

FILE NOTE -21 AUGUST 2008

I rang Barry Dunphy of Clayton Utz (0407 122 283) and asked him for some advice.

I explained to him that the Minister has to consider an application to ratify amendments to the QRL constitution. I explained that this Office had previously provided a brief to the Minister that raised the issue that one of the proposed amendments that provided for the removal of the requirement for an independent recruitment company to prepare a short list of applicants for director positions was an Integrity issue.

I asked Barry whether the Minister could approve part of the resolution, i.e., approve the resolution except for the removal of the requirement for an independent recruitment company to prepare a short list of applicants for director positions.

Barry advised:

- The Minister must either approve or reject QRL's application. He cannot modify it by approving part of the resolution.
- If the Minister refuses QRL's application, QRL must go through the voting process again and obtain a valid resolution.
- In order to grant approval, the Minister must be satisfied that all procedural matters have been fully complied with.

I told Barry that I would advise him if we needed written advice.

Carol Perrett