position.

You are engaged by a person (whether an individual or corporation) to provide services if you provide services in connection with:

- (a) any contract of employment with the person, or
- (b) your role as an officer of the person (such as a corporation), or
- (c) any other contract, agreement or arrangement that you have entered into with the person in respect of which you receive consideration in money, or money’s worth, for providing the services.

Services relate to your Parliamentary position if the services “arise from or relate to the use of” your position as a Member. This includes (but is not limited to) where you engage in:

- (a) the provision of public policy advice, or

- (b) the development of strategies or the provision of advice on the conduct of relations with the Government or Members, or
- (c) lobbying the Government or other Members on a matter of concern to the person to whom the service is provided.

You are required to disclose the persons who receive the benefit of your client services even if you did not directly receive any payment from that person.

You must make a separate entry in Part 9 of the return for each person who directly receives the benefit of your services. You must also disclose who receives the benefit of your services if the client of the person who engages you requests that the services be provided to some other person. For example, if you are employed by, or are a director of Company X, and Company X contracts with Person Y for you to provide consultancy services to Company Z, you must disclose the provision of client services to both Person Y and Company Z.

Please note, your engagement with a person to provide client services should be disclosed in Part 2 of the return.

**Example entry only—**

<b>Names and addresses of persons who benefit or are likely to benefit from the services provided at any time during the ordinary return period</b>	<b>Description of the services reasonably sufficient to identify the nature of the service provided</b>	<b>Nature of business of persons who directly benefited or are likely directly to benefit</b>
Smith Constructions Pty Ltd, 1 Orange Street, Paddington NSW 2021	Advising on public policy regarding public infrastructure and the development of strategies on the conduct of relations with the Government, and lobbying government departments in relation to projects managed by the company	Construction company specialising in public infrastructure such as roads

## Part 10 Discretionary disclosures

Under clause 16 of the [Constitution \(Disclosures by Members\) Regulation 1983](#), a Member may disclose in Part 10 of the return any direct or indirect benefits, advantages or liabilities that are not required to be disclosed by the Regulation but which the Member considers might appear to raise a conflict between his or her private interests and his or her public duty as a Member or which he or she otherwise wishes to disclose.

### SECTION 2—MEMBER'S ORDINARY RETURN

#### [Constitution \(Disclosures by Members\) Regulation 1983](#)

#### Ordinary Return—Legislative \*Council/\*Assembly

Disclosures of pecuniary interests and other matters by:

.....

*(full name of Member)*

in respect of the period from ..... to .....

*(ordinary return period)*

.....

*(Member's signature)*

.....  
(Date)

Part 1 Real property

Address of each parcel of real property	Nature of interest

Part 2 Sources of income

2.1 Income from employment, offices, partnerships and services

Table 2.1.1 Income received as an employee

Name of occupation	Description of kinds of services provided	Name and address of employer	Nature of business of the employer (where the services provided relate to your position as a Member)

Table 2.1.2 Income received as holder of office

Name or title of the office and a description of kinds of services provided	Name and address of corporation or body (if any) in which the office is held	Nature of business carried on by the entity (where the services provided relate to your position as a Member)

Table 2.1.3 Income from partnership

Name of occupation (if any)	Description of kinds of services provided	Name and address of the partnership	Nature of business carried on by the partnership (where the services provided relate to your position as a Member)

**Table 2.1.4 Income from services provided under any other contract, agreement or arrangement**

<b>Name of occupation (if relevant) and a description of services provided</b>	<b>Name and address of parties to any contract, agreement or arrangement to provide services</b>	<b>Nature of business carried on by the other party to the contract, agreement or arrangement (where the services provided relate to your position as a Member)</b>

**2.2 Income from a trust**

<b>Name and address of settlor</b>	<b>Name and address of trustee</b>

**2.3 Other income**

**Disclosure of other income**

**Part 3 Gifts**

<b>Description of each gift I received at any time during the ordinary return period</b>	<b>Name and address of donor</b>

**Part 4 Contributions to travel**

<b>Name and address of each person who made any financial or other contribution to travel undertaken at any time during the ordinary return period</b>	<b>Dates on which travel was taken</b>	<b>Names of States, Territories of the Commonwealth and overseas countries in which travel undertaken</b>

**Part 5 Interests and positions in corporations**

Name and address of corporation	Nature of interest (if any) or description of position held	Description of principal objects of corporation (where corporation is not a listed public company)

**Part 6 Positions in trade unions and professional or business associations**

Name of trade union or association	Description of position

**Part 7 Debts**

**Disclosure of debts**

**Part 8 Dispositions of property**

**Disclosure of dispositions of property**

**Part 9 Client services**

Names and addresses of persons who benefit from the services provided at any time during the ordinary return period	Description of the services reasonably sufficient to identify the nature of the service provided	Nature of business of persons who directly benefited or are likely directly to benefit

**Part 10 Discretionary disclosures**

**Disclosures that are discretionary**

**Form 3 Supplementary ordinary return**



(Clause 3 (1), definition of “supplementary ordinary return”)

### Directions

- 1 This form is in two sections. The first section (Section 1—Guidance Notes and Examples) outlines the requirements of the [Constitution \(Disclosures by Members\) Regulation 1983](#) for each type of interest to be disclosed, and gives examples as to how to make entries on the return. The second section of the form (Section 2—Member’s Supplementary Ordinary Return) sets out the return that is to be filled in by the Member. Only the second section of this form needs to be lodged with the Clerk.
- 2 The pecuniary interests and other matters required to be disclosed in the return set out in Section 2 of this form are prescribed by clauses 8 to 15A of the [Constitution \(Disclosures by Members\) Regulation 1983](#) (as applied to the return by clause 6A of the Regulation).
- 3 You must complete **EITHER** Division A or Division B of the return in Section 2.
- 4 The particulars required to complete this form are to be written in block letters or typed.
- 5 If any space is insufficient in this form for all the particulars required to complete it, attach an appendix for that purpose which is properly identified and signed by the Member.
- 6 You should refer to the [Constitution \(Disclosures by Members\) Regulation 1983](#) and the instructions in your last ordinary return (if any) to identify whether pecuniary interests should be disclosed.
- 7 A reference in this form to the **supplementary ordinary return period** in relation to a Member is a reference to:
  - (a) in the case of a Member whose previous return was an ordinary return—the period commencing on 1st July and ending on 31st December of the previous year, or
  - (b) in the case of a Member whose previous return was a primary return:
    - (i) where the Member took the pledge of loyalty on or before 1st July of the previous year—the period commencing on 1st July and ending on 31st December of the previous year, or
    - (ii) where the Member took the pledge of loyalty after 1st July of the previous year—the period commencing on that date and ending on 31st December in the previous year.
- 8 The entries marked as “Example entry only” or “Example entries only” are provided by way of example only.
- 9 Matter marked with an asterisk (\*) is to be omitted if it is not appropriate for the Member concerned.

### SECTION 1—GUIDANCE NOTES AND EXAMPLES

- 1 A supplementary ordinary return is designed to update the pecuniary interests disclosed in the ordinary return or primary return last filed by you that covered the return period ending on 30 June last year. Specifically, the purpose of this form is for you to identify additional pecuniary interests for the period 1 July to 31 December of last year. The return must generally be filed by 31 March. Certain interests do not need to be disclosed if they have been disclosed in your most recent ordinary return or primary return.
- 2 In the case of new Members (other than re-elected Members) who have not yet filed an ordinary return, your primary return is to be treated as your most recent ordinary return for the purposes of completing this supplementary ordinary return. It should also be noted that new Members do not need to disclose anything that occurred, or was received or had, before the date on which the pledge of loyalty was taken. Also, as a result of this, some new Members will have a supplementary ordinary return period that is shorter than the period 1 July to 31 December of last year.
- 3 Additional pecuniary interests must be disclosed where, during the supplementary ordinary return period, you have:
  - (a) held any interests in real property, which are additional to those already disclosed in your most recent return, or

- (b) received income from any source, or
- (c) received any gifts or contributions to travel, or
- (d) held any interests or positions in corporations, which are additional to those already disclosed in your most recent return, or
- (e) held any positions in trade unions or professional or business associations, which are additional to those already disclosed in your most recent ordinary return, or
- (f) incurred a liability to pay a debt to any person, which is additional to those already disclosed in your most recent ordinary return, or
- (g) had any dispositions of property (within the meaning of Part 3 of the [Constitution \(Disclosures by Members\) Regulation 1983](#)) in which you have retained a benefit, or
- (h) provided any “client services”.

4 Complete either Division A or Division B of the return, but not both.

**Division A** must only be completed where, in respect of the supplementary ordinary return period last year, you do not have any additional pecuniary interests to disclose as required by the [Constitution \(Disclosures by Members\) Regulation 1983](#).

**Division B** must only be completed if you have additional pecuniary interests set out in item 3 (a) to (h) of these notes in respect of the supplementary ordinary return period last year. You must identify each of the additional pecuniary interest in the relevant table in Division B. You must disclose the following kinds of pecuniary interests even if you disclosed them in the same or a similar entry in your most recent return:

- (a) income received from any source,
- (b) any gifts or contributions to travel that you received,
- (c) any dispositions of property (within the meaning of Part 3 of the [Constitution \(Disclosures by Members\) Regulation 1983](#)),
- (d) any “client services” you provided.

5 If you are not required to disclose a kind of pecuniary interest or other matter under a particular main heading in Division B, “NIL” or “N/A” (as relevant) is to be placed in an appropriate space under that heading.

6 If you have ceased to hold a pecuniary interest that you disclosed in your most recent ordinary return (for example, you have divested yourself of real property), you may (but are not required to) attach a separate document identifying those pecuniary interests that you have ceased to hold.

## Part 1 Real property

List in Part 1 in Division B of the return any interests in real property you held during the supplementary ordinary return period, which are additional to those that you have already disclosed in your most recent return.

**Example entries only—**

Address of each parcel of real property	Nature of interest
Principal place of residence Suburb—Surry Hills	Joint tenant
1 Pitt Street, Sydney NSW 2000	Sole owner

## Part 2 Sources of income

List in Part 2 in Division B of the return all sources from which you received income during the supplementary ordinary return period. You must list all sources of income for that period, even if you listed the same or a similar matter in your most recent return for the previous return period.

### 2.1 Income from employment, offices, partnerships and services

List in the appropriate Tables in Part 2.1 in Division B of the return income from employment, offices, partnerships and services.

**Table 2.1.1 Income received as an employee—Example entry only:**

Name of occupation	Description of kinds of services provided	Name and address of employer	Nature of business of the employer (where the services provided relate to your position as a Member)
Solicitor	Employed solicitor providing legal services to clients, in the areas of criminal and family law	ABC Lawyers, 1 Pitt Street, Sydney NSW 2000	N/A

**Table 2.1.2 Income received as holder of office—Example entry only:**

Name or title of the office and a description of kinds of services provided	Name and address of corporation or body (if any) in which the office is held	Nature of business carried on by the entity (where the services provided relate to your position as a Member)
Local councillor	Hurstville City Council, MacMahon Street, Hurstville NSW 2220	N/A

**Table 2.1.3 Income from partnership—Example entry only:**

Name of occupation (if any)	Description of kinds of services provided	Name and address of the partnership	Nature of business carried on by the partnership (where the services provided relate to your position as a Member)
Solicitor	Partner of the law firm and to provide commercial legal services specialising in litigation, property, intellectual property, competition and corporate law	XYZ Lawyer, 3 Smith Street, Paddington NSW 2021	N/A

**Table 2.1.4 Income from services provided under any other contract, agreement or arrangement—Example entry only:**

Name of occupation (if relevant) and a description of services provided	Name and address of parties to any contract, agreement or arrangement to provide services	Nature of business carried on by the other party to the contract, agreement or arrangement (where the services provided relate to your position as a Member)
Public affairs consultant—Providing public affairs advice, including lobbying MPs and government departments on the issue of regulation of electrical appliances	XYZ Corporation, 1 Pitt Street, Sydney NSW 2000	Manufacturer of electrical appliances

## 2.2 Income from a trust

List in Part 2.2 in Division B of the return any income from trusts.

**Example entry only—**

Name and address of settlor	Name and address of trustee
XY Settlor, 2 George Street, Sydney NSW 2000	AB Trustee, 10 George Street, Sydney NSW 2000

## 2.3 Other income

List in Part 2.3 in Division B of the return any other income.

**Example entry only—**

### Disclosure of other income

Income from the operation of a farm at 1 Pitt Street, Orange NSW, 2800 of which I am the sole proprietor.

## Part 3 Gifts

List in Part 3 in Division B of the return all gifts you received during the supplementary ordinary return period. You must list all gifts for that period, even if you listed the same or a similar matter in your most recent return for the previous return period.

**Example entry only—**

Description of each gift I received at any time during the supplementary ordinary return period	Name and address of donor
4 tickets to the XYZ sporting event	XYZ Sports Union, 1 Pitt Street, Sydney NSW 2000

## Part 4 Contributions to travel

List in Part 4 in Division B of the return all contributions to travel you received during the supplementary ordinary return period. You must list all contributions to travel for that period, even if you listed the same or a similar matter in your most recent return for the previous return period.

**Example entry only—**

Name and address of each person who made any financial or other contribution to travel undertaken at any time during the supplementary ordinary return period	Dates on which travel was taken	Names of States, Territories of the Commonwealth and overseas countries in which travel undertaken
Brisbane City Council, 1 Smith Street, Brisbane QLD 4000	31 August to 4 September	Brisbane, Queensland

## Part 5 Interests and positions in corporations

List in Part 5 in Division B of the return all positions or interests in corporations you held during the supplementary ordinary return period that are additional to those positions or interests that you have already disclosed in your most recent return. If you received income in respect of any position held in a corporation, that information should be disclosed in Part 2 in Division B of the return.

**Example entries only—**

Name and address of corporation	Nature of interest (if any) or description of position held	Description of principal objects of corporation (where corporation is not a listed public company)
CD Corporation Limited, 1 Martin Place, Sydney NSW 2000	Shareholder	N/A
MD Corporation Pty Limited, 33 Kingsgrove Road, Kingsgrove NSW 2208	Majority shareholder	To provide financial advice to its clients

## Part 6 Positions in trade unions and professional or business associations

List in Part 6 in Division B of the return all positions in trade unions and professional or business associations you held during the supplementary ordinary return period that are additional to those positions or interests that you have already disclosed in your most recent return.

**Example entry only—**

Name of trade union or association	Description of position
ABC Trade Union	Member Honorary Secretary

## Part 7 Debts

List in Part 7 in Division B of the return the name and address of persons to whom you were liable for a debt during the supplementary ordinary return period that are additional to those which you have already listed in your most recent return.

**Example entry only—**

### Disclosure of debts

Personal loan made by Mr John Smith of 1 Pitt Street, Sydney NSW 2000.

## Part 8 Dispositions of property

List in Part 8 in Division B of the return all dispositions of property (within the meaning of Part 3 of the [Constitution](#)

(Disclosures by Members) Regulation 1983) in which you have retained a benefit during the supplementary ordinary return period. You must list all such dispositions occurring during that period, even if you listed the same or a similar matter in your most recent return for the previous return period.

Example entry only—

Disclosure of dispositions of property

Disposition of Lot 5, DP1234 on 30 May to XYZ Corporation, whereby a right is conferred on Mr Smith MP to use the property.

Part 9 Client services

List in Part 9 in Division B of the return all client services you provided during the supplementary ordinary return period. You must list all client services provided during that period, even if you listed the same or a similar matter in your most recent return for the previous return period.

Example entry only—

Names and addresses of persons who benefit or are likely to benefit from the services provided at any time during the supplementary ordinary return period	Description of the services reasonably sufficient to identify the nature of the service provided	Nature of business of persons who directly benefited or are likely directly to benefit
Smith Constructions Pty Ltd, 1 Orange Street, Paddington NSW 2021	Advising on public policy regarding public infrastructure and the development of strategies on the conduct of relations with the Government, and lobbying government departments in relation to projects managed by the company	Construction company specialising in public infrastructure such as roads

Part 10 Discretionary disclosures

List in Part 10 any other disclosures you wish to make.

SECTION 2—MEMBER’S SUPPLEMENTARY ORDINARY RETURN

Constitution (Disclosures by Members) Regulation 1983

Supplementary Ordinary Return—Legislative \*Council/\*Assembly

\*Division A

Disclosures of pecuniary interests and other matters by:

.....

(full name of Member)

I certify that there are no new pecuniary interests that I need to disclose as required by clause 6A of the Constitution (Disclosures by Members) Regulation 1983 in respect of the period from ..... to .....  
(supplementary ordinary return period)

.....

(Member’s signature)

.....

(Date)

**\*Division B**

Disclosures of pecuniary interests and other matters by:

.....

(full name of Member)

I certify that the additional pecuniary interests set out in the Parts to this Division are the interests that I am required to disclose by clause 6A of the [Constitution \(Disclosures by Members\) Regulation 1983](#)

in respect of the period from ..... to .....

(supplementary ordinary return period)

.....

(Member's signature)

.....

(Date)

**Part 1 Real property**

Address of each parcel of real property	Nature of interest

**Part 2 Sources of income**

**2.1 Income from employment, offices, partnerships and services**

**Table 2.1.1 Income received as an employee**

Name of occupation	Description of kinds of services provided	Name and address of employer	Nature of business of the employer (where the services provided relate to your position as a Member)

**Table 2.1.2 Income received as holder of office**

Name or title of the office and a description of kinds of services provided	Name and address of corporation or body (if any) in which the office is held	Nature of business carried on by the entity (where the services provided relate to your position as a Member)

**Table 2.1.3 Income from partnership**

Name of occupation (if any)	Description of kinds of services provided	Name and address of the partnership	Nature of business carried on by the partnership (where the services provided relate to your position as a Member)

**Table 2.1.4 Income from services provided under any other contract, agreement or arrangement**

Name of occupation (if relevant) and a description of services provided	Name and address of parties to any contract, agreement or arrangement to provide services	Nature of business carried on by the other party to the contract, agreement or arrangement (where the services provided relate to your position as a Member)

**2.2 Income from a trust**

Name and address of settlor	Name and address of trustee

**2.3 Other income****Disclosure of other income**

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**Part 3 Gifts**



Description of each gift I received at any time during the supplementary ordinary return period	Name and address of donor
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**Part 4 Contributions to travel**

Name and address of each person who made any financial or other contribution to travel undertaken at any time during the supplementary ordinary return period	Dates on which travel was taken	Names of States, Territories of the Commonwealth and overseas countries in which travel undertaken
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**Part 5 Interests and positions in corporations**

Name and address of corporation	Nature of interest (if any) or description of position held	Description of principal objects of corporation (where corporation is not a listed public company)
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**Part 6 Positions in trade unions and professional or business associations**

Name of trade union or association	Description of position
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**Part 7 Debts****Disclosure of debts****Part 8 Dispositions of property****Disclosure of dispositions of property****Part 9 Client services**

Names and addresses of persons who benefit from the services provided at any time during the supplementary ordinary return period	Description of the services reasonably sufficient to identify the nature of the service provided	Nature of business of persons who directly benefited or are likely directly to benefit

**Part 10 Discretionary disclosures**  
**Disclosures that are discretionary**

**Form 4 Discretionary return**

(Clause 3 (1), definition of “discretionary return”)

**Constitution (Disclosures by Members) Regulation 1983**

**Discretionary Return—Legislative \*Council/\*Assembly**

**Directions**

- 1 If a Member considers it appropriate to do so, a Member may make any disclosures in a discretionary return concerning any or all of the matters that a Member is required or permitted to disclose under the [Constitution \(Disclosures by Members\) Regulation 1983](#) in an ordinary return, before the date on which the Member is next required to lodge an ordinary return or supplementary ordinary return.
- 2 The particulars required to complete this form are to be written in block letters or typed.
- 3 If any space is insufficient in this form for all the particulars required to complete it, attach an appendix for that purpose which is properly identified and signed by the Member.
- 4 Matter marked with an asterisk (\*) is to be omitted if it is not appropriate for the Member concerned.

Disclosures of pecuniary interests and other matters by:

.....

(full name of Member)

.....

(Member’s signature)

.....

(Date)

**Discretionary disclosures**