

# Conflict of Interest Disclosure

## Instructions

1. Read the *Conflicts of Interest Policy and Guidelines*
2. Once completed by the staff member and their manager, the form should be kept as a record within the business unit

Employee Details		
Name: Derise Cubin	Date: 24 November 2021	
Position: EBM/ Commissioner for Fair Trading	Supervisor name: David Pryce	
Branch: Licensing & Registrations	Sub Unit:	
Conflict of Interest / Circumstances		
<p>1. I refer to the recently filed ACAT matter XD/1027/2021 86 Candles Pty Ltd V Commissioner for Fair Trading &amp; Ors.</p> <p>2. I am the current appointed ACT Commissioner for Fair Trading, Sch 2.2(a)(ii)</p>		
Duties affected by the Conflict / Circumstances		
<p>1. Sch 2.2(a)(ii)</p> <p>2. I hold no bias for or against and will continue to fulfill my statutory role in line with my obligations and responsibilities under relevant legislation PSMA and comply with any other legislative requirements. All information will be managed with sensitivity.</p>		
The conflict of interest has been identified as (please tick the appropriate box)		
Actual <input type="checkbox"/>	Perceived <input checked="" type="checkbox"/>	Potential <input type="checkbox"/>
Pecuniary/financial <input type="checkbox"/>	Non-pecuniary <input checked="" type="checkbox"/>	
The risk of the conflict of interest has been identified as (please tick the appropriate box)		
High <input type="checkbox"/>	Medium <input type="checkbox"/>	Low <input checked="" type="checkbox"/>
Management Strategy (please tick the appropriate box)		
Register <input checked="" type="checkbox"/>	Restrict <input checked="" type="checkbox"/>	Recruit <input type="checkbox"/>
Remove <input type="checkbox"/>	Relinquish <input type="checkbox"/>	Resign <input type="checkbox"/>
Details of restrictions and strategies implemented		
<p>1. Sch 2.2(a)(ii)</p> <p>2. Sch 2.2(a)(ii)</p> <p>Engagement will occur via the EBM Fair Trading and Regulatory Strategy / ACT Government Solicitor.</p>		

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**From:** [Rynehart, Josh](#)  
**To:** [Access Canberra Government Business & Coordination](#)  
**Subject:** RE: FYI - QTONs - Gaming & Consumer Affairs on 8 Nov  
**Date:** Friday, 11 November 2022 8:00:20 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

OFFICIAL

Send the conflict and marriage status ones to me only please

**From:** Matthews, Catherine <Catherine.Matthews@act.gov.au> **On Behalf Of** Access Canberra Government Business & Coordination  
**Sent:** Thursday, 10 November 2022 3:30 PM  
**To:** McKinnon, Margaret <Margaret.McKinnon@act.gov.au>; Rynehart, Josh <Josh.Rynehart@act.gov.au>; Mangeruca, Giuseppe <Giuseppe.Mangeruca@act.gov.au>; Chan, Yu-Lan <Yu-Lan.Chan@act.gov.au>; Cubin, Derise <Derise.Cubin@act.gov.au>  
**Subject:** FYI - QTONs - Gaming & Consumer Affairs on 8 Nov

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Hi All

We've received the attached QTONs/Transcript from the Consumer Affairs and Gaming hearing. We will get these out to line areas later today after the hearings. Just sending on for your early information.

Cath

**Cath Matthews | Director, Government Business & Coordination**

Phone: 02 6205 3464 | Email: [catherine.matthews@act.gov.au](mailto:catherine.matthews@act.gov.au)

**Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government**

Cosmopolitan Building, 21 Bowes Street, Woden | GPO Box 158, Canberra ACT 2601 | [www.act.gov.au/accessCBB](http://www.act.gov.au/accessCBB)



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**Sent:** Thursday, 10 November 2022 3:14 PM  
**To:** ACDLO <[ACDLO@act.gov.au](mailto:ACDLO@act.gov.au)>; AGDLO <[AGDLO@act.gov.au](mailto:AGDLO@act.gov.au)>  
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Dear DLOs

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Member	Portfolio	respondent	Question	Transcript page

Cain	Consumer Affairs	Shane Rattenbury	Details of marital status	91
Cain	Consumer Affairs	Shane Rattenbury	Details of conflict of interest declaration	90

# Outside Scope

The due date for response is Thursday 17 November 2022

thanks

**Kathleen de Kleuver**

Committee Secretary | Standing Committee on Justice and Community Safety

Committee Secretary | Standing Committee on Justice and Community Safety (Legislative Scrutiny role)

Office of the Legislative Assembly for the ACT

P (02) 620 70524

E [LACommitteeJCS@parliament.act.gov.au](mailto:LACommitteeJCS@parliament.act.gov.au);

E [Scrutiny@Parliament.act.gov.au](mailto:Scrutiny@Parliament.act.gov.au);



[www.parliament.act.gov.au](http://www.parliament.act.gov.au)

**From:** [Bharadwaj, Vaishnavi](#) on behalf of [Access Canberra Government Business & Coordination](#)  
**To:** [Rynehart, Josh](#)  
**Cc:** [Access Canberra Government Business & Coordination](#)  
**Subject:** RE: For Action: (Due COB 14 Nov) - QTON XX - CAIN - Conflict of interest - Commissioner for Fair Trading and QTON XX - CAIN - Details of Marital Status  
**Date:** Friday, 11 November 2022 12:42:00 PM  
**Attachments:** [.QTON XX - CAIN - Conflict of Interest - Commissioner for Fair Trading.docx](#)  
[.QTON XX - CAIN - Details of Marital Status.docx](#)  
[image001.png](#)  
[image002.png](#)  
**Importance:** High

---

OFFICIAL

So sorry Josh just saw your email. Word docs attached as requested

Thanks,

Vaish

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**From:** Rynehart, Josh <[Josh.Rynehart@act.gov.au](mailto:Josh.Rynehart@act.gov.au)>  
**Sent:** Friday, 11 November 2022 11:44 AM  
**To:** Access Canberra Government Business & Coordination <[AccessCanberraGBC@act.gov.au](mailto:AccessCanberraGBC@act.gov.au)>  
**Subject:** RE: For Action: (Due COB 14 Nov) - QTON XX - CAIN - Conflict of interest - Commissioner for Fair Trading and QTON XX - CAIN - Details of Marital Status

OFFICIAL

Thanks Vaish

Can you send me them as word docs?

ta

---

**From:** Bharadwaj, Vaishnavi <[Vaishnavi.Bharadwaj@act.gov.au](mailto:Vaishnavi.Bharadwaj@act.gov.au)> **On Behalf Of** Access Canberra Government Business & Coordination  
**Sent:** Friday, 11 November 2022 9:41 AM  
**To:** Rynehart, Josh <[Josh.Rynehart@act.gov.au](mailto:Josh.Rynehart@act.gov.au)>  
**Cc:** Access Canberra Government Business & Coordination <[AccessCanberraGBC@act.gov.au](mailto:AccessCanberraGBC@act.gov.au)>  
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OFFICIAL

Good morning Josh,

Please see the attached template for a response to the QTONs regarding the conflict and marriage status.

Could we please have a draft response prepared and sent to GBC **latest by COB Monday 14 November.**

If you require input please let us know **ASAP.**

If you are unable to easily retrieve the information requested for a particular question, an example of a response you can provide is as follows:

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Thanks,

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Vaishnavi Bharadwaj | Government Business and Coordination | Access Canberra  
 Phone: 02 6207 5492 | Email: [Vaishnavi.Bharadwaj@act.gov.au](mailto:Vaishnavi.Bharadwaj@act.gov.au)  
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**Kathleen de Kleuver**

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## Standing Committee on Justice and Community Safety

### **Inquiry into Annual and Financial Reports 2021-2022** **ANSWER TO QUESTION TAKEN ON NOTICE**

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Asked by Mr Peter Cain MLA on 8 November 2022: Minister Rattenbury took on notice the following question(s):

Reference: Hansard [uncorrected] proof transcript 8 November, Page 91

In relation to:

Page 89

**THE CHAIR:** So, Ms Cubin and Mr Snowden, are they married?

**Mr Rattenbury:** I actually do not know their marital status. I know that they do know each other.

Page 91

**THE CHAIR:** Will you take these queries on notice and get back to this committee?

**Mr Rattenbury:** What specific queries would you like answers to?

**THE CHAIR:** Well, the questions that I have not had answered, which are the marital relationship, the status of the declaration on 26 November and why that was done.

**Mr Rattenbury:** I will consider those questions and I will see what information I can provide you. As that member of the public has instigated legal proceedings against the government, there is obviously then some constraints about how we might deal with that, so I will seek advice on those matters. I wish to be transparent with the committee. I also wish to be respectful of people's personal lives and I also wish to be mindful of legal matters that are now being prosecuted against the government. So it is a challenging space.

Minister Shane Rattenbury MLA: The answer to the Member's question is as follows:—

[Insert answer to question taken on notice]

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:

Date:

By the Minister for Consumer Affairs, Mr Shane Rattenbury

**From:** [McKinnon, Margaret](#)  
**To:** [Matthews, Catherine](#)  
**Cc:** [Rynehart, Josh](#); [AC - Office of the DDG](#)  
**Subject:** RE: FOR DDG CLEARANCE : (Due COB 14 Nov) - QTON XX - CAIN - Conflict of interest - Commissioner for Fair Trading and QTON XX - CAIN - Details of Marital Status  
**Date:** Monday, 14 November 2022 12:02:05 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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OFFICIAL

Cleared. Noting that somebody should discuss with Office. Josh – happy to do that with you or you go solo.

Also noting that signing off might be dependant of other CMTEDD things afoot. Next email refers

And Jess – do we have any more traffic in the other mailbox.

Margaret

**Margaret McKinnon | A/g Deputy Director General**

Phone: [Sch 2.2\(a\)\(ii\)](#) | Email: [Margaret.McKinnon@act.gov.au](mailto:Margaret.McKinnon@act.gov.au)

**Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government**

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**Sent:** Monday, 14 November 2022 10:23 AM  
**To:** McKinnon, Margaret <Margaret.McKinnon@act.gov.au>  
**Cc:** Rynehart, Josh <Josh.Rynehart@act.gov.au>; AC - Office of the DDG <ACOfficeoftheDDG@act.gov.au>; Matthews, Catherine <Catherine.Matthews@act.gov.au>  
**Subject:** FOR DDG CLEARANCE : (Due COB 14 Nov) - QTON XX - CAIN - Conflict of interest - Commissioner for Fair Trading and QTON XX - CAIN - Details of Marital Status

OFFICIAL

Hi Marg

Two QTONs for your clearance which have been prepared based on the below wording from Lisa Manzoney.

If you could please clear and return to my email address, not the team email address it would be appreciated.

Cheers  
Cath

**Cath Matthews | Director, Government Business & Coordination**

Phone: 02 6205 3464 | Email: [catherine.matthews@act.gov.au](mailto:catherine.matthews@act.gov.au)

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**Sent:** Monday, 14 November 2022 9:24 AM

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**Subject:** FW: For Action: (Due COB 14 Nov) - QTON XX - CAIN - Conflict of interest - Commissioner for Fair Trading and QTON XX - CAIN - Details of Marital Status

OFFICIAL

Hi

Can you update the template with the answers below and submit to MM for approval?

ta

---

# Sch 1 1.2

# Sch 1 1.2

---

**From:** Bharadwaj, Vaishnavi <[Vaishnavi.Bharadwaj@act.gov.au](mailto:Vaishnavi.Bharadwaj@act.gov.au)> on behalf of Access Canberra Government Business & Coordination <[AccessCanberraGBC@act.gov.au](mailto:AccessCanberraGBC@act.gov.au)>  
**Sent:** Friday, November 11, 2022 12:41:57 PM  
**To:** Rynehart, Josh <[Josh.Rynehart@act.gov.au](mailto:Josh.Rynehart@act.gov.au)>  
**Cc:** Access Canberra Government Business & Coordination <[AccessCanberraGBC@act.gov.au](mailto:AccessCanberraGBC@act.gov.au)>  
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Vaishnavi Bharadwaj | Government Business and Coordination | Access Canberra  
Phone: 02 6207 5492 | Email: [Vaishnavi.Bharadwaj@act.gov.au](mailto:Vaishnavi.Bharadwaj@act.gov.au)  
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**Cc:** LA Committee - JCS <[LACommitteeJCS@parliament.act.gov.au](mailto:LACommitteeJCS@parliament.act.gov.au)>

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**Cc:** [Rynehart, Josh](#); [AC - Office of the DDG](#); [Matthews, Catherine](#); [McKinnon, Margaret](#)  
**Subject:** RATTENBURY - QTONS from Consumer Affairs hearing  
**Date:** Tuesday, 15 November 2022 9:34:00 AM  
**Attachments:** [image001.png](#)  
[GSO Advice on QTONs from 8 November hearing.docx](#)  
[XX QTON ANSWER - CMTEDD-AC - Conflict of Interest - Commissioner for Fair Trading - Cain.obr](#)  
[XX QTON ANSWER - CMTEDD-AC - Details of Marital Status - Cain.obr](#)

---

OFFICIAL: Sensitive - Legal Privilege

Hi Morgs

Attached are the proposed responses to two of the QTONs taken during the Consumer Affairs/Gaming hearing on 8 November.

Could you please provide these Sch 1 1.12

Cheers

Cath

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# Conflict of Interest Disclosure

## Instructions

1. Read the *Conflicts of Interest Policy and Guidelines*
2. Once completed by the staff member and their manager, the form should be kept as a record within the business unit

Employee Details		
Name: Derise Cubin	Date: 24 November 2021	
Position: EBM/ Commissioner for Fair Trading	Supervisor name: David Pryce	
Branch: Licensing & Registrations	Sub Unit:	
Conflict of Interest / Circumstances		
<ol style="list-style-type: none"> <li>1. I refer to the recently filed ACAT matter XD/1027/2021 86 Candles Pty Ltd V Commissioner for Fair Trading &amp; Ors.</li> <li>2. I am the current appointed ACT Commissioner for Fair Trading, Sch 2.2(a)(ii)  <div style="background-color: #cccccc; height: 20px; width: 100%;"></div> </li> </ol>		
Duties affected by the Conflict / Circumstances		
<ol style="list-style-type: none"> <li>1. Sch 2.2(a)(ii)  <div style="background-color: #cccccc; height: 20px; width: 100%;"></div> </li> <li>2. I hold no bias for or against <div style="background-color: #cccccc; display: inline-block; width: 150px; height: 1em;"></div> and will continue to fulfill my statutory role in line with my obligations and responsibilities under relevant legislation PSMA and comply with any other legislative requirements. All information will be managed with sensitivity.</li> </ol>		
The conflict of interest has been identified as (please tick the appropriate box)		
Actual <input type="checkbox"/>	Perceived <input checked="" type="checkbox"/>	Potential <input checked="" type="checkbox"/>
Pecuniary/financial <input type="checkbox"/>	Non-pecuniary <input checked="" type="checkbox"/>	
The risk of the conflict of interest has been identified as (please tick the appropriate box)		
High <input type="checkbox"/>	Medium <input checked="" type="checkbox"/>	Low <input checked="" type="checkbox"/>
Management Strategy (please tick the appropriate box)		
Register <input checked="" type="checkbox"/>	Restrict <input checked="" type="checkbox"/>	Recruit <input type="checkbox"/>
Remove <input checked="" type="checkbox"/>	Relinquish <input type="checkbox"/>	Resign <input type="checkbox"/>
Details of restrictions and strategies implemented		
<ol style="list-style-type: none"> <li>1. Sch 2.2(a)(ii)  <div style="background-color: #cccccc; height: 20px; width: 100%;"></div> </li> <li>2. Sch 2.2(a)(ii)  <div style="background-color: #cccccc; height: 20px; width: 100%;"></div> Engagement will occur via the EBM Fair Trading and Regulatory Strategy / ACT Government Solicitor. </li> </ol>		