

Question 5: The Member has asked how the Commissioner will investigate the Small Business Minister?

- The Small Business Commissioner will be empowered to investigate the Minister if the Minister's actions impact on the commercial activity of small business.
- The process for investigating a complaint against the Minister will follow the same process discussed in response to the question 4.
- Where there is a complaint by a small business, or a suspicion by the Commissioner, of Ministerial corruption or misconduct, the Commissioner will refer those matters to the appropriate body, for example the Crime and Corruption Commission (CCC). The Commissioner's function will not duplicate that of other bodies.
- Examples of Ministerial behaviour or actions that could be investigated by the Commissioner, which would not constitute misconduct or corruption may include:
 - Complaints by a small business, or a number of small businesses, that the Minister is deficient in their duty as a representative of the sector.
 - Interference or undue influence on the Small Business Development Corporation to change its policy positions relating to small business issues.

- The Minister advocating for a regulatory system or administrative procedure that adversely impacts the commercial activity of small business. For example, the Minister supporting a change in an occupational licensing system that would adversely impact on small businesses operating in that industry.