



National Anti-Corruption Commission

Protocol - Disclosure of interests by statutory office holders

Instruction by CEO under rule 16 of the *Public Governance, Performance and Accountability Rule 2014*

Date Thursday, 18 June 2026

File Ref 26/26

1. Purpose

- 1.1 This protocol constitutes an instruction given by the Chief Executive Officer (**CEO**) to the Commissioner and Deputy Commissioners under rule 16 of the *Public Governance, Performance and Accountability Rule 2014* (**Rules**).
- 1.2 This protocol identifies the process adopted by statutory office holders (**SOHs**) of the National Anti-Corruption Commission (**Commission**) to disclose material personal interests that relate to the affairs of the Commission (**declaration**).
- 1.3 The SOHs of the Commission comprise the Commissioner, Deputy Commissioners and Chief Executive Officer (**CEO**).
- 1.4 This protocol ensures compliance with section 247 of the *National Anti-Corruption Commission Act 2022* (Cth), section 29(2)(b) of the *Public Governance, Performance Act 2013* (Cth) (**Act**) and rule 16A of the Rules.
- 1.5 This protocol was considered and adopted at a meeting of the SOHs on 18 June 2026.
- 1.6 The protocol commences on 7 July 2026.

2. Background – statutory requirements

- 2.1 Section 29 (duty to disclose interests) of the Act provides:

(1) *An official of a Commonwealth entity who has a material personal interest that relates to the affairs of the entity must disclose details of the interest.*

(2) *The rules may do the following:*

- (a) prescribe circumstances in which subsection (1) does not apply;*
- (b) prescribe how and when an interest must be disclosed;*
- (c) prescribe the consequences of disclosing an interest (for example, that the official must not participate at a meeting about a matter or vote on the matter).*

2.2 Rules 16 and 16A of the Rules are made for subsection 29(2)(b) of the Act.

2.3 Rule 16 provides:

An official of a Commonwealth entity who:

(a) is not the accountable authority, or a member of the accountable authority, of the entity; and

(b) has a material personal interest that relates to the affairs of the entity;

must disclose that interest in accordance with any instructions given by the accountable authority of the entity.

2.4 Rule 16A provides:

(1) This section applies to an official of a Commonwealth entity if:

(a) the official is appointed under a law as a member (an appointed member) of a body (other than a body that is the accountable authority of a Commonwealth entity) that is:

(i) a committee, council or other body; or

(ii) the entity itself; and

(b) all appointed members of the body are officials of the entity; and

(c) the official has a material personal interest that relates to the affairs of the entity (other than an interest not required to be disclosed because of section 12).

Requirement to disclose interest

(2) The official must disclose that interest, orally or in writing, to each other appointed member of the body.

(3) The disclosure must include details of:

(a) the nature and extent of the interest; and

(b) how the interest relates to the affairs of the entity.

(4) The official must make the disclosure at a meeting of the appointed members of the body:

- (a) as soon as practicable after the official becomes aware of the interest; and*
- (b) if there is a change in the nature or extent of the interest after the official has disclosed the interest under this section—as soon as practicable after the official becomes aware of that change.*

(5) The official must ensure that the disclosure is recorded in the minutes of the meeting.

- 2.5 Further, the CEO is also required to disclose any material personal interest that relates to the affairs of the Commission pursuant to s 13(7)(b) and s 14 of the *Public Service Act 1999* (Cth).

3. Protocol

- 3.1 The Commission's SOHs adopt the following process for the disclosure of material personal interests:
- a) SOHs will provide their declarations to the Attorney-General (**AG**) for the purposes of s 29 of the Act:
 - i. within a month of commencement of their appointment,
 - ii. thereafter on or about 1 August each year, and
 - iii. within a month in the event of any relevant change of circumstances.
 - b) Disclosures must include details of the nature and extent of the interest, and how the interest relates to the affairs of the Commission.
 - c) On each occasion a SOH provides a declaration to the AG, they must also provide their declaration to other SOHs by email, copying the Commission's Integrity & Risk team.
 - d) As soon as practicable after declarations are disclosed to SOHs, a meeting will be held comprising the SOHs and a member of the Integrity & Risk team.
 - e) The purpose of the meeting will be:
 - i. to confirm that the SOHs have reviewed and noted each other's declarations; and

- ii. to discuss any questions, concerns or other matters regarding the declarations (including relating to the nature / extent of the interests and/or how it relates to the affairs of the Commission).
- f) The Integrity & Risk team will take minutes of the meetings. The minutes will be circulated after each meeting to the SOHs to review and adopt as a true and accurate record of the meeting.

4. Miscellaneous

- 4.1 The Integrity & Risk team will be responsible for maintaining a register of all SOH meetings, minutes of the meetings and copies of SOH declarations.
- 4.2 This protocol is subject to review every 12 months.



Philip Reed
Chief Executive Officer

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