

## **TOURISM AUSTRALIA GUIDELINES FOR INDUSTRY ADVISORY PANELS**

### 1) Introduction

The Board of Tourism Australia ('TA') has established four industry advisory panels (IAPs) to assist with the performance of TA's functions. The IAPs are one of TA's key points of contact with industry. They provide advice to TA's Board on the Australian leisure tourism and business events industry. IAPs act as a 'sounding board' for ideas and opportunities which TA may pursue.

There are four Industry Advisory Panels which focus on four different areas of TA's responsibilities:

- a) International marketing
- b) Domestic marketing
- c) Business Events marketing
- d) Indigenous tourism

### 2) Terms of reference

The Terms of Reference for the operation of IAPs are as follows:

- a) To provide a forum for the discussion of matters relevant to the Australian leisure tourism and business events industry; and
- b) To provide advice and act as a 'sounding board' for the TA Board in relation to ideas, opportunities or activities which TA may pursue.

### 3) Appointment to IAP

Each IAP generally comprises:

- a) A chair (who is a member of the TA Board)
- b) A representative or delegate of TA's Executive Leadership Team
- c) A sufficient number of members as are necessary to enable a broad pool of skills and diverse business interests to be drawn on.

Generally, members are appointed for terms of two years. IAP members are appointed on the basis of their individual expertise, knowledge and experience, and not as a representative of any particular group, organisation, or regional area.

All proposed IAP members are required to sign a declaration in the form set out in Attachment A prior to their appointment.

### 4) Obligations and responsibilities of IAP members

Appointment to an IAP carries a number of important responsibilities. Specifically, IAP Members must be prepared to meet the following requirements:

- They must act in the best interest of the Australian leisure tourism and business events industry as a whole, rather than an advocate of any particular organisation, interest group or regional area;
  - They must be prepared to observe confidentiality and discretion when dealing with sensitive issues;
  - They must contribute to discussion in an objective and impartial manner and avoid pursuing personal agendas or self-interest;
  - They must understand and agree to disclose their interests and comply with their other obligations set out under paragraphs 4a) – c) below.
- a. Disclosure of interests under *Tourism Australia Act 2004*

Due to their industry involvement, some matters considered by an IAP may give rise to conflicts of interest for IAP members.

**A member of an advisory panel who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the panel must disclose the nature of the interest at a meeting of the panel as soon as possible after the relevant facts have come to the member's knowledge.**

The disclosure obligation above is required by law under section 30(1) of the *Tourism Australia Act*.

i. Types of interest

Panel members must disclose to the IAP any 'direct or indirect pecuniary interest'.

A pecuniary interest is an interest which would cause an IAP member to make a monetary gain out of any decision which is being made. It includes an interest which gives rise to the possibility of financial gain, or possibly affecting present or future financial liabilities. Pecuniary interests will usually be business interests, eg. Shares in a company or directorships of companies with which TA has dealings or which may be affected by a decision of TA.

A direct pecuniary interest is a financial benefit to the member.

An indirect pecuniary interest covers cases where a possible financial advantage arises consequentially, such as a case where the partner or close relative of a member would obtain a financial advantage. The expression does not extend to the remote possibility of financial gain, or financial gain to an acquaintance.

If a panel member is unsure whether an interest is covered by the Act, he or she should always disclose. The fact of disclosure does not mean that the panel member will necessarily be precluded from participating in the discussions. See paragraph (iii) below in relation to 'Dealing with an interest'. It is important for the protection of the member that all potentially relevant interests are disclosed.

ii. Disclosing an interest

A member must disclose any relevant interest at a meeting of the IAP as soon as he or she is aware of the potential pecuniary interest. If the member is aware of the potential pecuniary interest after reading the agenda and associated papers of the meeting, he or she should disclose the interest at the start of the meeting. If the member only becomes aware of the pecuniary interest while the meeting is being held, he or she should disclose the interest as soon as it comes to the member's attention.

The member should provide sufficient information to enable the IAP as a whole to understand the scope of the benefit and potential pecuniary gain to the member.

iii. Dealing with an interest

Once there has been a disclosure, the person with the interest must not be present while the matter is being considered, unless the Chair decides that it is appropriate for the member to do so.

The Chair should exercise his or her judgement as to how to manage the disclosure of interests, taking into account:

- 1) The nature of the pecuniary interest; and
- 2) The nature of the matter being considered by the IAP

The Chair should determine whether the pecuniary interest is major, minor or immaterial.

The table below sets out a guide as to appropriate involvement of a member who has made a disclosure:

Type of pecuniary interest	IAP resolution
<p>Member (or partner or close relative of member) has a <b>major</b> pecuniary interest.</p> <p>Eg. Member owns or controls a company being considered by the IAP as a service-provider for TA, or is employed by the potential service-provider.</p> <p>Eg. Member owns a company which runs tours of outback Australia. The IAP is asked to consider whether the next TA advertising campaign should feature Australian cities or outback Australia.</p> <p>Eg. The member stands to gain financially from a policy or funding decision by Tourism Australia in relation to business events marketing.</p>	<p>Member should retire from the meeting.</p>

<p>Eg. The member owns three eco-resorts, including one on an island adjacent to the Great Barrier Reef, and one near Kakadu National Park. The IAP is asked to advise whether TA should put more funds towards advertising Australia's World Heritage areas.</p>	
<p>Member (or partner or close relative of member) has <b>minor</b> pecuniary interest.</p> <p>Eg. Member has a minor shareholding in a company being considered by the IAP as a service-provider for TA.</p> <p>Eg. The member owns a few shares in a new Australian airline, OzFly Pty Ltd. The shares do not allow the member to affect what OzFly does. TA asks the IAP to advise whether TA should form an advertising partnership with OzFly.</p> <p>Eg. Member is the owner of a company which organises business conferences in Tasmania. The IAP is asked to recommend strategies for showcasing food and wine in Tasmania.</p>	<p>Member can contribute to discussions, but should retire before the IAP forms a conclusion to be passed to the Board.</p>
<p>Member (or partner or close relative of member) has <b>immaterial</b> pecuniary interest.</p> <p>Eg. Member owns a few shares in Optus, along with many thousands of other Australians. The IAP is asked to comment on the benefits to TA of entering a new co-operative marketing agreement with Telstra.</p>	<p>Member can contribute to discussions and forming a conclusion to be passed to the Board.</p>

The disclosure of the interest, and the IAP's resolution in relation to that member's involvement, must be recorded in the minutes of the meeting.

iv. Effect of failure to disclose

The failure to disclose an interest without reasonable excuse will result in the Board terminating the member's appointment.

b. Public comment

IAP members should avoid making public comments about the matters considered by the IAP unless they make clear that they are expressing personal views only.

c. Confidential Information

IAP members may receive access to confidential documents, research and briefings ('Confidential Information'). This Confidential Information is provided to inform discussions and seek comments. The Confidential Information is not to be disclosed to third parties or circulated outside the IAP.

## 5) Expenses

IAP members will participate in IAP meetings on a voluntary basis, and will not be remunerated, unless agreed in writing by the Chair of the panel.

Out of Pocket expenses associated with attending IAP meetings may be reimbursed at the discretion of the Chair, provided such expenses are approved in advance by the Chair and evidenced by appropriate receipts. Out of Pocket expenses include:

- Return economy airfare to Sydney for members from interstate
- Travel between the Sydney airport and meeting venue for members from interstate

## 6) Meetings

### a. Frequency of meetings

The IAP will meet at least three times per year.

### b. Notice

The Chair of the IAP shall forward to all members notice of the next IAP meeting no less than 20 working days prior to a meeting being held. The notice shall call for agenda items and stipulate:

- Date and time of the meeting
- Venue of the meeting
- Proposed business

### c. Quorum

The quorum for an IAP meeting is half of the members of the IAP, who must be present for the duration of the meeting. If less than half of the members are present, the meeting may still take place, but the IAP will not be able to make any recommendations to the Board.

### d. Agenda

The IAP chair will make the agenda of the IAP meeting available to the members at least 5 working days prior to the meeting. The agenda should set out the following items in order:

1. Chair's opening remarks
2. Apologies
3. Review of agenda
4. Declaration of interests
5. Adoption of minutes from previous meeting
6. Business arising from previous minutes
7. New business
8. Other business
9. Proposed date of next meeting

e. Minutes

The minutes of all IAP meetings shall form a complete record of the matters discussed by the panel. They will include a record of all pecuniary interests disclosed at the meeting, and the resolution of the IAP in response to that disclosure.

Minutes will be circulated by the IAP Chair (or his or her delegate) within 21 working days of the meeting.

Minutes of all IAP meetings shall be provided to the Board of TA.

7) Termination or resignation of Advisory Panel member

a) Termination

The TA Board may terminate the appointment of any IAP member if the member fails to fulfil his or her obligations which are set out in section 4.

b) Resignation

A member may resign before the term of his or her appointment expires by forwarding a signed notice of resignation to the Chair of the TA Board, with a copy to the IAP Chair.

**Attachment A – Acceptance of Appointment letter**

Chair  
Tourism Australia  
International Industry Advisory Panel  
GPO Box 2721  
Sydney NSW 1006

Dear Chair

I refer to my proposed appointment as a member of the International Industry Advisory Panel

In compliance with TA’s requirements prior to appointment to this position, I advise that:

- 1) I have read and understand TA’s guidelines for IAPs
- 2) I understand that if my appointment is confirmed, I must disclose any relevant pecuniary interest at all IAP meetings at which I am present.
- 3) I will not disclose or circulate any confidential information which is provided to me at IAP meetings, unless that information becomes public or if required by law.
- 4) I will not make public comments about IAP business.

I also give my assurance that I will endeavour to participate in discussion in an objective and impartial manner and that I will serve the best interests of the above IAP in support of the Australian leisure tourism and business events industry.

Yours sincerely

Signature: \_\_\_\_\_  
Name (print): \_\_\_\_\_  
Postal address: \_\_\_\_\_  
Email address \_\_\_\_\_  
Telephone number: \_\_\_\_\_  
Date: \_\_\_\_\_