

## Glossary of Terms

TERM	DESCRIPTION
<b>ACT Integrity Commission (Commission)</b>	The Integrity Commissioner/s, entity and staff supporting the work of the Integrity Commissioner.
<b>ACT Public Sector (ACTPS)</b>	The ACT Public Sector is established under section 12(1) of the <i>Public Sector Management Act 1994</i> . The ACTPS is made up of the administrative units declared under the Administrative Arrangements as they exist from time to time.
<b>Blackmail</b>	Demanding money or property with menace or threats.
<b>Bribery</b>	Receiving or offering an undue reward by or to a public official in order to influence that person's performance of their duty and to act contrary to accepted rules of honesty and integrity.
<b>Coercive powers</b>	Powers granted under the IC Act that allow the Commission to conduct fact-finding investigations.
<b>Collusion</b>	A secret agreement for a fraudulent purpose.
<b>Complainant</b>	A person who makes a report to the Commission about potential corrupt conduct.
<b>Confidentiality Notice</b>	A legal document directing a person to not disclose restricted information. Confidentiality notices may be given where the disclosure of restricted information is likely to prejudice a Commission's preliminary inquiry or investigation, affect the safety or reputation of a person, or impede the fair trial of a person who has or may be charged with an offence.
<b>Conflict of interest</b>	Circumstances in which someone's personal or private interests may conflict with their duty as a public official.
<b>Corrupt conduct / corruption</b>	Conduct that could constitute a criminal offence, a serious disciplinary offence, or reasonable grounds for dismissing, dispensing with the services of, or otherwise terminating the services of, a public official (further definition in IC Act, section 9) and meets the requirements of section 9(1)(b).
<b>Corruption complaint</b>	A report to the Commission about possible corrupt conduct made by any person or entity that is not subject to the mandatory corruption notification provisions of the IC Act.
<b>Cronyism</b>	Giving unfair advantages to friends or close associates, often through procurement or recruitment opportunities, based on personal relationships rather than fairness or merit.

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<b>Declarable association</b>	A declarable association exists when an individual is associated (to varying degrees) with a person, group or organisation who are involved in (or perceived to be involved in) activity that is incompatible with the duties and functions of the individual and/or their agency.
<b>Disclosable conduct</b>	Conduct which involves either maladministration, or a threat to public health, safety or the environment (PID Act, part 2, section 8).
<b>Discloser</b>	A person who makes a disclosure that is taken to be in the public interest under 19A or 27 of the PID Act.
<b>Disclosure</b>	Allegations or reports of potential wrongdoing made under the PID Act by a public official or in a public sector entity.
<b>Disclosure Officer</b>	A person nominated by an ACTPS entity to receive disclosures, or a person specified in section 11 of the <i>Public Interest Disclosure Act 2012</i> .
<b>Embezzlement</b>	To appropriate for one's own use, money or property belonging to your employer.
<b>Extortion</b>	Demanding property or money with menace or force with the intention of stealing the property or money.
<b>Fraud</b>	An intentional dishonest act or omission done with the purpose of deceiving.
<b>Integrity Commission Act (IC Act)</b>	<i>Integrity Commission Act 2018</i> .
<b>Improper use of information</b>	Using information to give a particular individual or organisation an unfair advantage in contravention of policy or law.
<b>Information report</b>	A corruption complaint that is assessed and categorised as an information report. This categorisation applies when a reported matter is clearly related to, and the content of the report will serve as supplementary information to, an existing allegation, preliminary inquiry, or investigation.
<b>Inspector (of the ACT Integrity Commission)</b>	A person appointed by the Speaker of the Legislative Assembly or the Commonwealth Ombudsman who investigates complaints about the Commission.
<b>Integrity Commissioner</b>	The Integrity Commissioner is the head of the ACT Integrity Commission.
<b>Investigating entity</b>	Investigating entities refer to the ACTPS entity which conducts a PID investigation.
<b>Investigation</b>	The process of exploring allegations of serious or systemic corrupt conduct to determine if the conduct occurred.
<b>Investigation report</b>	A report issued by the Commissioner containing findings from a completed Commission investigation.

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<b>Legal professional privilege (client legal privilege)</b>	A common law immunity protecting confidential communications between a lawyer and client from forced disclosure, such as during investigations or litigation. It applies to advice for legal services or anticipated litigation.
<b>Maladministration</b>	Conduct, a policy, a practice or a procedure that results in substantial mismanagement of public resources or public funds, or involves substantial mismanagement in the performance of official functions.
<b>Mandatory corruption notification</b>	A report to the Commission about conduct that a person, subject to the mandatory corruption notification requirements, suspects on reasonable grounds is serious or systemic corrupt conduct by a mandated reporter (IC Act, sections 62 and 63).
<b>Member of the Legislative Assembly (MLA)</b>	Elected representatives sitting in the ACT Legislative Assembly.
<b>Misuse of public resources</b>	Using public resources for something other than what they were allocated for.
<b>Nepotism</b>	Giving jobs, benefits or information to family members without merit or justification.
<b>Non-disclosure Notice</b>	A legal document, issued by the Commissioner, requiring that a person does not disclose information about a Commission inquiry or investigation to unauthorised persons.
<b>Pecuniary interest</b>	A situation where a public official has a personal monetary interest in the outcome of the exercise of their official duties.
<b>Perverting the course of justice</b>	Deliberately attempting to pervert the administration of justice.
<b>Perjury</b>	Giving false evidence.
<b>PID Act</b>	<i>Public Interest Disclosure Act 2012.</i>
<b>Preliminary inquiry</b>	A limited inquiry carried out by the Commission to decide whether to dismiss, refer or investigate a corruption report in which certain powers may be used to obtain information.
<b>Preliminary Inquiry Notice</b>	A legal document, issued by the Commissioner, requiring the head of ACT public sector agency to produce certain documents for the purpose of a Commission inquiry (IC Act, section 90).
<b>Procedural fairness</b>	A legal concept that provides a person who might be affected by a Commission decision with an opportunity to provide a submission to the Commissioner for consideration about a proposed decision (i.e. findings in a proposed Commission Investigation Report before it is complete and published).

TERM	DESCRIPTION
<b>Public entities</b>	<p>Includes:</p> <ul style="list-style-type: none"> <li>• MLAs and their staff</li> <li>• the Office of the Legislative Assembly</li> <li>• officers of the Legislative Assembly (such as the Auditor-General, members of the Electoral Commission and their staff)</li> <li>• ACT Government directorates and statutory bodies</li> <li>• Territory authorities</li> <li>• Territory instrumentalities</li> <li>• Territory-owned corporations (and their subsidiaries)</li> <li>• providers of public health services, including public hospitals</li> <li>• ACT detention places and correctional centres</li> <li>• providers of ACT public transport</li> <li>• providers of ACT emergency services</li> <li>• providers of public education</li> <li>• providers of public housing</li> <li>• providers of gas, electricity and water supply where exercising the functions of a public nature.</li> </ul>
<b>Public Interest Disclosure (PID)</b>	<p>PIDs are complaints relating to maladministration or threats to public health, safety or the environment, handled under the PID Act.</p>
<b>Public Officials</b>	<p>Includes:</p> <ul style="list-style-type: none"> <li>• Members of the Legislative Assembly (MLA)</li> <li>• Members of staff of an MLA</li> <li>• judicial officers</li> <li>• members of the ACT Civil and Administrative Tribunal</li> <li>• Officers of the Assembly (such as the Auditor-General, members of the Electoral Commission)</li> <li>• statutory office holders</li> <li>• ACTPS employees</li> <li>• contractors providing services to, or on behalf of, a public sector entity</li> <li>• volunteers exercising a function of a public sector entity.</li> </ul>
<b>Referral (of corrupt conduct to, or from, the Commission)</b>	<p>A report to/from the Commission to/from a relevant entity that received a complaint from a person about possible corrupt conduct.</p>
<b>Restricted information</b>	<p>Includes any information given to, or obtained by, the Commission while performing its functions or exercising its powers.</p>
<b>Self-incrimination</b>	<p>A common law right allowing a person to refuse to answer questions or produce documents if the information could expose them to criminal conviction or civil penalties.</p>

TERM	DESCRIPTION
<b>Senior Executives with Responsibility for Business Integrity and Risk (SERBIR)</b>	A senior executive, appointed by their Director-General, responsible for all integrity issues in their Directorate or entity ( <i>Public Sector Standards</i> , section 21).
<b>Serious corrupt conduct</b>	Corrupt conduct that is likely to threaten public confidence in the integrity of government or public administration (IC Act, section 10).
<b>Summons</b>	A legal document provided to a person of interest, requiring them to attend the Commission at a specified date and time to attend an examination or to produce a document or thing.
<b>Systemic corrupt conduct</b>	Corrupt conduct that reveals a pattern of conduct in one or more public sector entities (IC Act, section 11).
<b>Third parties</b>	Members of the Legislative Assembly or journalists.
<b>Witness</b>	An individual with a role in, or involved with, a Commission inquiry.
<b>Whistle-blowers</b>	Colloquial term used to describe disclosers.

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**ACT** INTEGRITY  
COMMISSION

For more information  
[integrity.act.gov.au](https://integrity.act.gov.au)