

PRACTICE NOTE

Probity screening for Ministerial appointments to boards and committees

The purpose of this practice note is to detail the probity screening process that applies to persons nominated for the following positions:

- member or chair of the Mining and Petroleum Competence Board;
- member or chair of the Mine Safety Advisory Council; or
- director of the Coal Services Board.

This practice note should be read in conjunction with the [NSW Government Boards and Committees Guidelines](#) (Guidelines), which requires probity checks to be conducted for Government board and committee nominees **prior** to recommendations for Ministerial appointment being made. Where there is an inconsistency between the Practice Note and the Guidelines, the Guidelines will prevail.

What is probity screening?

Probity screening is a process of gathering and reviewing evidence about a person, at a point in time, to make an assessment of the person's general integrity and honesty.

What does probity screening involve?

Nominated persons must first provide informed consent for the Resources Regulator to conduct probity screening.

The following evidence will then be collected:

- Australian Securities and Investments Commission *Banned and Disqualified* search.
- Australian Securities and Investments Commission *Enforceable Undertakings Register* search.
- Australian Financial Security Authority *National Personal Insolvency Index* search.
- NSW Police Force *National Police Check*.

Probity determinations

At the conclusion of probity screening the Resources Regulator will form an opinion about the nominated person's integrity.

If the Resources Regulator forms an opinion that the nominated person does not meet an appropriate standard of integrity, the nominated person will be informed in writing and afforded an opportunity to make representations about that opinion within seven days of being notified.

Having considered such representations, should the Resources Regulator determine to formalise an opinion that the nominated person does not meet an appropriate standard of integrity for Ministerial appointment, the nominated person will be informed in writing and afforded the opportunity to withdraw their nomination.

The Resources Regulator will detail the final outcome of probity screening to the Minister except where the nominated person elects to withdraw their nomination.

Will my personal information remain confidential?

Personal information collected in the course of probity screening will be stored securely and confidentially, with access strictly limited on a 'need to know' basis.

The collection, use, storage and destruction of personal information for the purpose of probity screening is governed by the [Privacy and Personal Information Protection Act 1998](#).

Further information

A copy of this practice note can be found on the Resources Regulator's website:
resourcesregulator.nsw.gov.au.

If you have further enquiries, please contact us on 1300 814 609 or by email at resources.regulator@planning.nsw.gov.au.

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