



Australian Government

Department of Health, Disability and Ageing

Health Technology Assessment Committee Member Conflicts of Interest Process Guide

March 2026

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Purpose

This guide provides a consistent framework for assessing, declaring, and managing conflicts of interest (Col) during nomination, reappointment, and terms of committee members. It applies to members of Health Technology Assessment (HTA) committees, their sub-committees and working parties (herein referred to as committees).

These guidelines were developed by the Department of Health, Disability and Ageing (the department). They are intended for departmental staff as well as committee members (members) or persons nominated to join a committee (nominees). They provide guidance relating to:

- declaration of interest (DoI) requirements for members
- management of interests during member nomination and appointment
- management of interests in relation to items coming before the committees

Cols for members are managed through a committee management group (CMG).

Terms used within this document are defined in the [Glossary](#).

Nominees and members can use this guide to identify interests that may cause a conflict and to understand the decision-making and management process that occurs for identified interests. An overview of the process is provided as a Col Management Flowchart in [Appendix A](#).

Departmental staff, including those from HTA secretariats and/or CMG participants, can use this guide to evaluate declared Cols and advise the relevant delegate on nominee suitability and on Col management for committee meetings and processes. It provides principles and examples to support consistent decision-

making. This guide supports, but does not replace, standard meeting procedures.

What is a conflict of interest?

A Col occurs when a member's personal interests could affect, or appear to affect, their public duties. Personal interests include financial matters (like owning shares, running a business, or holding a directorship) and non-financial matters (like involvement in a clinical trial).

A Col can be:

Real – where the interest does affect the member's decisions or actions;

Apparent – where it appears to any reasonable observer that there is an interest that could affect the member's decisions or actions.

These interests may belong to the member (**direct interest**) or to people they are closely connected with, such as a spouse, partner, relative, or close friend (**indirect interest**).

Significance of managing conflicts of interest

Managing conflicts of interest ensures members act independently and fairly. It helps prevent situations where personal interests may compromise, or appear to compromise, objectivity.

Committee advice and recommendations might be challenged if any participating member had a Col, either real or apparent. Strong Col management protects the reputation and integrity of committees by ensuring they are impartial and independent.

This makes certain the recommendations and advice of committees, which inform the Australian Government's final decisions on HTA matters, reflect the highest standards of professionalism and independence.

Col thresholds vary by committee type, with the bodies that make recommendations to the minister, such as the Pharmaceutical Benefits Advisory Committee (PBAC) and the Medical Services Advisory Committee (MSAC), requiring stricter standards and transparency. Unmanaged or undisclosed Cols can compromise the integrity of committee recommendations. This can erode public trust in the HTA process and damage the department's reputation.

Obligations to manage conflicts of interest

The department is obliged to address Cols under legislative requirements set out in the:

- *Public Service Act 1999*;
- *Public Governance, Performance and Accountability Act 2013*.

In addition to these Acts, PBAC members should be aware of statutory requirements under the *National Health Act 1953* and Section 94 of the *National Health (Pharmaceutical Benefits) Regulations 2017* (the Regulations). These require annual written disclosure and meeting specific disclosures of pecuniary interests which may conflict with committee duties. The *Australian Public Service Code of Conduct* and the department's *Conflict of Interest Policy* provide clear guidance on this topic.

For all committees, it is the responsibility of the nominee or member to identify and declare all potential and actual Cols.

Nominees and members should be aware that failing to disclose interests (without a reasonable excuse) may result in the termination of their appointment. If unsure, members should consult the relevant secretariat or the Committee Management Group (CMG) about when to disclose an interest.

It is a requirement for all nominees and members to sign the *Deed of Undertaking in Relation to Confidential Information and Conflict of Interest* (Deed of Undertaking), which sets out the obligations of appointed members.

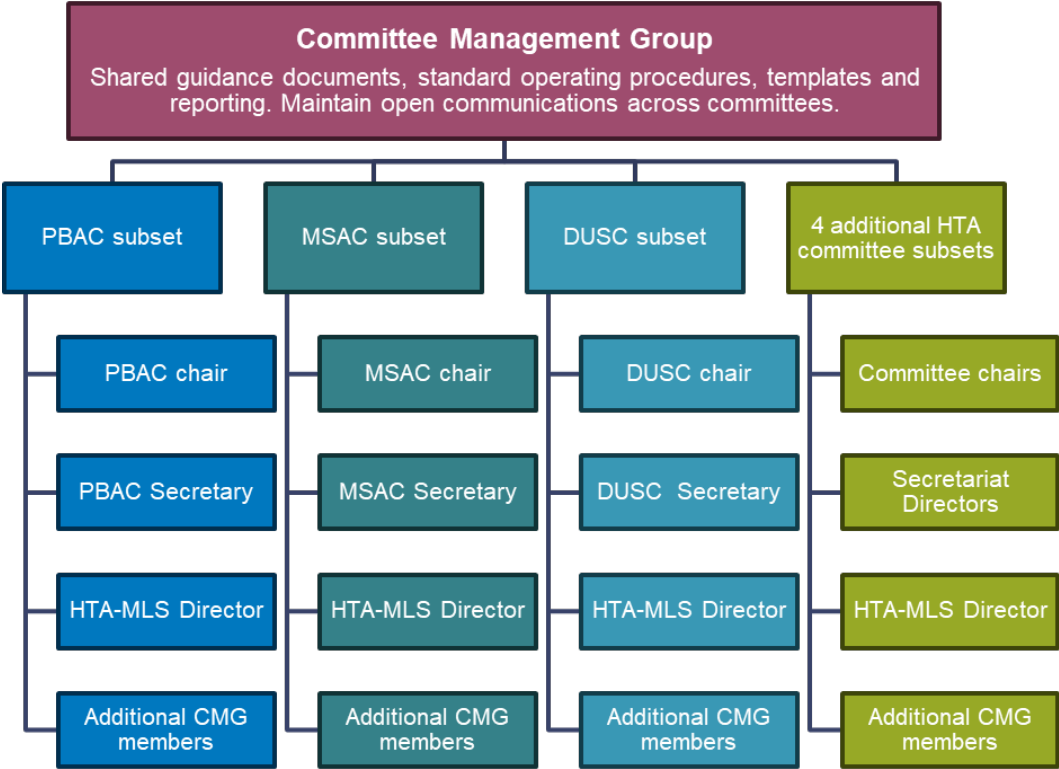
Committee management group

The Committee Management Group (CMG) is an overarching body within the department, made up of the committee chairs, deputy chairs and departmental delegates (usually executive level 1 or above) of key HTA committees. A subset of 3, or more where required, CMG participants will manage conflicts for each individual committee.

When a potential Col is declared, 3 or more CMG participants who are directly associated with the committee the member is appointed, or nominated for appointment, to are responsible for making the Col management decision.

This group will include, at minimum: the committee chair / deputy chair / nominated committee member, the director of the committee secretariat / committee secretary, and the director from the HTA - Membership and Logistics Section (HTA-ML), as demonstrated in Figure 1.

Figure 1. Structure of the CMG.



Additional members of the secretariat, an associated secretariat or staff from the HTA-ML may be included in the CMG subset to support decision-making, as needed. The relevant CMG subset will review and deliberate on interests which may cause a Col and provide directives on their management for the member.

The CMG manages conflicts for members across all stages of their appointment and term, including prior to and during each meeting. The CMG also ensures Col management outcomes and actions are appropriately recorded.

Most Cols can be managed. It is important for committee integrity that records show how this was achieved.

Declaration of interests

Committee nominees and members must declare all interests which may result in Cols. A DoI must be completed:

- when applying to be a member
- annually, through the Health Products Portal (HPP)
- before each committee meeting or activity, through HPP
- on an ad hoc basis in HPP, if the circumstances of the member change.

Interests are declared through the use of 2 forms, the DoI form and the private interest declaration (PID). These forms are provided manually through the nomination process and via HPP upon appointment of a member to a committee.

The CMG reviews both these declarations to determine if CoIs can be managed and to set out how that will be achieved.

The department requires members to disclose relevant interests from the past 5 years. This includes any interests that could influence, or appear to influence, the committee member's impartial decision-making or their ability to carry out their duties effectively.

Nominees and members are encouraged to use common sense when deciding how much detail to include when declaring their interests. For example, it is correct to list major business activities, but transient business contacts would rarely need to be detailed. However, in any case of doubt, members should provide more detail rather than keep matters to themselves.

When declaring interests, members must declare both direct and indirect interests. When assessing indirect interests, members should consider whether the relationship in question could reasonably be seen by any external party or person as affecting their ability to be independent, objective, and impartial in their role on the committee.

Members are obliged to disclose any interests which may lead to a real or apparent CoI under the Deed of Undertaking, which they sign during the committee appointment process. Under the Deed, the department can take any necessary action, including legal steps, to deal with any liability caused by a member breaching their obligations. Table 1 provides examples of declarable interests.

Table 1. Examples of interests which may give rise to a Conflict of Interest

Direct financial interests	Other financial interests	Work or professional interests	Other interests
Shares, other investments	Paid travel/conference expenses	Federal government position/role	Strong personal, religious or philosophical beliefs
Grants, fellowships or sponsorships	Hospitality or benefit from a company or organisation in a relevant industry	Involvement or participation in a clinical trial	Public statements relating to matters before the committee
Employment, contracts, or consultancies	Research or other grants to employer or institution the member is associated with	Roles as a researcher, expert adviser or investigator	Medical conditions
Commissioned fee-paid work, paid retainer, paid speaking or advising roles	A financial interest held by a relative, e.g. they work for a pharmaceutical company	Ongoing or ad hoc support for a patient or student	Personal interest in a particular product, e.g. if a relation has a specific condition
Directorships, partnerships, board memberships, trusts		Advisory board role	Investigation by a safety body (i.e. Australian Health Practitioner Regulation Agency)
Patent rights		Sponsorship of an event	
Any other financial involvement or payment in relation to products, services or other matters connected with therapeutic goods		Membership or other professional link to a company or organisation involved with medical products or services	

Key concepts for managing potential conflicts of interest

- The HTA Col Decision Framework (Appendix B) is derived from previous precedents to guide Col management.
- The CMG is to be guided by the circumstances of the case, committee terms of reference, and precedents when considering Col management.
- Committee procedures and outputs may impact CMG recommendations. This can lead to perceived variations in Col management across committees.

For all Cols, the CMG assesses:

the nature of the conflict;

the committee and its role;

whether the Col can be managed.

In all cases, the CMG must document, using appropriate government systems, the Col and agreed management of it.

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- It is not necessary to show that a member's conduct is affected by a Col, only that a conflict could be perceived between the member's interests and their committee obligations.
 - There must be agreement by 3 or more CMG participants as to the appropriate management of any given Col.
 - Where the committee chair declares a Col, the chair must be excluded from all decisions for the relevant item. A committee chair's Cols will be managed by a different CMG member (the deputy chair or chair of a related committee).
 - When relevant CMG participants determine that a Col needs to be managed, they inform the member of how this will be achieved.
 - Advice from the CMG must always be clear, consistent, and defensible.

Cols regularly require ongoing management. Members are obliged to continue to declare interests, even where previously declared.

Nomination interest management

Manual declaration of interests

During the appointment process, the nominee must declare all interests which may lead to a real or apparent Col. This is done using the Dol and the PID forms, which capture different but complementary information on nominee personal interests.

Review of nominee declared interests

As part of the wider analysis of nominee eligibility, departmental members of the relevant committee's CMG subset (led by HTA-ML members) review the declared interests (Dols and PIDs) against the department's Col decision framework. The HTA-ML and secretariat then decide whether the nominee should proceed to be recommended for appointment.

Nominees or members with serious, ongoing Cols that cannot be managed will not be appointed unless they agree to resolve the matter causing the Col.

For major committees, members are appointed by Prime Minister and Cabinet (PM&C), while for sub-committees and working parties, members are appointed by the respective major committee. For major committees, the People, Communication and Parliamentary Division may provide input on Col management requirements.

Management of nominee declared interests

Under the decision framework (Appendix B), Cols at nomination can be categorised as:

Not acceptable (or must cease the conflict). The CMG will inform the nominee that the nomination cannot proceed to appointment and the person cannot be recommended for appointment due to a specific interest. The secretariat or CMG will inform the nominee that the situation causing the Col must be resolved before a recommendation for appointment is possible. The nominee must make a declaration which covers themselves or their close relatives setting out the action they will take to resolve the Col and confirm that they will not enter into any similar situation during the term of appointment. Where the Col cannot be resolved and the nominee was nominated by an organisation, the nominating organisation/body will be informed that the nomination will not proceed.

Acceptable with strict conditions. The preferred approach to resolve this situation is for a nominee to cease or divest the interest prior to appointment. Where the CMG has determined that the nominee's expertise is crucial, appropriate future management measures are identified and agreed to in writing by the nominee. After this, the nomination can proceed and a recommendation for appointment made to the PM&C or committee. Management of this type of Col is required prior to any related meeting or activity.

Acceptable with conditions. Appropriate future management measures must be identified by the CMG and agreed to in writing by the nominee for a Col in this category. After this, the nomination can proceed and a recommendation for appointment made to the PM&C or committee. Management of this Col is required prior to any related meeting or activity.

Acceptable with no conditions. The nomination can proceed and a recommendation for appointment made to the PM&C or committee. Management of this Col may be required prior to any related meeting or activity.

Col cannot be determined. Where a Col cannot be accurately reviewed, the secretariat or HTA-ML will request further information relating to this Col to enable a final decision.

Recording of nominee interest management

Col management related documents for the nomination and member appointment period are stored by the HTA-ML in the approved government repository. This includes the member's Dol and PID as well as all mitigation strategies approved and agreed to between the department and the member to avoid future Cols.

Before making a recommendation to appoint, the HTA-ML checks whether the nominee's Col declaration is consistent with previous declarations, where present.

Annual interest declaration process

Members must make a Dol and PID through the HPP upon their appointment to a HTA committee. These forms must be updated at least annually, or sooner if the member's circumstances change.

An update will be due 12 months after the last update. There is no fixed date to update Dols for committees other than the PBAC, whose members are obliged (under section 94(1) of the Regulations) to update their Dol as soon as practicable after the beginning of each financial year.

Members are required to update their HPP Dols and PIDs whenever their [interests](#) change in a way that may lead to a real or apparent Col. The HPP Dol form is the basis for declaring specific pre-meeting Cols. These declarations are reviewed by the HTA-ML who liaise with the respective CMG subset where Col management will be required.

If a member gains a new interest that could affect their appointment, they are expected to report it through their Dol or PID and accept any proposed management. If the CMG determines that an interest requires a member to leave the committee, the member must resign from that committee.

Committee meeting conflict of interest management

Pre-meeting declaration of potential conflicts

Prior to each committee meeting, an agenda will be uploaded into HPP. Members are required to identify potential Cols against individual agenda items.

Where the member has an interest to declare, this interest must be selected from previously declared interests on their HPP Dol. Where there is no potential conflict, members must declare that they have “no interest” to declare against that item. Select agenda items that have no potential for conflicts, such as the committee chair’s report, do not require this process.

If the interest against a specific agenda item is not listed in the member’s Dol, the member must update their Dol to declare the interest and then select it against the agenda item in question.

Members must disclose any Col. If they fail to do so without a valid reason, their appointment may be terminated. Members should ask the secretariat or CMG for advice if unsure.

Where members have a Col that they do not wish to disclose the specifics of, they are entitled to inform the committee chair and/or CMG that they will absent themselves from that agenda item and will receive no related documents or materials.

HTA confidential document protection

Committee documents or materials related to a specific agenda item will not be released to any member until:

the member confirms they have no conflict against that item; or

the member declares a conflict and either the CMG and member agree on a management strategy, or the CMG determines the conflict cannot be managed. In the latter case, no documents or materials will be released to, or be accessible by, the member.

Review of conflicts prior to meetings

Prior to the release of documents to members for a HTA committee meeting:

- members declare all potential Cols against specific agenda items;
- All Cols for that meeting are reviewed by the CMG, with at least 3 participants of the CMG associated with that specific meeting;
- The CMG agrees on whether the Col requires management and, if so, the strategy.

Where they are aware of it, the CMG may raise a member's perceived Col if the member has not declared it.

The specifics of individual Col management will be made clear to the member involved prior to the meeting. This will primarily be communicated via HPP or email.

A designated member of the CMG is responsible for ensuring that Col management decisions, the key CMG participants who approved them and final recommendations are entered into HPP and recorded appropriately in Content Manager.

Management of potential conflicts prior to and during meetings

Under the decision framework (Appendix B), Cols for meetings can be categorised as:

No Col is identified. *The member is provided full access to documents and able to participate fully in the deliberations, including in decision-making.*

Acceptable with no conditions. *The member is provided full access to documents and able to participate fully in the deliberations, including in decision-making and/or voting. The member agrees to continue to disclose this Col before future meetings.*

Acceptable with conditions. *The member is provided full access to documents. In-meeting participation may be either:*

- the member is present and can answer questions or provide advice on matters of a technical nature, but will not participate in decision-making and/or voting*
- the member can be present but is not to lead the discussion or participate in decision-making and/or voting*
- where the committee chair has the Col they may have to relinquish the chair role for that specific agenda item*

The member must agree to manage the Col and to continue to disclose this Col before future meetings. Failure to disclose may result in termination.

Not acceptable. *The member is advised that they will be wholly excluded from consideration of the specific agenda item. The member will not be provided access to documents or materials and must leave the meeting room during discussion of the item. The member must agree to manage the Col and continue to disclose this Col before future meetings. Failure to disclose may result in termination.*

Cannot be determined. *The secretariat requests more information from the member.*

In-meeting conflict of interest processes

Opportunity to declare conflicts at meetings

At the start of every HTA meeting, members have the opportunity to declare previously undeclared interests which may cause a Col. The committee chair (or acting chair) will manage these in-meeting Cols in collaboration with the committee secretary / secretariat director. All declarations and management activities in these cases will be recorded in the meeting minutes. For the PBAC, it will be additionally recorded that all members have disclosed Cols and these have been managed prior to the meeting in accordance with Section 94(6) of the Regulations.

Members are strongly encouraged to declare any last-minute interests or potential Cols prior to the meeting through HPP (or as a last resort by email). This includes cases where there is a change in circumstances after agenda item related documents have already been released.

It may only be when a matter is under committee consideration that a member becomes aware of their interest (where for instance, unanticipated issues arise in the discussion). In such a case the member must disclose it to the committee chair without delay. If you are unsure whether something is a conflict, declare it or ask the committee chair or secretariat for advice.

In meeting management of identified conflicts

Where members have been informed by the CMG that they are not to participate in specific agenda items due to a Col they are to absent themselves when that agenda item arises.

The committee chair may request that the member follow the determined procedure where not done by the member voluntarily.

Where the member disclosing the interest is the committee chair, the CMG may determine as part of Col management that the chair must stand aside, and the deputy chair or a presiding member will be nominated as acting chair for consideration of that item.

Members are expected to always follow CMG guidance in management of Cols.

Conflicts of interest processes for guest participants

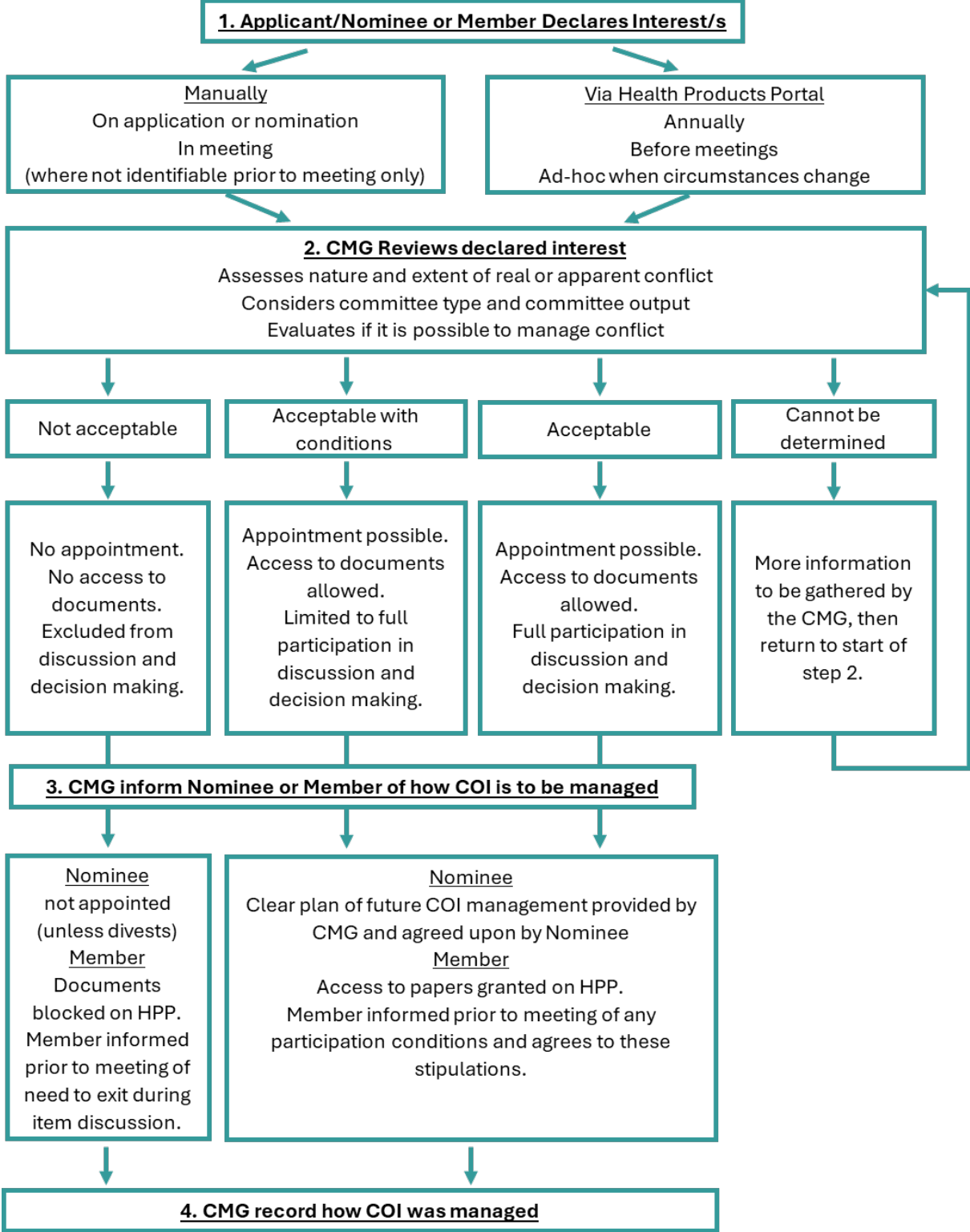
Guest observers do not receive papers or participate in discussions within HTA committee meetings. They are required to sign the Deed of Undertaking, which instructs them in their responsibilities for both confidentiality and Cols.

Guest discussants are to follow member guidelines regarding Col declaration and management. This will occur through HPP using normal member procedures.

Conflict of interest record keeping

The secretariat will keep records of every declared Col, the decision made and the persons making up the CMG for that decision. The meeting minutes will reflect items where members were absent or had reduced participation. This information will be recorded in accordance with government approved policies. Record keeping will include commentary as to why each decision was made, along with the final management actions for any Col decision.

Appendix A. Conflict of Interest Management Flowchart



Appendix B. Decision Framework

Conflict of Interest	Acceptability	Action Required for Nomination / DOI Review	Action Required for pre and during meeting processes
Direct and Indirect Financial Interests			
Investments (excluding non-self-managed superannuation)	Not acceptable if linked to relevant companies or organisations	Nomination cannot proceed or member must resign, unless the member ceases or divests the interest.	Member must not receive papers and must exit discussion on related items.
Shareholdings (member-controlled or influence over fund decisions)			
Trusts (member-controlled or influence over decisions)			
Partnerships			
Directorships			
Board memberships (executive or advisory)			
Direct employment (self or close family)			
Expert advisory fees (regular)			
Retainer			
Education grants (both in support of further education and teaching stipends)			
Patent ownership (direct holder and receiving royalties)			
Associations with charities or NGOs (senior role or direct benefit from funding)	Not acceptable unless approved by CMG (acceptable with strict conditions)	Preferred approach is for nominee to cease or divest interest prior to appointment or for member to cease or divest the interest as soon as possible. Where the CMG has determined that the nominees' or members' expertise is crucial, member must agree to Col being managed on an ongoing, meeting-by-meeting basis.	Where the CMG has agreed to manage under strict conditions, this may vary meeting by meeting. Management can include a) not receiving papers and needing to exit discussion on related items, b) receiving papers but not able to lead discussion, c) able to receive papers and fully included in discussion.
Current consultancies			
Commission fee-paid work			
Paid speaker fees (regular)			
Financial interests held by family			

Conflict of Interest	Acceptability	Action Required for Nomination / DOI Review	Action Required for pre and during meeting processes
Direct employment for commonwealth or state government (self)	Acceptable with conditions	Nomination / membership can proceed. Member must agree to Col being managed on an ongoing, meeting-by-meeting basis.	Management can involve a) receiving papers but not able to lead discussion, b) able to receive papers and fully included in discussion.
Associations with charities or NGOs (non-senior role and no benefit from funding)			
Past consultancies			
Expert advisory fees (one-off)			
Paid speaker fees (one-off)			
Current fellowships			
Current research grants			
Patent ownership (royalties go to institution)			
Inventor (not patent holder)			
Travel grants (flights, accommodation, conference fees)			
Food and beverage (e.g. corporate dinners)	Acceptable with conditions or with no conditions	Nomination / membership can proceed. Member must agree to Col being reviewed on an ongoing basis.	Member can receive items and fully participate in discussions.
Financial interests held by close friends			
Professional Interests			
Investigation by regulatory body (e.g. Australian Health Practitioner Regulation Agency)	Not acceptable	Nomination cannot proceed or member must resign, unless the member ceases or divests from the interest.	Member must not receive papers and must exit discussion on related items.

Conflict of Interest	Acceptability	Action Required for Nomination / DOI Review	Action Required for pre and during meeting processes
Member of advisory board (non-paid)	Acceptable with conditions	Nomination / membership can proceed. Member must agree to Col being managed on an ongoing, meeting-by-meeting basis.	Management can involve a) receiving papers but not able to lead discussion, b) able to receive papers and fully included in discussion.
Principal investigator in clinical trials			
Member (not senior) of NGO or professional body receiving industry support			
Ad-hoc patient support (e.g. access to medicines via compassionate schemes)			
Participant in clinical trials (not principal investigator)	Acceptable with conditions or with no conditions	Nomination / membership can proceed. Member must agree to Col being reviewed on an ongoing basis.	Member can receive items and fully participate in discussions.
Personal Interests			
Public statements (professional or personal)	Not acceptable if frequent and strongly support or oppose relevant companies or products	Nomination cannot proceed or member must resign, unless the member ceases or divests from the interest.	Member must not receive papers and must exit discussion on related items.
Medical condition	Acceptable with conditions	Nomination / membership can proceed. Member must agree to Col being managed on an ongoing, meeting-by-meeting basis.	Management can involve a) receiving papers but not able to lead discussion, b) able to receive papers and fully included in discussion.
Personal beliefs	Acceptable with conditions or with no conditions	Nomination / membership can proceed. Member must agree to Col being reviewed on an ongoing basis.	Member can receive items and fully participate in discussions.

Glossary

Committee management group (CMG) is the group identified by the department to oversee conflicts of interest management. It includes participants from each HTA committee including the committee chair, deputy chair (or a nominated presiding member when there is no deputy chair or one of these 2 persons is not available), secretary or secretariat director and additional relevant persons in each secretariat. Additional members can include the directors of the 2 HTA Support Unit Sections and the Consumer Evidence and Engagement Section, along with other relevant departmental support staff from these sections. Subset groups of the CMG will be responsible for conflict of interest management for each individual committee.

Relevant CMG participants refers to a subset of 3 or more members of the CMG who are responsible for reviewing and managing conflicts of interest for a specific committee. Each subset will include the committee chair, deputy chair (or a nominated presiding member or an associated committee chair, if required), committee secretary or secretariat director and one HTA Support Unit director. Other relevant staff or committee members are included as needed.

Committee secretariat are departmental staff who are responsible for supporting the committee, including liaising with members, preparing agenda papers in consultation with the committee chair, deputy chair (if relevant) and members and preparing outcome reports of each meeting.

Confidential information means any information or document made available to a member of a committee by the department that is by its nature confidential, is designated by the Commonwealth as confidential, or the member knows or ought to know is confidential. It does not include information which is in the public domain or becomes public knowledge other than by a member breaching their obligations of confidentiality under the Deed.

Conflict of Interest includes, but is not limited to, any situation where a person has a direct or indirect material personal interest which, taking into account the nature of the committee's role, functions and responsibilities, may influence or may appear to influence the independent, fair and proper consideration by the committee or participation by the member otherwise in the work of the committee.

“Direct” interest includes, but is not limited to, an interest or a liability held or owned by the person, whether financial or non-financial.

Declaration of interests (DoI) is a formal disclosure of targeted direct and indirect financial and other interests which, through having a connection between the interest and the member's duties, lead to a real or perceived conflict of interest

“Indirect” interest includes, but is not limited to, an interest or liability owned or held indirectly by the person (for example through a trust or a partnership) and includes any interest, of which the person is aware of, held by someone whom the person is closely associated.

Member is a person currently appointed to a committee.

Nominee is a person nominated, or seeking, to join a committee as a member.

Private interest declaration (PID) is a formal disclosure of broad personal interests, including those relating to current and historical employment, legal and financial matters.

PM&C refers to the Prime Minister and Cabinet.

Version Control

Version	Date	Author	Change description
1.0	24 June 2020	Technology Assessment and Access Division	
2.0	03 March 2026	Technology Assessment and Access Division	Substantial revision of text for clarity and conciseness and to expand document use to include both departmental staff and committee members. Strengthened description of CMG. Highlighted different activities involved in pre- and post-membership appointment Dols and management of Cols.

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All information in this publication is correct as at March 2026

