

**Department of Premier & Cabinet**

Declaration of Private interests form

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| Appointee’s name:  |
| **Instructions for completing this form** |
| 1. **Who needs to complete this form?**
* You’re an executive officer or acting as an executive officer on higher duties.
* You have a financial delegation of $20,000 or more.
* You are directed to do so by your manager for any other reason.
1. **How often must I complete this form?**
* Upon appointment; and
* Annually after appointment; and
* Within five working days after the appointee’s circumstances change (regarding topics covered in this form).
1. **What sections do I need to complete?**

Please complete sections A and B of this form and: * if you do not consider that there are any conflicts, complete the declaration at Part C; or
* **if you consider that there is a conflict of interest risk (whether new or existing), complete the declaration at Part D. This includes:**
* **providing further details on the conflict;**
* **outlining the management strategy that is being proposed, or (in some instances) that is already in place – this involves completing the mandatory management plan at Part D2; and**
* **completing the declaration.**
1. **Filling in this form (general)**
* Complete the form as accurately and comprehensively as possible.
* Provide an answer for each question. Do not leave any questions unanswered.
* See the VPSC’s model conflict of interest policy available, on its website, for further information.
* If you have any questions, including whether something constitutes a conflict, please review the ‘Conflict of Interest Policy’ on the DPC intranet.
* Please return your completed form to Angela Richards, Senior Adviser, Executive Employment, DPC – angela.richards@dpc.vic.gov.au.
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| **Use of your personal information** |
| The Department collects this information to provide for the effective management of actual, potential and perceived conflicts of interest, in line with DPC’s Conflict of interest policy. All personal information, including sensitive information, you provide on this DOPI form will be treated in accordance with the Privacy and Data Protection Act 2014 (Vic), the Public Records Act 1973 (Vic) and the Charter of Human Rights and Responsibilities Act 2006 (Vic).By completing this form, you consent to the information you provide being used for the purposes of implementing DPC’s Conflict of interest policy. Subject to the provisions of this Notice, the information you provide on this form will be treated confidentially within DPC. It will only be available to your manager and to other relevant employees responsible for ensuring the integrity of DPC’s business activities. In certain circumstances, the information you provide on this form may be shared as prescribed by law with other Victorian Government departments, non-departmental entities and public entities, including the Victorian Auditor-General, the Victorian Ombudsman, and the Independent Broad-based Anti-Corruption Commission (IBAC).DPC will store your information securely. If you wish to see your personal information held, please contact the Privacy Officer Privacy Officer at dp&c@dpc.vic.gov.au.. If you do not provide all or part of the requested information this may affect your application. Where a material conflict is identified, an appointment may not proceed, you may have restrictions placed on your involvement in certain matters, or your appointment may be suspended while the particular interest remains. |
| Section A. **Private interests** |
| Definitions to assist in completing this section:**Family (Qn A4, A7 and A9):** this includes your immediate family (e.g. spouse, defacto, partner, child, parent or sibling) or those family members who are wholly or substantially dependent on you and whose affairs are closely or significantly linked to you. Family interests refers only to interests that are known to the appointee and that may reasonably raise an expectation of a conflict of interest. **Conflict of interest:** a conflict of interest arises when an appointee has private interests that could improperly influence, or be seen to influence, their decisions or the performance of their public duties. Conflicts can be actual (a conflict between your private and public duties), potential or perceived and can be financial or non-financial in nature. **Declarable association:** A declarable association is a relationship with a person or group alleged or proven to be involved in serious unlawful activity. |
| **A1. Other significant sources of income** |
| Other than your employment with DPC, do you have any other employment that relates to:* a contract
* an office held in return for payment or other reward
* a trade, vocation or profession you’re engaged in, or
* volunteer, pro bono or other unpaid work?
 | **YES☐ NO☐** |
| If yes, please provide details of this source of income. For a contract: who the contract is with, amount of money you have received and/or will receive, and work being undertaken. For an office: name and purpose of the organisation, payment or reward you have received and/or will receive, and your role. For a trade, vocation or profession: the nature of it and the amount of income you have received and/or will receive. For volunteer, pro bono or other unpaid work: the nature of it. |
| Please explain how this income may reasonably raise an expectation of conflict of interest, or a material interference with your public duties. Alternatively, please explain why it does not. Note: You must obtain the relevant separate delegate approval (in line with DPC’s HR Delegations) to engage in Outside(External) Employment. |
| **A2. Office holder:** |
| Do you hold office in any public or private:* company, partnership, trust, incorporated association, or other entity (person or organisation with distinct legal rights)?
 | **YES☐ NO☐** |
| If yes, give details of each. For example: the entity’s name and purpose and your role within it |
| Please explain how this office may reasonably raise an expectation of conflict of interest, or a material interference with your public duties. Alternatively, please explain why it does not. |
| **A3. Shareholdings and other business interests:** |
| Do you have any shareholdings, investments or other business? *This includes self-managed superannuation funds (but not any other types of superannuation funds such as an industry fund or a state super fund) and financial interests in a company, partnership, association or other entity, including financial interests through a nominee shareholder.* | **YES☐ NO☐** |
| If yes, please provide details about the entities you have interests with and the nature of its operations nature of all such holdings (not the amount or dollar value).  |
| Please explain how this/these shareholdings or investments may reasonably raise an expectation of conflict of interest, or a material interference with your public duties. Alternatively, please explain why it does not. |
| **A4. Trusts** |
| Are you:* a beneficiary of any trust (and, if so, who is the trustee?);
* the trustee of any trust; or
* the director of a trustee company in which a member of your family (to your knowledge) is a beneficiary?
 | **YES☐ NO☐** |
| If yes, please provide details about the operations of the trust/s. |
| Please explain how the operation of the trust/s may reasonably raise an expectation of conflict of interest, or a material interference with your public duties. Alternatively, please explain why it does not. |
| **A5. Real estate**  |
| Do you own any real estate (including your main residence), whether in part or in whole, in Australia and/or internationally? | **YES☐ NO☐** |
| If yes, please provide details about ownership (including any other parties who have a financial interest), location and purpose of this property (residential, holiday, commercial or rental). For residential, please provide suburb and state only. For all other purposes, provide street address, state and country.  |
| Please explain how the ownership of this property may reasonably raise an expectation of conflict of interest, or a material interference with your public duties. Alternatively, please explain why it does not.  |
| **A6. Agreements** |
| Have you entered any contract, agreement or understanding that gives rise to:* an obligation
* or expectation of reward that may reasonably be seen as a conflict of interest?

(e.g. an agreement about future employment, leased assets, payment of tuition, settlement of debts and liability, subsidies) | **YES☐ NO☐** |
| If yes, please provide details about the nature of this contract, obligation or agreement. |
| Please explain how this this contract, obligation or agreement may reasonably raise an expectation of conflict of interest, or a material interference with your public duties.  |
| **A7. Family interests**  |
| To your knowledge, do any of the following apply to your family that may reasonably raise an expectation of conflict of interest:* own real estate (including a residence);
* contract, agreement or understanding that gives rise to an obligation or expectation of reward;
* shareholdings, investments or other business (including a company, partnership, association or other entity, as well as nominee shareholders)
* holding a position that may be relevant to your role as a public sector employee.
 | **YES☐ NO☐** |
| If yes, please provide details, including the nature of the interest and how the interest may reasonably raise an expectation of conflict of interest.  |
| **A8. Lobbying activities**  |
| Are you a lobbyist or Government Affairs Director who must include details in the Register of Lobbyists within the definition of the Victorian Government Professional [Lobbyists Code of Conduct](https://www.lobbyists.vic.gov.au/code-of-conduct) or similar code in Australia? | **YES☐ NO☐** |
| If yes, please provide details of the role and any employer/third party you have provided services to. |
| Please explain how this role could reasonably raise an expectation of conflict of interest, or a material interference with your public duties. |
| **A9. Other relevant financial and non-financial interests**  |
| Do you or a member of your family (to your knowledge) have any other interests of which you are aware, which could reasonably raise an expectation of a conflict of interest or material interference with your public duties? These include financial or non-financial interests that:* previously existed
* currently exist
* will arise.
 | **YES☐ NO☐** |
| If yes, please provide details of the interest/s. For example; employment, board memberships, contracts or agreements, declarable associations, disputes with a Victorian Government department or agency, memberships or affiliations with community organisations, volunteer, pro bono or other unpaid work. |
| Please explain how this/these financial interests could reasonably raise an expectation of conflict of interest, or a material interference with your public duties. |
| **A10. Other interests** |
| To your knowledge, are there any other arrangements or circumstances not already covered to declare which could constitute a conflict of interest? | **YES☐ NO☐** |
| If yes, please provide details of these arrangements or circumstances. |
| Please explain how these arrangements or circumstances of which you are aware, could reasonably raise an expectation of conflict of interest, or a material interference with your public duties. |

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| Section B. **Probity** |
| Definitions to assist in completing this section:**Findings of guilt** (Qn B6): a ‘finding of guilt’ includes convictions, fines associated with criminal charges, good behaviour bonds, undertakings and community-based orders, even where no conviction was recorded. It does not include a conviction under any prescribed spent convictions scheme.  |
| **B1. Bankruptcy**  |
| Have you been declared bankrupt or been the subject of any order under the *Bankruptcy Act 1966* (Cth)? | **YES☐ NO☐** |
| If yes, please provide details (year, status: current, discharged or annulled). |
| **B2. Insolvency**  |
| Have you been a director or executive officer of a corporation which became insolvent whilst you were in that role?  | **YES☐ NO☐** |
| If yes, please provide details (corporation name, your role, year, description of circumstances and findings). |
| **B3. Disqualification**  |
| Have you ever been disqualified from acting as a director of a corporation or acting in the management of an incorporated association? | **YES☐ NO☐** |
| If yes, please provide details (reason for disqualification, whether the disqualification is still in effect). |
| **B4. Corporate and civil penalties**  |
| Have you ever:* contravened any civil penalty provision under the Corporations Act 2001 (Cth) or any of its predecessors;
* contravened the Associations Incorporation Reform Act 2012 or any equivalent in another jurisdictions; or
* been found guilty of any offence in relation to corporate or regulatory matters?
 | **YES☐ NO☐** |
| If yes, please provide details (year, description of circumstances and findings). |
| **B5. Criminal and civil proceedings** |
| Are you currently a party in any capacity in either criminal or civil proceedings before a:* court:
* tribunal; or
* other adjudication body, including a professional / registration / licensing body?

Do you expect to become a party to any such proceedings in the next year? | **YES☐ NO☐** |
| If yes, please provide details of the circumstances. |
| **B6. Findings of guilt** |
| Has there ever been a finding of guilt against you for a criminal offence (except a conviction that is spent under any prescribed spent convictions scheme)?Useful information: *A “finding of guilt” includes convictions, fines associated with criminal charges, good behaviour bonds, undertakings and community based orders, even where no conviction was recorded. It does not include a conviction under any prescribed spent convictions scheme.* | **YES☐ NO☐** |
| If yes, please provide details |
| **B7. Inquiries and investigations**  |
| To the best of your knowledge and belief, have you been, or are you currently, the subject of any inquiry or investigation, including those by:* your current or a previous employer
* a professional association
* a regulatory agency
* a consumer protection organisation
* a department or agency of the Commonwealth, states or territories of Australia
* a government integrity body of the Commonwealth, states or territories of Australia (such as the Independent Broad-based Anti-corruption Commission, Victorian Ombudsman, Auditor-General’s Office, etc.)
* a Royal Commission, Board of Inquiry or formal inquiry
* a Parliamentary inquiry.
 | **YES☐ NO☐** |
| If yes, please provide details, if lawful to do so, (year, description of circumstances and findings). |

**Declaration**

I declare that:

1. To the best of my knowledge, the information I have provided in Section A and Section B of this declaration is true and correct.
2. If there is any change to the interests or answers set out in Section A Section B of this declaration, I undertake to advise my manager of any alterations or additions to my declaration within five working days.
3. I will follow DPC’s Conflict of interest policy to ensure that my organisation’s reputation and the public interest are adequately protected.
4. If my manager identifies a conflict of interest, I will work with my manger to develop and complete a Conflict of interest – Declaration and Management Plan for each conflict identified.
5. I understand and consent to the information l have provided in this form being used for the purposes of implementing the organisation’s conflict of interest policy outlined in the Collection Notice.
6. I understand it may also be shared with other Victorian Government departments, non-departmental entities and public entities in certain circumstances as prescribed by law.

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| ***Signature of Declarant:***  |
| ***Name (please print):***  |
| ***Date:***  |

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| ***To finalise this form, you must complete ‘Section C’ OR ‘Section D’ below:*** |

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| Section C. **No conflict of interest risk identified** *(complete this section if no conflict has been identified, otherwise complete Section D)* |
| **Appointee declaration**  |
| I have considered my duties as an appointee/employee, and my personal interests, and am satisfied that there are no actual, potential or perceived conflicts of interest. **Sign below.** |
| **Signature of Appointee:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Name (please print):** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Date:** \_\_\_\_\_\_/\_\_\_\_\_\_/\_\_\_\_\_\_  |
| **Manager declaration** |
| I have considered the appointee/employee’s duties and their personal interests, and am satisfied that there are no actual, potential or perceived conflicts of interest. **Sign below.****Note:** If you assess that the appointee/employee DOES have a conflict of interest, please direct the appointee to complete Section D below outlining an appropriate management plan. |
| **Signature of Manager:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Name (please print):** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Date:** \_\_\_\_\_\_/\_\_\_\_\_\_/\_\_\_\_\_\_  |
| Section D. **Conflict of interest risk identified** *(complete this section if a conflict of interest risk has been identified, otherwise complete Section C)* |
| I have considered my duties as an appointee, and my personal interests, and I have concluded that there is a risk of a conflict of interest. **You must** **complete D1, D2 and D3, and sign at D4.**  |
| **D1. Type of conflict of interest identified** |
| **The following conflict of interest risk was identified:****State the specific personal interest identified** (e.g. financial interest; conflict of duty etc.) and detail how this raises an actual, potential or perceived conflict of interest with your public duties.You may attach additional documents if this assists, including in relation to an existing management plan. Please do not refer to previous declarations – this document should be exhaustive. |
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| **D2. Management plan for appointee’s conflict of interest** |
| **The following management plan is proposed/in place:** **Outline the plan in place**. This management plan will ensure conflict risks are managed and resolved in favour of the public interest rather than that of the appointee and should be based on the following mitigation strategies:Restrict: restrictions are placed on the appointee’s involvement in the matterRecruit: a disinterested third party is used to oversee part or all of the process that deals with the matterRemove: the appointee removes themselves, or is removed, from the matterRelinquish or Resign: the appointee relinquishes the private interest that is creating the conflict. Where relinquishing the interest is not possible (e.g. relationship with family) and the conflict cannot be managed in the public interest using one of the other options above, the appointee may consider resigning.You may attach additional documents if this assists, including in relation to an existing management plan. Please do not refer to previous declarations – this document should be exhaustive.  |
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| **D3. This management plan will be reviewed:** |  Within 1 month [ ]  Within 3 months [ ]  Within 6 months[ ]  Every 12 months [ ]  N/A as the conflict is a one-off of short duration[ ]  Other (specify): |
| Section D (continued). **Conflict of interest risk identified** |
| **D4. Appointee declaration**  |
| The actions described in Section D2. of the form have been put in place to effectively manage any actual, perceived or potential conflict of interest disclosed in Sections A or B and further detailed in Section D1, of this form. I undertake to adhere to any conflict of interest risk management plan set out in Section D, which is in place to ensure that government’s reputation and the public interest is adequately protected. |
| **Signature of Appointee:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Name (please print):** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Date:** \_\_\_\_\_\_/\_\_\_\_\_\_/\_\_\_\_\_\_  |
| **D5. Minister declaration** (must be signed by Minister or departmental delegate) |
| I am comfortable that the management plan detailed in Section D2 appropriately manages any actual, perceived or potential conflict of interest disclosed in Sections A or B and further detailed in Section D1, of this form.  |
| **Signature of Minister or Departmental Delegate:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Name (please print):** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Date:** \_\_\_\_\_\_/\_\_\_\_\_\_/\_\_\_\_\_\_   |