



Model Conflict of Interest Declaration Form – All APS employees (SES and non-SES)

Guidance for agencies and individuals

Who should use this form?

- All APS employees within the agency in ongoing, non-ongoing and irregular and intermittent (casual) employment under the [Public Service Act 1999](#) – including those in Senior Executive Service roles.
- Contractors, consultants and labour hire employees engaged by APS agencies to perform services should also complete this form as part of their contractual obligations and onboarding process.

Agency Heads and Statutory Office Holders should complete a **separate form** on the APSC website, as part of their [annual declaration obligations](#).

Agencies may tailor this form in accordance with their internal conflict of interest management systems and processes, and include links to relevant policies and procedural documents.

Note to employees: Refer to your agency's Conflict of Interest Policy for further information about when you may need to complete a declaration of interests form.

What is a conflict of interest?

A **conflict of interest** exists when a public official or other person has a personal interest, or another duty, that could affect or be affected by how the public official or person performs their public or official functions or duties.

A **real (actual) conflict of interest** exists where you have a personal interest or competing duty that could affect or be affected by the way you perform your public or official functions or duties.

An **apparent (perceived) conflict of interest** exists where a reasonable person might think that you have a personal interest, relationship or competing duty that could affect or be



affected by the way you perform your public or official functions or duties, even though there is no real conflict of interest.

A **personal interest** includes your financial and non-financial interests, including personal and professional relationships and associations.

A **material personal interest** is an interest that has the potential to give rise to a real or apparent conflict of interest that could affect the ability of an official to perform their duties. Personal interests do not give rise to a conflict of interest unless there is a real or sensible possibility of conflict (not simply a remote or theoretical possibility of conflict). If no reasonable person could draw a connection between your personal interest and your duties, then the personal interest is not 'material'.

For further information on disclosure of material personal interests, see the [Department of Finance's Resource Management Guide 208](#)

Your conflict of interest obligations

Under the APS Code of Conduct, in section 13(7) of the [Public Service Act 1999](#) (PS Act), as an APS employee, you must:

- take reasonable steps to **avoid** any conflict of interest (real or apparent) in connection with your APS employment; and
- **disclose** details of any material personal interest you may have in connection with your APS employment.

The APS Code of Conduct also provides that as an APS employee you must:

- behave honestly and with integrity in connection with your APS employment (s13(1) of the PS Act) and
- not improperly use inside information, or your duties, status, power or authority, to gain, or seek to gain, a benefit or an advantage for yourself or another person; or to cause, or seek to cause, detriment to your agency, the Commonwealth or another person (s13(10) of the PS Act).

Sections 25 to 29 of the [Public Governance, Performance and Accountability Act 2013](#) (PGPA Act) also set out the duties you have as an official under that Act, including the duty to disclose your material personal interests (s29). These duties apply to officials in all Commonwealth entities.

All public officials, including APS employees, are subject to the [National Anti-Corruption Commission Act 2023](#) (NACC Act) which outlines, at s4, the following types of corrupt



conduct, all of which can be prevented by the avoidance, or disclosure and effective management, of conflicts of interest:

- Breach of public trust
- Abuse of office by a public official
- Misuse of official information by a current or former public official
- Conduct of any person, including a public official's own conduct, that could adversely affect the honest or impartial exercise of a public official's powers, functions or duties.

This form should be completed having regard to:

- the National Anti-Corruption Commission's [Corrupt conduct and conflicts of interest: A guide for public officials](#)
- the Department of Finance's [Resource Management Guide 208: Management of conflicts of interest and confidentiality](#) [RMG 208]
- the [Australian Public Service Commission's guidance for agencies and employees on declaring and managing material personal interests](#)
- your agency's Conflict of Interest Policy.

Note for employees: Are there any other agency policies and procedures that relate to the declaration and management of conflicts of interest? High-conflict risk activities such as procurement and recruitment require new conflict of interest declarations by personnel before they undertake the activity.

Note for agencies: Review relevant recruitment, procurement, grants management, contract management and any other activity-based procedures where conflict of interest management is a key part of governance, probity and business integrity. This form should be used in all relevant circumstances.



When should this form be completed?

At certain times during your APS employment, such as initial engagement and onboarding as a new starter, on transfer to a new agency, or when commencing a new role or function or performing a high-conflict risk activity, you should make a written declaration of your material personal interests and discuss with your manager. This should be done even if there are no identified conflicts between the interest and your role, duties, or activity. Regular declarations, and reviews of related conflict management plans, provide assurance to your agency of your conflict of interest status at critical and expected points in time during your APS employment.

This form should be completed (or updated):

- On commencement of your employment with your agency
- On commencement of a high-conflict risk role or activity including procurement, grant allocation, contract management, policy consultation with external entities, regulatory activity, recruitment exercises, or investigations
- Whenever a new material personal interest arises or when a potential conflict (real or actual) with a previously declared personal interest is identified
- When you submit a secondary (outside) employment request for approval
- When you leave the APS to commence employment or establish a business in a sector related to your role or duties, or the functions of your agency.

Senior Executive Service (SES) employees **must** also submit, at a **minimum annually**, a written declaration of their own and their immediate family's financial and other material personal interests. Any employee acting in an SES position for a period of three months or more is also required to submit a written declaration. Declarations should be completed as soon as it is confirmed that the employee will be in an SES role, or combination of SES roles, for the required period (13 weeks).

Remember, **when in doubt, declare.**

Note for employees: *Are there any other activities, functions or roles specific to your agency and its responsibilities that will require risk assessment and control of conflicts of interest?*

Note for agencies: *Depending on the enterprise risk profile of an agency and following a risk assessment, the agency may need to specify in its*



policy and declaration form the high-conflict risk roles/activities that require regular written declarations by employees, in order to ensure integrity.

What must be included in this form?

Declaration of material personal interests and real or apparent conflicts with official duties

There is no standard list of items that must be disclosed in a conflict of interest declaration. Examples of financial and non-financial interests, relationships and associations that you may need to disclose in respect of your role, duties, or activities include, but are not limited to:

- Real estate investments
- Shareholdings, trusts or nominee companies
- Other significant sources of income including self-managed superannuation
- Business interests held as sole proprietor, partnership, executive director etc.
- Significant liabilities and debts, gifts or bequests, private legal proceedings
- Outside/secondary employment (including paid and volunteer roles and activities)
- Professional associations (including past employment, past professional relationships, organisational memberships or public political affiliations)
- Family, social or intimate personal relationships that may give rise to a real or apparent conflict of interest and
- Other public or official duties or roles at the agency (or elsewhere in the Commonwealth) which may come into conflict with your primary official role or duties at the agency.

Note for agencies: *Are there any specific types of personal interest that employees will definitely need to identify as 'material' in the context of their employment at the agency or in particular roles, duties, or activities?*

Material personal interests that pose a high conflict risk in the agency should be identified clearly in the agency Conflict of Interest Policy and this form so all employees are aware of their declaration and conflict management obligations.

This model declaration form is not an exhaustive list of all personal interests that could be material to your role or duties.



[RMG 208](#) contains a more comprehensive list of personal interests which may be material to a public official's duties.

Material personal interests should be considered in the context of your agency's conflict of interest policy and any relevant enterprise risk assessment.

When completing the form, be sure to outline how you believe any material personal interest you have may affect, or be affected by your role or duties. You must also consider how the personal interest could be seen by any reasonable person outside your agency to affect, or be affected by, your role or duties.

You must detail the type and extent of any interest being declared. The nature of the conflict must be evident from the detail provided. Declarations should also detail how the declared interest relates to the functions and responsibilities of the agency and evidence that consideration has been given to potential impacts on the operations or reputation of the agency or the APS.

Immediate family members' material personal interests

You should also declare any material interests of an immediate family member/s which you consider could affect, or be affected by (or could reasonably be seen to affect or be affected by), your public or official functions or duties.

The term 'immediate family member' generally applies to partners and dependent children. It may also apply to any other relatives or close friends who live with you, or with whom you have a financially dependent relationship (either they are dependent on you, or you are dependent on them).

If the form contains the personal information of a family member, you will also need to obtain that person's consent for the collection of this information by your agency, consistent with the requirements of the Australian Privacy Principles contained in the [Privacy Act 1988](#).

If consent is not given, or is unable to be sought, you should discuss, in general terms, your understanding of your family member's conflict of interest with your manager or delegate. They may need to seek further legal advice about how to record this information, but you must still take reasonable steps to effectively manage the conflict.

Conflict management plan

This form also contains space for a conflict management plan in relation to any real or apparent conflicts of interest you have declared in the form. The conflict management plan should include reasonable strategies to mitigate the conflict in the first instance and/or manage the conflict on an ongoing basis.

The conflict management plan should have regard to the 6 controls or strategies to manage conflicts of interest outlined in [RMG 208](#) (the **6 Rs**): **Register, Restrict, Recruit, Remove, Relinquish and Resign**.



The conflict management plan must consider transparency and accountability measures, including communicating declared conflicts to all parties with a need to know, to support you to comply with other agreed mitigation or management strategies. This may include sharing the declared conflict with direct reports, other managers and colleagues, internal integrity teams, Ministerial Office staff and key stakeholders as necessary.

Your manager or other delegate (as indicated in your agency's conflict of interest policy) should endorse your conflict management plan once it is settled. They may suggest reasonable alternative or additional mitigation or management strategies for inclusion where necessary and appropriate. They should acknowledge that they have read and understood the declaration, and that they are satisfied with the management plan or decision not to implement a management plan.

The conflict management plan must be regularly reviewed and updated whenever circumstances change. The conflict management plan should also be referred to in your individual performance agreement, secondary (outside) employment approval or other document or system related to your employment.



Who can you ask for advice/assistance?

If you need any assistance in completing this form or have questions about your agency's conflict of interest policy and/or the declaration of interests/conflict management process, you should talk to your manager, or contact the team in your agency that manages the policy to discuss your conflict of interest management obligations.

If you have general questions about your ethical obligations to avoid or effectively manage conflicts of interest under the APS Code of Conduct, you can contact the [Ethics Advisory Service](#) at the Australian Public Service Commission:

- By email: ethics@apsc.gov.au or
- By telephone: (02) 6202 3737, Monday to Friday from 9.00am to 5.00pm (AEST/AEDT)



Template APS / SES Employee Declaration Form

Acknowledgement

By signing this form you acknowledge, as an APS/SES employee [or contractor, consultant or labour hire employee]:

- you have declared details of any real or apparent conflicts of interest to the best of your knowledge
- you are aware of your ongoing obligations to take reasonable steps to avoid any real or apparent conflicts of interest in connection with your APS employment [or supplier contract]
- you will promptly advise your manager of any relevant changes in your personal circumstances
- relevant declarations of immediate family members' material personal interests have also been made and privacy consents obtained and
- failure to reasonably avoid and/or disclose any real or apparent conflicts of interest, or to put in place appropriate mitigations where a conflict of interest exists, will be taken into account in your annual performance assessment and may constitute a breach of the APS Code of Conduct [or breach of supplier contract].

Employee Details

Full Name	
Classification / Position	
Branch / Division	

Part A: APS/SES Employee declaration of material personal interests

Reason for completing this form (choose all that apply)

- ☐ Commencing employment with the agency
- ☐ Conflict of interest has been identified in the course of my duties
- ☐ Professional association
- ☐ Personal (social or family) relationship
- ☐ Procurement panel, tendering or contract management



- ☐ Grant selection process
- ☐ Recruitment selection panel
- ☐ Outside/secondary employment (including paid or non-paid activity)
- ☐ Other

If 'other' then please identify

Do you have any material personal interests to declare?

☐ Yes ☐ No

Provide details of any material personal interests which could give rise to a real or apparent conflict of interest.

Privacy collection notice: Your personal information is being collected and will be used for the purpose of identifying material personal interests or competing duties that could affect or be affected by (or could reasonably be seen to affect or be affected by) the way you perform your public or official functions or duties. Your personal information will be handled in accordance with the [insert agency name] Privacy Policy at <insert link to agency privacy policy>.



Part B – Declaration of material personal interests – family member

Are there any circumstances in which you consider material interests of a family member/s could affect, or be affected by (or could reasonably be seen to affect or be affected by), your public or official functions or duties?

☐ Yes ☐ No

Provide details of your immediate family member's material interests and how they may create a real or actual conflict of interest with your public or official functions or duties.

Part C – Declaration of consent – family member *(if applicable)*

This declaration is to be completed by your immediate family member/s if you have declared a material personal interest held by them.

I declare that:

- I am aware that my information is being collected for the purpose of identifying material personal interests I hold that could affect, or be affected by (or could reasonably be seen to affect or be affected by), the public or official functions or duties of my family member as an APS/SES employee.
- I am aware of the Australian Privacy Principles set out in the *Privacy Act 1988* which authorise the collection, use and disclosure of my personal information for purposes relevant to the management of conflicts of interest in respect of the agency's employees, and the third parties to whom my personal information may be disclosed.
- I consent to the collection of my personal information by [agency name].



- The list at **Part B** above of my material personal interests has been prepared on that basis.

Surname		First name	
Relationship to employee		Date	
Signature			

Part D – APS/SES Employee Conflict of Interest Management Plan *(if applicable)*

Further to the disclosure/s above, are actions required to manage the conflict (as agreed with your manager/delegate)?

☐ Yes ☐ No



What conflict management plans will be put in place? (Choose all that apply)

(Examples only – adapt as appropriate)

- ☐ Take no further action but continue to monitor
- ☐ Implement closer supervision of my role/duties
- ☐ Change duties
- ☐ Advise colleagues (or stakeholders) of the conflict and any applicable strategies
- ☐ Restrict my use or disclosure of information
- ☐ Restrict my duties to advisory role with no decision-making or financial delegation
- ☐ Resign from/not undertake outside/secondary employment (paid or unpaid)
- ☐ Refrain from communicating with particular parties for duration of role or activity
- ☐ Add an independent third party to oversee part or all of a task/process
- ☐ Engage a subject matter expert to review my work
- ☐ Remove me from particular role/activity/task/process
- ☐ Exclude me from certain discussions or meetings
- ☐ Transfer task/process to a colleague or other team
- ☐ Restrict or remove my access to information, including systems or records
- ☐ Relinquish ownership or control of a financial interest (and provide evidence)
- ☐ Other *(please provide details below)*

Provide details for each conflict and the corresponding management plan, including:

- details of how the conflict does or may arise, including if the conflict relates to a specific activity, if the conflict is task-bound or time-limited (e.g. specific procurement process), or is enduring
- details of who the conflict management strategies have been or will be agreed with besides the manager or delegate (including other agency employees or external organisations or individuals)
- details of who will be notified of the conflict and management strategies (including agency employees or business teams, or external entities or individuals)
- timeframes for regular review of the appropriateness and effectiveness of the conflict management plan

Where relevant, supporting documents should be provided or future documentation processes outlined. Updates to this form should be linked and stored with the original declaration.



Ensure manager agreement to the management plan is appropriately documented and recorded.

**Review date/recurrence of
Management Plan**

APS/SES Employee Declaration

I declare that:

- the above details of my material personal interests are correct to the best of my knowledge
- I am aware of my ongoing responsibility to take reasonable steps to avoid any real or apparent conflict of interest in connection with my APS employment and
- I must advise my manager/delegate of any relevant changes in my personal circumstances that will affect this declaration of material personal interests or conflict of interest management plan.

Employee Signature

Date



Delegate Approval

I have reviewed this form, note the declaration of material personal interests, and agree to the conflict management plan where indicated.

(Provide commentary if necessary)

Surname		First name	
Position/Branch/Division		Date	
Signature			