



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

SENATE

FINANCE AND PUBLIC ADMINISTRATION LEGISLATION
COMMITTEE

Consideration of Budget Estimates

THURSDAY, 30 MAY 2002

CANBERRA

BY AUTHORITY OF THE SENATE

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SENATE

FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE

Thursday, 30 May 2002

Members: Senator Mason (*Chair*), Senator Murray (*Deputy Chair*), Senators Brandis, Faulkner, Forshaw and Lightfoot

Senators in attendance: Senators Bartlett, Brandis, Conroy, Faulkner, Ferguson, Forshaw, Lightfoot, Mackay, Mason, McLucas, Murray and Ray

Committee met at 9.05 a.m.

FINANCE AND ADMINISTRATION PORTFOLIO

Consideration resumed from 29 May 2002.

In Attendance

Senator Abetz, Special Minister of State

Department of Finance and Administration

Dr Ian Watt, Secretary

Bruce Taloni

General

(Corporate Group)

Mr Lembit Suur, General Manager, Corporate

Mr Ian McAuley, Branch Manager, Parliamentary and Corporate Support

Mr Clive Hawkins, Branch Manager, Knowledge Management and Information Services

Ms Judy Costello, Branch Manager, Strategic Partnerships

(Financial and e-Solutions Group)

Mr Dominic Staun, General Manager, Financial and e-Solutions Group

Mr Kym Partington, Branch Manager, Management Systems Accounting

Outcome 1: Sustainable Government Finances (Budget Group)

Mr Phil Bowen, General Manager, Budget Group

Ms Kathryn Campbell, Group Manager, Budget Group

Mr Simon Lewis, Group Manager, Budget Group

Mr Pat McMahon, Acting Branch Manager, Budget Group

Mr Jim Kerwin, Branch Manager, Financial Reporting

Mr Stephen Welch, Branch Manager, Private Financing Unit

Mr Matthew Flavel, Branch Manager, Budget Coordination Unit

Outcome 2: Improved and More Efficient Government Operations

(Business Services Group)

Mr Jonathan Hutson, General Manager, Business Services Group

Mr Geoff Painton, Team Leader, Superannuation Branch, Business Services Group

Mr Barry Jackson, Branch Manager, Property

Mr Shane Bennett, Branch Manager, Finance and Banking

(Asset Management Group)

Mr Alastair Hodgson, General Manager, Asset Management Group

Mr Michael Pahlow, Branch Manager, Asset Management Group

Mr Noel Dobbie, Group Manager, Asset Management Group

Mr David Yarra, Group Manager, Asset Management Group

Outcome 3: Efficiently functioning Parliament (Ministerial and Parliamentary Services)

Ms Jan Mason, General Manager, Ministerial and Parliamentary Services

Mr John Gavin, Special Adviser

Ms Kim Clarke, Branch Manager, Entitlements Policy

Mr Rob Barnes, Branch Manager, Service Centre

Mr Ken Sweeney, National Manager, COMCAR

Mr John Edge, Branch Manager, Account Management

Ms Carolyn Hughes, Manager, Tabling and Reporting

Ms Sue Whisker, Account Manager

Australian Electoral Commission

Mr Andy Becker, Electoral Commissioner

Mr Paul Dacey, Deputy Electoral Commissioner

Mr Tim Pickering, First Assistant Commissioner, Electoral Operations

Ms Barbara Davis, First Assistant Commissioner, Business Support

Mr Doug Orr, Assistant Commissioner, Elections

Mr Brien Hallett, Assistant Commissioner, Information and Research

Ms Kathy Mitchell, Director Funding and Disclosure

ComSuper

Mr Kevin Dent, Chief Finance Officer

Mr Bruce Kruttschnitt, Chief Operations Officer

Ms Barbara Wilson, Finance Manager

CHAIR—Ladies and gentlemen, good morning. I declare open this public hearing of the Finance and Public Administration Legislation Committee. Today we continue our examination of budget estimates 2002-03 for the Finance and Administration portfolio. We will commence with a continuation of output 2.1 of the Department of Finance and Administration, followed by outcome 3 and then, at the allocated time of 11 a.m., the Australian Electoral Commission. If necessary, the committee will return to outcome 3 for the department until it is completed. I propose to proceed by opening with general questions and then calling on the outcomes and outputs in the order listed on the agenda. The committee has set Wednesday, 10 July 2002 as the date for the submission of written answers to questions that are taken on notice.

I remind you all that this committee is continuing its general oversight of the format of the portfolio budget statements. In addition, in accordance with the committee's recommendation in its third report on the format of the portfolio budget statements, the committee will report on the adequacy of the PBSs in its budget estimates report. I remind officers that the Senate has resolved that there are no areas in connection with the expenditure of public funds where any person has a discretion to withhold details of explanations from the parliament or its committees, unless the parliament has expressly provided otherwise.

I further remind officers that an officer of a department of the Commonwealth or of a state shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions asked of the officer to superior officers or to a minister. Evidence given to the committee is protected by parliamentary privilege. I also remind you that the giving of false or misleading evidence to the committee may constitute a contempt of the Senate.

[9.07 a.m.]

Department of Finance and Administration

CHAIR—This morning the committee welcomes Senator Abetz, Special Minister of State representing the Minister for Finance and Administration.

Senator Abetz—Thank you, Chair.

CHAIR—We also welcome Dr Watt and officers of the Department of Finance and Administration. I think, colleagues, last night we doing output 2.1, and Senator Conroy was to commence the batting with Employment National. I understand that opposition senators will not be asking any questions of the Commonwealth Grants Commission. I would ask whether Senator Murray or government senators have any questions to ask of the Commonwealth Grants Commission. In that case, Dr Watt, the committee has no questions for the Commonwealth Grants Commission.

Dr Watt—Thank you.

CHAIR—It would seem as though a spill-over day will not be required. I call Senator Conroy.

Senator CONROY—The minister's press release dated 14 May and headed 'Employment National' makes reference to a Ferrier Hodgson report. Is the Ferrier Hodgson report available to the committee?

Senator Abetz—Senator, as you know, I do not have personal responsibility in this area. I am happy to take that request on notice and see what Senator Minchin's response is.

Senator CONROY—Either before or after receipt of the Ferrier Hodgson report, did the government give any consideration to keeping Employment National going?

Mr Hodgson—I understand that for some time EN has been supported by the government through injection of capital. It has had ongoing support by the government at least for 12 months or so, and it is 18 months or so since the original JN2 network disaster. Does that answer your question?

Senator CONROY—The question is whether or not it could have been kept going, and it was being kept going with the government's support.

Mr Hodgson—It was being kept going. There was a decision to keep it going, and ongoing funding was being provided.

Dr Watt—It is important to be aware that, over the last 12 months, the government has provided \$27 million worth of additional support to EN. So there has been a substantial commitment to keep it going. I think the government has now taken an on balance judgment—it is an on balance one—that the funds that would be needed to keep EN going are no longer justified; that is, in the light of improvements elsewhere in the Job Network and in the light of the fact that those businesses of EN that are viable—and some certainly are—will be spun off for other providers.

Senator CONROY—What was the total value of capital and assets provided by the government to Employment National when it commenced operating?

Dr Watt—We do not have that—

Senator CONROY—Some of these questions are quite specific.

Mr Hodgson—We can provide that information.

Senator CONROY—I am happy for you to take that on notice. As I say, quite a few of these questions are very specific; they require specific numbers. If you need to take them on notice, that is fine.

Dr Watt—That one we certainly do need to take on notice; we do not have that information with us.

Senator CONROY—Apart from the price paid by the government for purchases of services from Employment National, what additional capital and operating subsidies have been provided by the government in each of the financial years that Employment National has been operating? As I have said, I am happy for these questions to be taken on notice.

Dr Watt—Can we take that on notice?

Senator CONROY—Yes. As I have said, if these figures are not directly available, I am quite happy for you to take these questions on notice. What was the operating profit or loss before abnormal items and income in each year since Employment National was established?

Dr Watt—Yes, we can get that for you.

Senator CONROY—What are the abnormal items of expenditure in each year since Employment National was established? What was the operating profit or loss before income tax in each year since Employment National was established? What was the income tax expense or benefit attributable to the operating profit or loss in each year since Employment National was established? What was the operating profit or loss after income tax in each year that Employment National has been operating? What were the retained profits or losses at the beginning of each financial year since Employment National began operating? What dividends have been paid to the Commonwealth in each year since Employment National began operating? Did the government commission any study, apart from Ferrier Hodgson, into the most appropriate way of dealing with the assets, liabilities and ongoing businesses of Employment National?

Dr Watt—Certainly not that we are aware of.

Senator CONROY—How many employees of Employment National have a right of re-entry to the Australian Public Service?

Mr Hodgson—The number is 129.

Senator CONROY—What are the Australian government's expectations as to its capacity to productively employ those people; are there positions for them to go to?

Dr Watt—That is really more a question for the responsible department. The Minister for Finance is the shareholder minister for Employment National. But, as I understand it, the normal arrangement is that, when public servants return to the APS from elsewhere, it is made a responsibility of the agency that most closely approximates the agency that was in place when they departed. In this case that would be DEWR because that most closely approximates the old Department of Employment, Education and Training. So that would be a question for DEWR rather than for us.

Senator CONROY—Do you know what the government will offer these employees who have the right to return the Australian Public Service redundancy packages if they do not wish to exercise that option?

Mr Dobbie—The 129 employees, or that portion of them who wish to take the redundancy, will have their full rights, and it will be paid by Employment National.

Senator CONROY—Do you know what the potential cost of those redundancy packages would be?

Mr Dobbie—Only in that we can estimate what we think the number will be that take the redundancy at the end of the day, and we are not really sure of the number.

Dr Watt—It is also true that the extent of the package in individual cases can vary quite substantially.

Senator CONROY—I was going to ask how many employees have that right, and I think you said all. Perhaps we can double-check.

Dr Watt—I think what we said is that there are 129 former APS employees. There are other Employment National employees. They all have the right to a version; it is a question of whether they exercise it or not. We do not know how many will exercise it. As I understand it, on previous occasions when there have been voluntary redundancies in Employment National, not many employees have chosen to exercise that right. That is my understanding. But how many will this time? We do not know.

Senator CONROY—In this case there will be a whole range of officers who have nowhere to go: the non-129. How many other people are there?

Mr Dobbie—At the end of April there were 609 employees, and so 480 of them would not be in that category.

Senator CONROY—Do they all have the right to a redundancy package; and what are the terms and likely cost of those redundancy packages?

Mr Dobbie—They would have the right to a redundancy package. The terms are as per the offerings made by Employment National.

Senator CONROY—Taking it on notice, is it possible to get a—

Dr Watt—We could take on notice to get you the details of—

Senator CONROY—Please take on notice what the potential cost to Employment National is. All of those people do not have a job or anywhere to go, unless I am misinformed.

Dr Watt—It is said that the government's intention is to see that the viable businesses are sold, and so some of the people will go with that.

Senator CONROY—Some of them may. Each one is entitled to a redundancy package and can take it and walk if they want to.

Dr Watt—That is correct.

Senator CONROY—I am really just trying to look at what the maximum liability is, essentially. I appreciate that it might be complex because some people may have slightly different arrangements, but a reasonable estimate would be appreciated, thank you. What is the annual cost of leases of buildings and equipment that will extend beyond the expiry dates of Employment National's current employment services contracts?

Dr Watt—We will take that on notice.

Senator CONROY—What is the realistic expectation about the attractiveness to potential buyers of Employment National's business so close to the end of the life of its employment service contracts? There is not much value left there really, is there?

Mr Dobbie—We believe that there is some value in certain aspects of the business. Perhaps the comment you made might be applicable to the job matching activity, but they also

engage and perform quite well in some intensive assistance activity, particularly in Western Australia, for example. That can be packaged and sold as a stand-alone unit of the organisation.

Senator CONROY—How much longer does that particular business have of its government contract?

Mr Dobbie—Until 30 June next year. In addition to that, there is some new apprenticeship activity that EN undertakes on behalf of the Department of Education, Science and Training. That is quite an attractive proposition, I would suggest. They perform well in some of the harvest job matching activities, and there are one or two other small pockets of business within the entire EN organisation which we feel will be quiet—

Senator CONROY—Would you be able to identify those again? I am happy for you to take that on notice. You can just give us a list of the ones you think are going concerns. But, with those that even you do not think are going concerns, do you think you have any chance of on-selling them, or will they really just hit the fence?

Mr Hodgson—They are loss-making contracts, which is why EN is being funded. I think there is very little chance of selling them.

Senator CONROY—So, even if they had another five years of contracts making them an attractive potential, there is really not much chance?

Mr Hodgson—Unless the terms of the contracts can be varied there, they are not worth a lot.

Senator CONROY—Excluding the price paid by the taxpayer to purchase employment services from Employment National, how much will the Employment National venture have cost the Australian taxpayer?

Mr Hodgson—The government agreed to put \$68.7 million into EN for the JN2 network contracts. The sum of \$27 million had already been paid to the end of April 2002, and a further \$27 million is required in 2002-03. There remains an amount of \$12.7 million to cover possible wind-up of JN2 contracts.

Senator CONROY—So you are saying that there is no extra cost on top of the total of \$68.7 million?

Mr Hodgson—Correct.

Senator CONROY—That is the full cost, including redundancies and capital injections and all those sorts of things? There are no other bits?

Mr Hodgson—Our expectation is that those costs will be covered in the \$12.7 million.

Senator CONROY—Did the government ever intend to run Employment National as a long-term business? It is hard to see how this model would ever have stacked up.

Mr Hodgson—Certainly my observation in the last year or so is that the government was very serious about trying to get EN running as an ongoing business. A lot of effort was put in; a new chairman was appointed to encourage this. It was unfortunately burdened with some significant loss-making contracts, which made it very difficult to become viable.

Dr Watt—As we said, this is very much an on balance decision by the government. It has made a reasonable effort to keep the thing going, but future viability is hard to find.

Senator ROBERT RAY—Do you know the circumstances—you were not in the department at the time, Dr Watt—in which a number of board members were not reappointed or were dismissed?

Dr Watt—I do not.

Senator ROBERT RAY—I was wondering whether some acknowledgment could be made that Employment National was doomed, with or without their efforts. They were pretty bruised; they came and gave public service for very little remuneration. They put an enormous effort in and, in that restructuring, their reputations and their feelings were hurt pretty badly. Had EN gone on to be a viable organisation, fine; now that it has not, I think they should be offered some acknowledgment for the hard work they put in. I am not saying that they should be offered an apology. They could not bring Employment National on stream; neither could the new board with the letters of comfort and all the other material support provided by government. We have been through all this at long length in the committee; I do not want to rehash the ground.

Senator CONROY—That completes my questions.

[9.25 a.m.]

CHAIR—I welcome officers of Ministerial and Parliamentary Services. The committee will now resume its examination of outcome 3, Efficiently functioning parliament, output 3.1, Ministerial and parliamentary services.

Senator ROBERT RAY—I want to ask some questions about an issue I do not know much about. I have seen some reference to it in the papers, but only in passing. The issue is, Minister, a decision I think you made and announced recently regarding Comcar travel by gold pass holders to and from travel. I take it that that entitlement—however you might like to describe it—has not been ever ratified or authorised by the Remuneration Tribunal. Is that right?

Senator Abetz—That is correct. If I may slightly correct you: you indicated I had made a decision; rather there is an intention as of, I think, 30 June but that is subject to feedback. We are currently getting that feedback from the former members. No final decision has been made.

Senator ROBERT RAY—I did say I had only seen reference to it in newspapers, which obviously would not carry the full story. But it has not been subject to—

Senator Abetz—It came out of the audit report.

Senator ROBERT RAY—I understand that, and I was going to get to that. I am getting to the point that at no stage has the Remuneration Tribunal written this in a recommendation as an entitlement.

Senator Abetz—My advice is that no, they have not.

Senator ROBERT RAY—Therefore, I presume—like on some other matters—this has been offered by a previous Special Minister of State. It was not me, was it?

Senator Abetz—No, it was Senator Bolkus.

Senator ROBERT RAY—I thought I would establish that first. I could not remember doing it.

Senator Abetz—That is why you could not remember doing it.

Senator ROBERT RAY—I did not want to rip in on the issue if I was the perpetrator. You mentioned the audit report, and we asked the Auditor-General about it the other day. In summary, what did the Auditor-General say about it?

Mr Gavin—The Auditor-General in the report made a number of comments, but the one that went to this was simply to draw attention to the fact that the Remuneration Tribunal determination did not provide for car transport and suggested that the department should look into it.

Senator ROBERT RAY—There are some entitlements or benefits granted by the minister and the department that are not covered by the Remuneration Tribunal. I would be right in saying that, wouldn't I?

Mr Gavin—It is different from your day, Senator. There was a decision in 1990 in *Brown v. West*, and the court ruled that it would be more than wise to anchor every entitlement to senators and members in legislation or in a determination. Indeed, that is what led to the passing of the Parliamentary Entitlements Act 1990. What you said is true, but that is really only in relation to ministers and the act specifically says that the executive can provide entitlements to ministers. In terms of an executive decision for senators and members, there is virtually nothing provided—except within the framework of determinations or the legislation.

Senator ROBERT RAY—Where does that leave the printing allowance for the House of Representatives members?

Mr Gavin—There is a regulation now that covers the printing. To provide for senators and members, except with a legislative basis, runs the risk of flying in the face of the concept of the separation of powers for the executive. The chamber departments—because they are the parliament itself—can provide benefits. For example, until recently the House of Representatives provided a printing allowance of \$3,850.

Senator ROBERT RAY—That is good, but we have not got to the heart of this.

Mr Gavin—You have not?

Senator ROBERT RAY—Not by that explanation, no. First of all, if the House of Representatives printing allowance as granted by your department is done by way of regulation, I suppose I can ask the question: why can't the Comcar travel of gold pass holders be dealt with similarly?

Mr Gavin—I do not know that anyone said it can or cannot.

Senator FAULKNER—When did the House of Representatives printing allowance first become subject to regulation?

Mr Gavin—There was a regulation that effectively comprehends the House of Representatives allowance, and that became effective on 1 January this year. I think it was about 1997 or 1998. The Parliamentary Entitlements Act itself has a provision for personalised stationery. Then there was a regulation made in about 1998 which provided for newsletters and personalised stationery, which is usually thought of as the printing allowance. Does that answer the question?

Senator ROBERT RAY—I thought one of the reasons why Comcar for gold pass holders was being challenged was that it was not a proper entitlement. We have established that it has not been given by the Rem Tribunal, so I accept that. I was trying to establish whether, if you wanted to, you could make it a proper entitlement—that is, the same way as you have the printing allowance. That is what I am asking. Or is that not the case?

Mr Gavin—The parliament can do anything. A difficulty in fact is with the current legislation. For instance, the Parliamentary Entitlements Act only applies to sitting senators and members, so all the current life gold pass holders would be outside the cover of that act. You could not make a regulation under that act as it stands in order to provide cover for car transport to retirees.

Senator ROBERT RAY—How do former prime ministers qualify, then, for cars? They are former members, not senators.

Mr Gavin—The way that happens is that each incoming prime minister decides on the benefits to be provided to his or her predecessor.

Senator ROBERT RAY—It seems to me the same principle.

Mr Gavin—Not quite. The decision is taken after the person leaves parliament; it is not taken at the time that the person is a sitting senator or member.

Senator ROBERT RAY—Are you saying that it is not within the Remuneration Tribunal and all that process, which we understand?

Mr Gavin—The problem with the Rem Tribunal is that its jurisdiction is only in respect of sitting senators and members.

Senator ROBERT RAY—It does rule on the gold pass, doesn't it? There is a big section in the Rem Tribunal report headed 'Life gold pass'.

Mr Gavin—The concept, though, is that the person, a second before they cease to be a member, somehow gets that benefit.

Senator ROBERT RAY—A second before they cease?

Mr Gavin—Perhaps it is a millisecond. The notion is that it is immediately before.

Senator ROBERT RAY—On the same basis, you could immediately before get a right to a Comcar to and from the train or the airport, surely?

Mr Gavin—That is right. That would apply in your case, but it certainly would not apply in the case of all the life gold pass holders who have left the parliament.

Senator ROBERT RAY—Minister, you say—quite correctly—that you have put this out for feedback?

Senator Abetz—Yes.

Senator ROBERT RAY—Do we know what the current cost to the Commonwealth is in an average financial year?

Senator Abetz—In very rough terms, a figure somewhere between \$150,000 and \$200,000 was indicated to me.

Senator ROBERT RAY—You said \$150,000 to \$200,000?

Senator Abetz—Yes.

Senator ROBERT RAY—Not even two budgets for the Reps printing allowance to do political propaganda! That is interesting.

Senator Abetz—It is not a large sum.

Senator ROBERT RAY—Is there any suggestion—I have not read any, so I am not saying there is—that this entitlement is being abused?

Senator Abetz—If you were to read the popular press or to listen to talkback radio then every single usage of it, irrespective of what it was used for, is an abuse. But nothing has been drawn to my attention that it is abuse in the terms that you and I would understand it.

Mr Gavin—There is no suggestion of abuse. There have been some occasions when people have used it outside what the entitlement is and have simply paid the money back. There has been no suggestion of abuse.

Senator ROBERT RAY—That would apply to any current federal member or senator as well, wouldn't it?

Senator Abetz—Exactly.

Mr Gavin—That is right.

Senator ROBERT RAY—Minister, I am not urging one way or the other—it is a subject I do not know a lot about, so I am just checking—but will you make some sort of determination post July, which will either be to regularise it, to abolish it or to suggest people submit it to the Remuneration Tribunal? I suppose they are your three choices.

Senator Abetz—Yes, they are, once all or a substantial amount of the feedback is in. I can indicate to you I have had a number of letters and phone calls, as you might expect, on this issue.

Senator ROBERT RAY—I just think it is a little illogical to say, 'Yes, you can travel by plane, but you can walk to the airport.' I find that a bit strange.

Senator Abetz—I would not argue with that proposition.

Senator ROBERT RAY—We just mentioned the House of Representatives printing allowance. There was an announcement made, by the Prime Minister I think, that there would be rearrangements. Is that right?

Senator Abetz—For the printing allowance?

Senator ROBERT RAY—Yes.

Senator Abetz—After the audit report?

Senator FAULKNER—The cap?

Senator Abetz—That is right.

Senator FAULKNER—I assume, from what Mr Gavin was saying, that the cap is now the subject of a regulation.

Mr Gavin—Yes. I think the minister has written to all senators and members and set it out. There is a cap of \$125,000 per annum.

Senator ROBERT RAY—There are 150 House of Representatives members, aren't there? I will do the maths in a little while.

Senator Abetz—There are 148, I think. The secretary does have a handy calculator, which we discussed yesterday.

Senator ROBERT RAY—I'm up to the \$15 million before I get to the \$125,000! The total is about \$19 million.

Senator Abetz—I will take your word for that. That is if everybody uses it to the maximum.

Senator ROBERT RAY—Precisely, and not everyone will. It is capped at \$19 million. What is the total MAPS budget less that figure? Do we have an idea?

Ms Mason—The MAPS budget, net of the printing allowance, is \$218 million.

Senator ROBERT RAY—Minister, was there any consultation with the opposition over this?

Senator Abetz—There is a good question: not that I am aware of.

Senator ROBERT RAY—Were you aware of an extant agreement that there would be consultation between the government and opposition on this particular matter if it ever came to a decision?

Senator Abetz—I personally was not aware of that, no.

Senator ROBERT RAY—Would you like to check with your senior minister, who should be aware of it?

Senator Abetz—I will do that.

Senator ROBERT RAY—I do not require a further answer on that, but I would ask you to check that for your own knowledge.

Senator Abetz—I think you can be assured, and Senator Faulkner will confirm, that on a number of matters there has been consultation between our offices. But I accept that on this occasion there was not.

Senator ROBERT RAY—You can accept my word that on this particular matter over a long period of time discussions were proceeding. ‘Guarantee’ is too strong a word, but consultation was to occur and to my knowledge it did not occur.

Senator Abetz—I will check up on that, but as far as I am aware there was not and might I say, just speaking as I am here now, that I think it would have made good sense if we had done so.

Senator ROBERT RAY—Just privately, I can give you one or two names that you can check. But I do not want to put that on the public record.

Senator FAULKNER—Now that a cap has been determined, has MAPS done any internal work on whether there will, in fact, be savings? As you know, you provided an answer to a question on notice to me, at least in broad terms, about the number of members who would have exceeded such a cap: four MPs over \$300,000; 13 more than \$200,000, and so on and so forth. So there are a number of MPs who, on that pattern of spending, will actually have their amount of spending significantly decreased. I think it is fair to say that, isn’t it, Mr Gavin?

Mr Gavin—The mathematics are obvious, yes.

Senator FAULKNER—But it is also true to say that the last figures that we have available via the Auditor-General’s report show an average spending on the allowance of a little under \$38,000. I think that is correct, isn’t it?

Mr Gavin—That is right; it is about \$38,000 in the Auditor-General’s report.

Senator FAULKNER—Obviously there is a comparatively small number of parliamentarians spending a great deal more on an annual basis than previously than would be allowed with the cap. But with the average being significantly lower than the cap, what impact do you think this might have on your budget now that a cap has been put in place? I think Senator Ray has given us the ballpark if every member used the entitlement to its full capacity.

Senator ROBERT RAY—\$18.7 million.

Mr Gavin—It is too early to speculate, I think.

Senator Abetz—\$19 million was pretty close.

Senator FAULKNER—I was not thinking about speculation. I wondered if any serious work had been done by the department, given the new circumstances.

Mr Gavin—It is just too early in the process to start to do that kind of work. But I have to mention to you that the average spending in this financial year would predictably be higher than the figures that Senator Ray mentioned because, of course, it was an election year. So I think we just have to wait and check out a pattern over a period.

Senator FAULKNER—Yes, but the cap applies from what date?

Mr Gavin—From 1 January this year.

Senator FAULKNER—The cap is going to apply to spending in a calendar year, isn't it?

Mr Gavin—No, it is a financial year and it is—

Senator Abetz—It is pro rataed.

Mr Gavin—pro rataed to about \$68,000 for this period from 1 January to 30 June.

Senator FAULKNER—What would be your expectations for the second part of the financial year 2001-02—the last six months of the financial year—in relation to spending? This is effectively the first six months of a political cycle, isn't it?

Mr Gavin—Yes.

Senator FAULKNER—But no thought has been given to this?

Mr Gavin—Yes, thought has been given to it, but it is just too early. The first six months of a political cycle you would expect the spending to be lower than in the last six months, for instance.

Senator FAULKNER—I would have, and that is what I was wondering.

Mr Gavin—But I do not know.

Senator ROBERT RAY—Is there any allowance for rolling over unspent money?

Mr Gavin—No.

Senator ROBERT RAY—Minister, can you tell us now that this will not be a ruling in two years time when certain members of the House of Representatives, both Labor and Liberal, blow it all and then come crawling back to you or your successor, saying, 'What are we going to do for the rest of the year?' You need to impose some discipline at this stage to say, 'This is the allowance and that is that'?

Senator Abetz—I do not think there will be such a move, but who can look into the future? I do know that it has been accepted that, after an election, you can draw down on your postage or communications allowance out of the next year to supplement, but I do not think there is any intention to allow that to occur in relation to the printing allowance.

Senator ROBERT RAY—It is enough to say that at this stage because, then, at least if people do approach you and you do not want to do it, you have a defence, saying you ruled—

Senator Abetz—I have not ruled.

Senator ROBERT RAY—No, not ruled, but indicated this way—

Senator Abetz—Yes.

Senator ROBERT RAY—to the august Senate estimates committee. Very good.

Senator Abetz—Exactly.

Senator FAULKNER—Dr Watt, when the Auditor-General brought down his report on these and related matters, were you satisfied that the Auditor-General worked very hard to ensure that individual members of parliament—individual cases—were not highlighted; that he tried to deal with issues in a systematic way, if you like?

Dr Watt—I have to defer to my colleagues on that.

Ms Mason—The answer to your question is yes. The report that was published does not specifically identify individual senators or members. However, there has been media coverage and naming of certain people in the media.

Senator FAULKNER—Yes, I am aware of that, but I am asking about whether the department is satisfied that the ANAO took all appropriate care and responsibility to ensure that no individual names of usage of entitlements by members was made public? It seemed to me to be the case, but I just wanted to be clear.

Ms Mason—Certainly, there were no names included in the audit report.

Dr Watt—Were you asking in terms of what was published or the Auditor-General's methodology of handling these issues while the investigation was under way or both?

Senator FAULKNER—I am talking about what was published by the Auditor-General.

Ms Mason—In the published material there were no names mentioned. In the course of the fieldwork, there were particular cases examined by the Auditor-General in order to come to conclusions.

Senator FAULKNER—I think you could assure the committee that if the Auditor-General did not examine particular cases in terms of his methodology then the report would have been less than adequate. That would be true, wouldn't it? We would need to do that.

Dr Watt—That was not the point I was making. Certainly the Auditor-General had to look at individual cases; otherwise the report would not have been conclusive. I thought you were asking a quite different question, which ran along the lines of what safeguards were undertaken during the stage of the audit process to ensure that the identities of the cases examined were protected. That is a different question.

Senator FAULKNER—Let us talk about safeguards. What safeguards are you aware of?

Dr Watt—I think that really is a matter for the Auditor-General.

Senator FAULKNER—Yes—but as far as the department is concerned?

Ms Mason—As far as the department is concerned, we asked that the Audit Office treat any material that we supplied to them as confidential, and as far as we are aware they did so.

Senator ROBERT RAY—If one wanted to know how much a particular member of the House of Representatives spent on printing allowance, that knowledge is contained in which section of MAPS?

Ms Mason—The service centre.

Senator ROBERT RAY—Is it then accessible by any other section of your unit?

Ms Mason—It may from time to time be accessible, for instance, by the account management unit within the group.

Senator ROBERT RAY—Was that information transmitted anywhere outside your department?

Ms Mason—I think that is a question I would need to take on notice and check with my colleagues.

Senator ROBERT RAY—I think it is an important question to be answered at this stage if it can be, because we had a situation where information reached the press in a very selective way and was used politically. I need to know where this information resides so I can at least start to narrow down where it leaked from.

Ms Mason—The information resides in the service centre.

Senator ROBERT RAY—But you do not know of it going outside there anywhere?

Ms Mason—I would need to check that before giving a proper answer.

Senator ROBERT RAY—You acknowledge that the information leaked out?

Ms Mason—No. I simply said that, in order to give a proper answer to your question, I would need to make inquiries.

Senator ROBERT RAY—I did not say it leaked out from that section; sorry. You misinterpreted me. It was not by osmosis that the information regarding one member of parliament reached the press, was it? It was given to them by someone who had the information.

Ms Mason—I do not think I can speculate on an answer to that question.

Senator ROBERT RAY—Minister, can you assure us it was not your office that put that information out to the media on Mr Horne?

Senator Abetz—He was the former member for Paterson. I will check up on that and get back to you, but I understand there were a number of requests made after the audit report came out in relation to information in that audit report. I will take that on notice.

Senator ROBERT RAY—You are saying there were requests made to your office and probably to the department?

Senator Abetz—As I understand, yes, but I want to check to make sure that it is absolutely clear.

Senator FAULKNER—Were any requests made of the department at the time of the tabling of the Auditor-General's report for information about individual members or senators—just to help us narrow this down?

Senator Abetz—We will take that on notice.

Senator FAULKNER—I think the department should be able to answer that.

Senator ROBERT RAY—We do not know yet; they are still checking.

Senator FAULKNER—We will just see.

Senator Abetz—We will take that on notice.

Senator ROBERT RAY—How seriously would you take it, Minister, if you found that one of your staff members had conveyed this confidential information to the press without your authority?

Senator Abetz—That is a hypothetical question.

Senator ROBERT RAY—Do you take those issues seriously?

Senator Abetz—It is hypothetical; it is not a matter that I need to address.

Senator ROBERT RAY—But you will make inquiries?

Senator Abetz—I have already taken the question on notice.

Senator FAULKNER—Can the departmental officers at the table indicate to us whether this information about the use of House of Representatives printing entitlement was provided to the minister's office?

Senator Abetz—What is provided to the minister's office by the department is not something that is normally canvassed.

Senator FAULKNER—I am terribly sorry, Minister, but it is normally canvassed. This is just a process issue.

Senator Abetz—It is canvassed and it is trawled—I accept that—but what information passes between the two is not something that—

Senator ROBERT RAY—It would be very handy if we knew that it had not gone to your office, so that we could eliminate a suspect.

Senator Abetz—Then you can try eliminating all sorts of other people by the same process in other areas as well.

Senator ROBERT RAY—I do not think so in this case.

Senator Abetz—That is why I will not set a precedent here.

Senator ROBERT RAY—Do you recall, Mr Gavin, that Senator Faulkner put a question on notice some years ago on this subject?

Mr Gavin—I do not deny; I do not recall.

Senator ROBERT RAY—You do not recall the fact that it was not answered for an extraordinary period?

Mr Gavin—I recall the question.

Senator ROBERT RAY—Do you then recall that Senator Faulkner withdrew the question?

Mr Gavin—I recall that it was a long time before he did.

Senator ROBERT RAY—Yes, but it was before an answer was provided. For the financial years 1996-97, 1997-98 and 1998-99, what was the expenditure on the printing allowance for the members for Swan, Stirling, Cowan and Canning? You will need to take that on notice.

Mr Gavin—Yes.

Senator ROBERT RAY—Do you understand I have limited the question, Minister?

Senator Abetz—It is of special interest to Western Australia, but I accept that.

Senator ROBERT RAY—We will have a skirmish, not a war. Is there any thought of giving senators an increased printing allowance?

Senator Abetz—I do not think it is on the agenda at this stage.

Senator ROBERT RAY—So, on those various occasions when House of Representatives members point out how expensive it is to run the Senate, we can say that this is one area where we are economising.

Senator Abetz—Sorry?

Senator ROBERT RAY—You probably would have been subject to it yourself, Minister. Often, House of Representatives members complain about the cost of running the Senate. Here is one area where we are far more frugal.

Senator Abetz—We are very frugal in that area.

Senator ROBERT RAY—That is exactly right.

Senator Abetz—Is it 5,000 A4 sheets, or something like that?

Senator ROBERT RAY—I have used it on two occasions over the 21 years. It is a very good printing service downstairs. That is all on that area. I do not want to have a broad discussion on this but I want to ask the minister, and MAPS in particular, what approaches were made to the department to check Comcar records in the immediate period following Senator Heffernan's speech in the chamber re a High Court judge? Could I have some sort of indication as to whether any requests were made? Obviously I am not talking about FOI, because you are not entitled to comment on that. Were requests made from any source—government, opposition, or otherwise or individual senators—for a search of Comcar records with regard to this matter?

Senator Abetz—We will need Comcar to come to the table, and Ken Sweeney is here. As I recall—and Mr Sweeney may well correct me—Senator Heffernan gave his speech, and there was the 1994 alleged docket on the front page of a Sunday newspaper.

Dr Watt—A Sydney Sunday newspaper.

Senator Abetz—Mr Sweeney can answer from here, but I understand that Comcar initiated an inquiry.

Ms Mason—Senator, would you mind repeating the question?

Senator ROBERT RAY—I am not interested in the prehistory of this—that is, meetings with Dr Boxall, FOI requests and all the rest—but following Senator Heffernan's speech in the chamber, I am just asking, was your department or Comcar requested by anyone to check the records going back to that period? It may well be that the answer is you initiated an inquiry yourself. That is good—I just want to know.

Ms Mason—Both are true. We initiated our own inquiries and started taking a look at it after the 12 March speech.

Senator ROBERT RAY—After the 12 March speech?

Ms Mason—We certainly undertook inquiries before that time.

Senator ROBERT RAY—What inquiries did you undertake before that time, excluding FOI requests?

Ms Mason—Excluding FOI requests, none.

Senator ROBERT RAY—That is what I thought. We can forget that period, because an independent FOI officer deals with these matters. We do not seek to second-guess or challenge that here. Can anyone remind me—I do not have it with me—what the date was when the Comcar docket appeared in the Sunday paper?

Ms Mason—It was 17 March.

Senator ROBERT RAY—Was there anything happening from 12 March to 17 March?

Ms Mason—Yes. When I became aware of Senator Heffernan's statement in the parliament, I sought to review documents and have people take a look at the history of the matter, because clearly it was an important and sensitive one.

Senator ROBERT RAY—That is good behaviour.

Senator FAULKNER—Did you take that initiative yourself?

Ms Mason—Yes, I did.

Senator ROBERT RAY—You started that process sometime after the 12th?

Ms Mason—On the 13th, in fact.

Dr Watt—Very early on the 13th.

Senator Abetz—And the speech, you will recall, I think was on the adjournment, late on the 12th.

Senator ROBERT RAY—No, it was not on the adjournment; it was on the address in reply.

Senator Abetz—Late in the evening, nevertheless.

Senator ROBERT RAY—I think it was on a no-divisions, no-quorum night.

Senator Abetz—Yes, but late in the evening of the 12th.

Senator ROBERT RAY—Yes.

Senator FAULKNER—So it meant that you had more time to deliver on that job.

Senator Abetz—What I am trying to point out is that as soon as MAPS became aware of it, they of their own volition, early on the 13th—

Senator ROBERT RAY—Minister, if any of these officers had been monitoring the address-in-reply that night, we would not want them sitting at the table, would we? It was very good that they did it the next morning. They would not have a life if they were watching the address-in-reply. You started your inquiries—what was the nature of those inquiries? How did you approach them?

Ms Mason—Basically to seek the relevant files—the FOI files that related to previous requests and investigations of this matter—and to try and bring myself up to speed with what had gone before.

Senator ROBERT RAY—Were those inquiries completed before the alleged Comcar docket appeared on the front page of a newspaper?

Ms Mason—It is a difficult question to answer. Probably the answer is no. The inquiries were ongoing and took account of media coverage of the issue, so we continued to inquire.

Senator ROBERT RAY—Did the appearance on the front page of a facsimile of this document assist you in your inquiries to be able to be more specific?

Ms Mason—Yes, indeed it did. I read the newspaper on that Sunday morning and immediately went into the office to make further inquiries in relation to that document, which was one that we had not seen before it was published in *Sun Herald* newspaper.

Senator ROBERT RAY—Those events then moved very quickly on the Monday, as I understand and recall. Were you able to come to any conclusive view on the authenticity of that facsimile of the document?

Ms Mason—It probably took us around an hour to form a view that the document that was published in the *Sun Herald* newspaper did not appear to be an authentic Comcar record.

Senator ROBERT RAY—What led you to that conclusion? Was it the content or the layout?

Ms Mason—It was the content. There were a number of aspects of the published document that caused us to consider that it was probably not authentic: the registration number was one that did not appear to have existed for some years after 1994; the shift number quoted was

wrong; and they were jobs of a nature that would not normally be expected to occur on an Easter Saturday. Perhaps my colleague Ken Sweeney can assist further with other aspects of that conclusion.

Mr Sweeney—In addition to the points raised by Ms Mason, we would not have expected a Comcar driver to have worked the hours specified in the media article. That was a very long shift, from recollection.

Senator ROBERT RAY—Would it have been subject to double time being Easter Saturday?

Mr Sweeney—I would have to take that on notice.

Senator ROBERT RAY—Don't—that is not worth taking on notice.

Mr Sweeney—It was certainly a period of time which exceeded normal hours, and it was on a Saturday so it would have been subject to some penalty arrangements at that time. The shift number was wrong, as Ms Mason pointed out, and there was a suggestion that the stationery that appeared may not have been in use at the time.

Senator FAULKNER—On what Ms Mason said, that sounds like good work in MAPS to establish that fairly quickly.

Mr Sweeney—That is correct.

Senator FAULKNER—Was a formal report prepared on that, effectively summarising those concerns and inconsistencies?

Ms Mason—A briefing on those matters was supplied to the minister's office.

Senator ROBERT RAY—Was that on the Sunday or the Monday?

Ms Mason—Sunday.

Senator FAULKNER—To Minister Abetz?

Ms Mason—To the office of the Special Minister of State.

Senator ROBERT RAY—It is one and the same to us.

Ms Mason—I am just trying to be precise.

Senator ROBERT RAY—For our information, just how good are Comcar records going back over a number of years? This is not in relation to this, particularly, but let us say either Senator Abetz or I were accused of misusing a Comcar 10 years ago. Would we be able to ask you to provide us with a record so we could check it? Is it that easy or are they only kept for a certain amount of time?

Senator Abetz—I would say not 10 years, because I think they are destroyed under the Archives Act 1983 after a length of time.

Senator ROBERT RAY—I am just asking how far back they are kept.

Mr Sweeney—The Archives Act certainly comes into play, and we abide by the minimum requirements under that. It is fair to say that across Australia the records are held in some ways dependent upon the storage capability at the depot. For example, in a large depot with a large number of transactions, like Sydney, we would be seeking to ensure that we optimised the storage there and that we kept records for the minimum period of time. In other depots, where we have more storage available, it may well be that the records could go back further than they do in, say, Sydney. To answer your question: if we have any inquiries we certainly

pursue them through the normal channels and we would go back through the depot records, followed by any archival action that may have occurred.

Senator ROBERT RAY—Coming out of this whole saga, is there a need to reinforce with Comcar drivers that they must behave in a professional way with their clients and not necessarily interact with them by supplying them with documents of whatever nature? I do not ask you to judge on this particular case, but is it reinforced in training now? That needs to be stressed.

Senator Abetz—Mr Sweeney has put some practices in place which I think you may find of interest as a result of this.

Senator ROBERT RAY—I would.

Mr Sweeney—Specifically following on from the events that occurred, I instituted a new set of arrangements which commenced from the beginning of April this year, whereby the drivers' job records are now an accountable document. This policy advice document was issued to all Comcar employees at the beginning of April. It changed the arrangements whereby documents that were in existence were to be destroyed immediately, under supervision; that is, the stationery that had previously been used for drivers' job records were all destroyed. We instituted a new set of arrangements whereby drivers would be issued with, and sign for, a new pad of job sheets printed with sequential numbering and a state identification number; thereby, if we were to ever see again—in the public arena or anywhere else—a document purporting to be a job record, we could immediately identify whether it was indeed an authentic document.

Senator FAULKNER—And you have effectively destroyed all the unused stationery. Is that the way it works?

Mr Sweeney—The instruction that has been given is that all of those previous forms—the blank ones that were in existence—were to be destroyed. I have been given that assurance, yes. As far as confidentiality goes, I could add for the benefit of the senator that the recruitment process that is undertaken is quite rigorous. For example, we now follow a process whereby, at the information sessions that are provided as part of the recruitment process, all potential recruits are made aware of the confidentiality and security aspects of their potential employment. In addition to that, at the point of applying for a position, individuals are made aware that they must sign a confidentiality and security clearance form.

Further to that, at the point of being recruited individuals are asked to sign, as an employee, a determination which covers the Public Service regulations about the duty not to disclose information, and the Commonwealth Crimes Act 1914 is also made clear to them. That excerpt also includes reference to the penalties which could include two years imprisonment for contravention. Further to that, upon engagement, in the letter of offer all drivers would be asked again to sign off on—in addition to things such as a character clearance and health assessment—a security and proof of identity document.

At the point of induction—and these sessions are run by Comcar employees—the APS code of conduct is made quite clear to them, and the confidentiality aspects of their employment are also emphasised. Further to that there is an operating instruction. All drivers are made aware, through the drivers manual, that a very important provision is the confidentiality and discretion section of that document, and it speaks about conversations with customers, approaches by the media, providing information about passengers and providing information about Comcar staff. All of those aspects are made quite clear to all new recruits.

Senator MURRAY—What about casual and hire car drivers?

Mr Sweeney—The Comcar casual drivers are all covered by the provisions that I just outlined. The hire car operators are covered by a separate set of provisions. But, under their deed of offer that they sign, they are also signing the confidentiality disclosure provisions.

Senator ROBERT RAY—When did you receive the report on the 1994 incident? I mean you, yourself, because you may have been elsewhere.

Senator Abetz—The one from Jan Mason?

Senator ROBERT RAY—Yes.

Senator Abetz—I would have to check it, but I think it was on the Monday afternoon.

Senator FAULKNER—By the way, it sounds like it was a quick and thorough response from MAPS in dealing with those matters. Much of it, I suspect, was done on the weekend. Is that right, Ms Mason?

Ms Mason—Yes.

Senator Abetz—I have just been reminded that it was, in fact, a long weekend in the ACT. It was Canberra Day.

Senator FAULKNER—You are jealous of that when you come from Sydney. Ms Mason, that report was provided to the minister's office on the Sunday afternoon?

Ms Mason—It was around lunchtime on Sunday.

Senator FAULKNER—What is the next involvement that MAPS had in relation to this issue, if any?

Mr Sweeney—At the request of the general manager, Ms Mason, we had the electronic records for the period surrounding the document that appeared in the newspaper of 17 March. We had the electronic records in Comcar checked that afternoon to see whether we could verify any of the transactions that appeared in the newspaper. In addition to that, on Monday, 18 March we sent a senior officer to Sydney to examine the storage room and records that were available in the Sydney depot covering, again, the subject period around the article that appeared in the newspaper.

Senator FAULKNER—Were either of the examinations of electronic records or any outcomes of the Sydney visit reported by MAPS elsewhere?

Ms Mason—Is it possible for us to check that in the background and return to that question rather than delay the committee?

Senator FAULKNER—Yes. Is there any other involvement, with the possible exception of that, that MAPS had in the aftermath of the publication in the *Sun Herald* newspaper of the false documentation?

Ms Mason—I think Dr Watt yesterday gave evidence in relation to some conversations that took place with officials of the High Court and some correspondence that passed between the department and the High Court in relation to the matter. In addition to that, on various occasions we provided written briefing or other information to the minister's office to ensure that the minister was briefed on the matter.

Dr Watt—And as the issue unfolded through Monday and Tuesday.

Senator FAULKNER—Minister, there does appear to be an inconsistency: you are happy to take on notice a question from Senator Ray about advice going from the department—from MAPS in this instance—to your office and one about when you personally received advice

from the department, but you are unwilling to answer very similar questions about advice on printing allowance.

Senator Abetz—I am not sure of the exact point you are making. There are some differences there, and from time to time it is appropriate to give out some information and at other times it is not. They are decisions—

Senator FAULKNER—The point I am making is quite simple. It may suit you or not be of particular concern to you to provide information in relation to this matter, but it does not suit you to provide information about printing allowance when members of your own staff are leaking this confidential material in the gallery. That is the point I am making.

Senator Abetz—That is your allegation, and you can make it. That is fine.

Senator ROBERT RAY—I did say that I was finished with the printing allowance, but I had better move back to it because I did overlook one area. Now that you have determined that each member will have a certain amount, what sort of auditing is going to go on to make sure that money is spent properly? I do not make an allegation.

Senator Abetz—That the people are getting value for money?

Senator ROBERT RAY—No, not just value for money. How do you ensure that they are not doing contra deals with printers? The scam works this way: ‘Load up the bill, and in an election period give them how-to-vote cards for nothing.’ That has certain illegalities associated with it, because you would have to declare it under the Commonwealth Electoral Act and you might have to declare it in your pecuniary interests register. You must be aware that, whilst that may not be a practice and may never have been done, it is always a potentiality. How do you audit this process to make sure that you are getting value for money and that there are no contra deals et cetera?

Senator Abetz—That is a good question; I do not know whether we have a process in place. I do know that, in relation to another allowance, that allegation has been made.

Dr Watt—We would be happy to provide information on the auditing process.

Senator ROBERT RAY—I thought this would have been thought about, because you made a determination in January and set a limit to it—and some people would regard that as commendable. I thought that, now that you are regularising this, you may have given thought to how you audit the way the expenditure is being made.

Senator Abetz—But nothing has changed in that regard. Whilst it was uncapped, a member who was so minded could still go to his printer and, as you mentioned, say, ‘Load the bills up for me.’

Senator ROBERT RAY—I had the same concerns then as I do today.

Senator Abetz—But the capping of it, of itself, does not lead to this potential problem.

Senator ROBERT RAY—No, not at all. It is just that I thought that, if you were doing one area, you might go out and do the lot.

Senator Abetz—That is a fair suggestion, and the department will look at it.

Ms Mason—The department has a program of audits. This issue has not been specifically included on the audit program but, given your comments, that is something we can take into account.

Senator ROBERT RAY—I think it should be. You do not need to do many audits—just say you are going to do them randomly. No-one will know. It is like a red-light camera: they

are only in one in thirty things, but we do not go through red lights because we see them there.

Senator Abetz—Is that what makes you stop at red lights?

Senator ROBERT RAY—I do not often stop at them, actually. I find that, if you go fast enough through them, they cannot photograph you. Sorry, Senator ‘Leadfoot’! I did not mean to—

Senator LIGHTFOOT—I am known for doing the same thing, Senator Ray.

Senator ROBERT RAY—I did not realise you were in the room; I would not have been so flippant if I did! All right, that is all on printing.

Dr Watt—Could I come back to one point you made in the preamble to your question to Ms Mason. You said that you were not interested in meetings with Dr Boxall. I should put on the record that there were no meetings between those seeking FOI information on Justice Kirby—either Senator Heffernan or Mr Whittaker—with Dr Boxall. That is clear from our records. Dr Boxall is very clear on that point as well.

Senator ROBERT RAY—I was not trying to infer anything other than that I was not interested in that area.

Senator Abetz—Good.

Dr Watt—I am sure you were not, but there has been some information circulating that said there were meetings.

Senator ROBERT RAY—It was in the press, yes.

Dr Watt—That information is incorrect.

Senator ROBERT RAY—Okay, that is good. I have a very small question on the software allowance that members of parliament have. We seem to go through this process every year. This year there was a change. As I understand it, members and senators can use a \$1,000 software allowance for upgrades. That happened on this occasion and the member/senator was refunded. This time they were refunded not \$1,000, but \$909—which I just took on the chin and did not worry about. But then \$91 was also put in my account, so I was wondering what was going on here. I assume GST is in there somewhere, but I just do not know where it all fits.

Senator Abetz—That is a very good question. I was not aware of that. I will have to check my records now.

Senator ROBERT RAY—I think you should.

Senator Abetz—I thought I got a \$1,000 cheque returned, but you are saying that it may have come in two lots.

Senator ROBERT RAY—I think there may have been a change of mind. I am just wondering what happened, that is all.

Mr Gavin—The adjustment that occurred resulted from advice from the tax office. There was uncertainty when the GST was introduced as to how to apply it to this allowance. We got advice from the tax office and the adjustment—the additional \$91—was sent to you.

Senator ROBERT RAY—You got this advice after you deducted it?

Mr Gavin—That is right; it took some time to resolve.

Senator ROBERT RAY—Some of these other members that got a \$1,000 refund—was that because they had asked for it later than I did? Probably.

Senator Abetz—You must have paid earlier.

Senator ROBERT RAY—They probably did not pay it over themselves. It is not, in fact, an act of desperation here: it is the time in which you pay for the services.

Mr Gavin—The issue, actually—interestingly—turns on the fact, as you know, that the PAYE legislation specifically says that, even though senators and members are not employees, for the purposes of the legislation they will be treated as employees. But that was not clear for some months in relation to the GST.

Senator ROBERT RAY—All right. It is no big deal. I just wanted to know.

Mr Gavin—No—that is how it worked.

Senator ROBERT RAY—So we are very clear what we are going to do into the future? There are no problems now?

Mr Gavin—That issue has been resolved.

Senator ROBERT RAY—Okay, fair enough.

ACTING CHAIR (Senator Murray)—If you have left that topic, I have a quick question to the minister. Minister, last time we were here we had an engaging interaction about the possibility of generating a questionnaire from your side through to us for us to interact on how we can develop better understanding.

Senator Abetz—I thought more a discussion paper as opposed to a questionnaire, but yes.

ACTING CHAIR—Can you just update us with the progress on that.

Senator Abetz—Yes, it is in my office and I am trying to digest it and consider it.

ACTING CHAIR—Will it be out before the end of the financial year?

Senator Abetz—Yes, I would hope so.

Senator FAULKNER—I want to go to an issue that we canvassed on 19 February, some matters that I raised in relation to travel allowance for staff during the 2001 election campaign. I want to take you back to a matter I placed on notice. I think it is on page 174 of the *Hansard*. I should know the page number, but the pagination here has been scrubbed off—I am pretty sure it is page 174. Are you aware, Ms Mason, of the question?

Ms Mason—I believe it relates to travel to Melbourne. Is that correct?

Senator FAULKNER—It has been interpreted that way. The committee was provided an answer to this question on 5 April this year. It is question F19, if I can focus your attention, which is in a different form of course to what I asked. It is in this form:

Can you confirm that staff working at the Liberal Party headquarters in Melbourne during the election campaign did claim TA?

It goes on with seven subsections of the question. The answer that has been provided is:

From the information available the Department is unable to determine who was or was not working at the Liberal Party headquarters in Melbourne.

But if I actually take you back to the *Hansard* that I referred to, I do not think I made such a qualification. On page 174 of the *Hansard*, my question says:

With reference to travel undertaken between 5 October 2001—the date of the calling of the last federal election—and 11 November 2001, which of course was the day after the election, by staff employed by government members or senators, I would like to know in each instance—

And the detail of those seven parts is there. I was interested in the first instance how such a reinterpretation of my question could have occurred from the time of the estimates to the answer that I received. I assume that the reinterpretation, to some extent, might have governed the response I got. You know I am not into conspiracy theories; I just want to understand what has occurred.

Ms Mason—I am advised that the questions were confirmed with the committee, and the question that was answered was the question that was confirmed.

Senator Abetz—I have just been handed page 244 of the *Hansard* for F&PA. I assume it is you talking, because I do not have the previous page, and it is a continuation—

Senator FAULKNER—I think it is page 174.

Senator Abetz—Yes, it is. I have just had that confirmed. It says:

I believe the situation is that not one Labor Party staffer claimed TA but a very significant number of staff, if not all staff, working at the Liberal Party headquarters did claim TA. With reference to travel undertaken between 5 October 2001—the date of the calling of the last federal election—and 11 November 2001, which of course was the day after the election, by staff employed by government members or senators, I would like to know in each instance: the name of the staff member and the member or senator for whom they worked; the dates and locations for which TA was claimed—

And it goes on. So you did provide the introduction of people working at Liberal Party headquarters.

Senator FAULKNER—There were many hours of discussion at the estimates committee on a whole range of matters beforehand. I am not going to get bogged down on this.

Senator Abetz—This was right before you asked all the questions.

Senator ROBERT RAY—The question mark does not refer to that, but that's semantics. You can argue both ways.

Senator Abetz—I am sure the committee and the department, for whatever reason, understood your question in the light that it has been repeated.

Senator ROBERT RAY—On most occasions and especially in the history of this department, if there is any confusion they ring us up and ask us. I have been rung on several occasions by the department of finance officials saying, 'What precisely did you mean by that question?'

Senator Abetz—We have just been told that the department rang the secretariat of the committee, so possibly in the future we can—

Senator FAULKNER—I have been rung by the department. At times I have even been asked by a minister. You asked me about a question not so long ago yourself, Senator Abetz.

Senator Abetz—Indeed, as I understand it—I have just been advised; this may be wrong—the committee provides the questions for the department to answer. So any reinterpretation of the question was not done on this side of the table.

Ms Mason—Senator, it is true that if we do not understand a question, we seek to clarify it. In this case, we thought the question was clear and we answered it as well as we could.

Senator ROBERT RAY—My experience of this section of the department is that they have always rung up, if they are confused, asking, 'Precisely what do you mean?'

Senator Abetz—Given the prelude that that statement was made right before the questions were asked, whoever drafted the question ran the two together.

Senator FAULKNER—I cannot answer that question. I can only say this: I was not consulted by anyone. Hence, I cannot shed any light on that particular issue.

Senator ROBERT RAY—Your office might have been.

Senator FAULKNER—No, my office was not, Senator Ray. My office assured me that they were not. Anyway, what I would like to know is: given that the question was asked in this form, what work was undertaken at the departmental level to answer it? It does not matter. Moving along, when the question was asked, what efforts were put in at MAPS to answer the questions?

Dr Watt—Senator, I think we can shed a bit of light on this if you have a moment.

Ms Whisker—Senator Faulkner, I cannot remember the date, but I did speak to you about this particular question. Perhaps you did not understand what I was getting at, but I rang to clarify.

Senator FAULKNER—I certainly had a conversation with you about a question. I had a conversation with Senator Abetz about a question. It was a different question, as I understood. Senator Abetz himself raised the same matter with me.

Senator Abetz—Not this one.

Senator FAULKNER—I know. My understanding is that Senator Abetz and you were talking about a different question.

Senator Abetz—Yes.

Ms Whisker—Sorry, I was talking about this particular question; we must have misunderstood.

Senator FAULKNER—As I understand it, Ms Whisker, you and Senator Abetz were talking about a different question. I will try to sort that out with you, because I think we were at cross-purposes there. Let us try to take it back a step or two. What did the department do when the question was put on notice at the estimates hearing to try to develop an answer to it?

Ms Whisker—We looked at the question and I think our interpretation was that you were asking questions about staffers who were working out of the secretariat. I cannot remember fully, but we did pull out information on travel allowance for staff who were working in Melbourne, and we did start to look at the travel. Then, in looking at that, we were thinking, ‘Well, we really do not know who we are looking at,’ because we were not aware who was working out of the secretariat as against other people who were visiting Melbourne.

Senator FAULKNER—Let us go back a step further before that. Had the department done any work in relation to reporting on the use of TA in the election campaign in the broad—this is before my question. Sure, you took certain action in response to my question. I am now going back a step and trying to understand, prior to that, whether there had been any work done at a departmental level in relation to TA claims in the federal election period.

Ms Whisker—There would have been, during the election period, only in terms of paying TA and the method we were undertaking to pay TA.

Senator FAULKNER—Is that all?

Ms Whisker—It is all I can recollect.

Senator FAULKNER—Who undertook that work?

Ms Whisker—The particular officers who were responsible for paying TA.

Senator FAULKNER—And what did they do?

Ms Whisker—It was the nature of the method of the bills being paid. In some cases where staff were staying at hotels, we had an agreement with particular hotels so that, instead of every staffer having to turn up at the rush hour in the first part of the morning as they were leaving, there could be bulk bills. So it was a process of listing those staff that were part of that arrangement.

Senator FAULKNER—You talk about the method of paying TA. What did you mean by ‘there was work done on the method of paying TA’? I really do not understand what was happening and I am just trying to get to the bottom of it—just at the departmental level.

Ms Whisker—There was no analysis done, sorry.

Senator Abetz—It was just routine payment of TA as the forms came in, I would assume.

Ms Whisker—Yes.

Senator FAULKNER—I may have misunderstood you, but I thought you said that there was some reconciliation of staff who had been paid TA and the like. Was that done?

Ms Whisker—It is because of the special arrangements.

Senator FAULKNER—What were the special arrangements?

Mr Gavin—Perhaps I can just clarify this very quickly, if I may.

Senator FAULKNER—Hang on, Mr Gavin. We may be speaking at cross purposes here; I just want to be clear. It is, again, Ms Whisker’s use of the terminology ‘because of the special arrangements’. I just want to understand what the special arrangements are.

Senator Abetz—And Mr Gavin is going to assist you in that regard.

Senator FAULKNER—Thank you.

Mr Gavin—There has been a longstanding arrangement that goes back many elections in respect of the leaders of the two major parties that, in order to facilitate the speedy exit from hotels, the arrangements for the payment of travelling allowance are changed during the election campaign. It was that different set of arrangements that Ms Whisker was referring to. The different arrangements essentially are that the bill is sent to Finance and we settle it, and then later we have the whole thing acquitted by each individual staff member based on their travelling allowance entitlement.

Senator FAULKNER—I am aware of that special arrangement, and I think you are right. That has applied for a number of election campaigns, hasn’t it?

Mr Gavin—Yes.

Senator FAULKNER—I think it is extended to not only leaders’ staff but also the leaders themselves, if they desire to, for their own travel allowance arrangements.

Mr Gavin—The convention is that the leaders do not claim any travelling allowance.

Senator FAULKNER—Yes, but in the lead-up to the policy speech.

Mr Gavin—That is right; it is available. My understanding is that at the last election neither leader availed themselves of it.

Senator FAULKNER—No, I do not doubt that. But when you say that they do not claim TA, that is not entirely accurate, is it?

Mr Gavin—The convention is that on both sides the claim for the frontbench is not made until after the policy launch by the leader, that is right.

Senator FAULKNER—That is right, yes.

Senator ROBERT RAY—But you are saying in any event they did not even claim it up to that point.

Mr Gavin—No, what I was trying to say was that the special arrangement of ticking it up on the bill and settling later, as I recall, was not used.

Senator FAULKNER—Yes, but my point was that what we have described as a special arrangement is available to not only staff but also leaders—that is true, isn't it?

Mr Gavin—Yes.

Senator FAULKNER—I am aware of it having been utilised. In relation to the question that was taken on notice, how was it dealt with at the departmental level in terms of working through the material that would be required to answer the question? What were you able to draw on? Were you only able to draw on actual original travel allowance documents—the forms, in other words—or was there any other material you could draw on?

Mr Barnes—My area is responsible for processing those claims, and we operate off the original claim forms for travel. Those were documented. We then had the acquittal process referred to by Mr Gavin in terms of matching up the original travel request form with the hotel accounts that were received in bulk.

Senator FAULKNER—In my and Mr Gavin's discussion about special arrangements, that is what you meant by special arrangements, isn't it, Ms Whisker?

Ms Whisker—Yes.

Senator FAULKNER—It is a relief that we have been able to deal with that. You mentioned a hotel—is there any particular hotel that we are talking about here, or is it any hotel?

Mr Barnes—There were, I believe, some nominated hotels where groups were staying and arrangements had been made for bulk billing.

Senator FAULKNER—Could you name the hotels? Were there any nominated hotels in Melbourne?

Mr Barnes—There were, but I am afraid I could not name them at the present. I do not know them.

Senator FAULKNER—Chair, are you planning to break before the AEC are called? What is your intention?

CHAIR—Yes. Any time between now and five to 11—when you are ready.

Senator FAULKNER—It might be possible, then, Mr Barnes, over the break—because I did want to return to this and go through it in some detail when we return—to look at the relevant Melbourne hotels and the quantum of travel allowance in those hotels under the special arrangement. I am sure you would be able to press a few buttons on the computer to provide that information.

Senator Abetz—Are you really sure you want to go down that track?

Senator FAULKNER—Yes. I am absolutely certain I want to go down that track.

Senator Abetz—If we want to publicise where people have been staying or not staying—

Senator FAULKNER—I want to know about the special arrangements in Melbourne.

Senator ROBERT RAY—There may be a middle course, Minister; we will consider that.

Senator Abetz—Yes.

Senator ROBERT RAY—Let us bring the information in and we will consider what questions we ask to take that into account.

Senator FAULKNER—Frankly, my response to you is that I do want to go down that track. I actually want to find out about the payment of travel allowance to staff working in Melbourne.

Senator ROBERT RAY—During the election campaign. Maybe not at staff headquarters—who knows?

Senator Abetz—I can understand that. That is already, I think, on notice. We can possibly discuss this privately.

Senator ROBERT RAY—You are making a point back to us that you are worried about the nature of the way the question is being asked in terms of interfering with privacy. Let us have a think about that because we have not actually put that question. Once the information is available we will try to think of a way of putting that.

Senator Abetz—All right.

Senator FAULKNER—One way of dealing with this might be to move away from what occurred at the last estimates and go to the Senate question on notice on 5 April. Where are we up to in answering that question?

Mr Edge—I understand that some information has been pulled together, but we are still working through it. There is quite a bit of detail to sort through in terms of establishing travel. The way the airline records work in the system is that we have to filter out trips that went through Melbourne but may have gone to other places like Perth or Hobart. There is quite a bit of work to be done on the data before we can actually consolidate it.

Senator ROBERT RAY—But the actual information of who claimed travel allowance in Melbourne is a lot more retrievable, isn't it?

Mr Edge—It would be, Senator. As I understand it—and Mr Barnes may correct me—there is some linkage between the travel allowance and the travel records in the system, so we have got to do some filtering of information to correctly establish—

Senator ROBERT RAY—I thought you had to specify on the form where you are claiming travel allowance for, especially now they are differential rates. Therefore, if you claimed it for Melbourne you were in Melbourne that night. I do not see your point here.

Mr Edge—I guess the point is that there is quite a bit of work involved in actually working through the data that we have got to correctly identify the data that is relevant to answering your question.

Senator ROBERT RAY—I am starting to understand that when I read parts of the question, but that part relating to travel allowance I would have thought could be answered very quickly. You should have at least accumulated that data so we can pursue that here today. You are given 30 days to answer these questions. I always argue that is not enough time, but we are now almost getting more to the 50-day mark where it is a bit more reasonable.

Senator FAULKNER—So there is no lack of clarity about this, I placed the Senate question on notice because of the response I received via email to the estimates question. It is fairly obvious—

Senator ROBERT RAY—You put two and two together.

Senator FAULKNER—and I am sure, Ms Mason, that you and your organisation worked that out. I hope that I have been able to clarify any uncertainties via that mechanism. I did not want to wait until the estimates round. I thought it was better to kick the work off. What you are saying is that this question is being answered in detail?

Senator Abetz—I think your difficulty is that you have asked seven questions in the one question. The one question had seven parts, and I daresay until—

Senator FAULKNER—That is true, Senator Abetz, and, as you know, you have got a choice—

Senator Abetz—the department has got all the information together of the seven parts an answer will not be supplied, as I understand the practice. You have asked one question with seven parts and until all that information is available—

Senator ROBERT RAY—What is the projected—

Senator Abetz—I do not know what the projection is.

Senator ROBERT RAY—Sorry; I did not mean to interrupt. What is the projected date for finalisation to submit to a minister?

Mr Edge—We estimate about two more weeks.

Senator ROBERT RAY—Are you saying that you cannot, at some stage today—leaving aside this question—answer questions about how many staff claim travel allowance in Melbourne? Are you saying that you do not have information available to you to answer those, irrespective of the question on notice?

Mr Edge—My understanding is that we do not have accurate enough information to do that today.

Senator FAULKNER—Do you have a copy of the Senate question on notice in front of you at the moment? Let us just work through this. You might be able to indicate to us after the break what the status is in relation to the information gathering on each of those seven elements. It will give you a chance to have a look at that and let us know.

Proceedings suspended from 10.57 a.m. to 11.20 a.m.

Australian Electoral Commission

CHAIR—I welcome Mr Becker and officers of the Australian Electoral Commission. The committee will continue its examination of the Finance and Administration portfolio, and we will start with general questions of the AEC.

Senator FAULKNER—Mr Becker, I suspect all my questions can be considered general questions; it seems to save time if we do it that way. But if you would prefer me to leave something until later, just let me know and I will happily take your guidance.

Senator Abetz—If in your general questions there are any specific matters, I am sure the relevant person can come to the table.

Senator FAULKNER—I will do it in the appropriate outcome. Tell me where I should do it if I am at the wrong place. First of all, I wanted to briefly ask about the ANAO review of

the roll. The Auditor-General came up with 12 recommendations. It is true that the AEC agreed with all 12 recommendations, isn't it?

Mr Becker—That is right.

Senator FAULKNER—What plans do you have in relation to implementing them?

Mr Becker—Quite a number of them are already in the process of being implemented and were at the time the report came out. We will be dealing with the recommendations as part of our normal strategic approach. None of them at the outset appears too difficult. I suspect that our relationships with the states—because they vary between them—may be a little bit more time consuming than they otherwise might be. For example, I understand that New South Wales has had recent advice that the demand powers under the New South Wales legislation should not be used in certain aspects of getting information for enrolment purposes. Some of those things may cause us a little bit of difficulty.

But, on the other side of the coin, we have approaches which will enable us to make sure that we have a clean roll and continue to have a clean roll. We have now agreed to continue to proceed with the geographic name and address file in conjunction with Australia Post, Telstra, the Australian Bureau of Statistics, Centrelink and possibly HIC—but no approach to HIC has been made as yet. Once those sorts of agencies are on board and we are all talking about the same addressing then our data matching will be pretty good, so we may be able to overcome the sorts of difficulties that we may strike when we are dealing with state agencies.

Senator FAULKNER—Your intention is to implement each and every one of the recommendations?

Mr Becker—Yes.

Senator FAULKNER—Recommendation 11 is the fraud control plan one. What stage is that up to? It is a key recommendation, isn't it?

Mr Becker—It is a key recommendation. I am not sure of just how far we have progressed on that, but we can get back to you.

Senator FAULKNER—Would you take that on notice, please?

Mr Becker—Certainly.

Senator FAULKNER—I wanted to ask you also about recommendation 10, which states:

To improve the reliability and completeness of the electoral roll, the ANAO recommends that, in 2002–2003, the AEC focus its enrolment efforts on improving the completeness aspect of the electoral roll by:

- identifying groups where non-enrolment is most prevalent; and
- developing effective strategies to improve enrolment by these groups.

For the purposes of this recommendation, have you identified the groups?

Mr Becker—We have not identified the groups as such, but I think some of them would be pretty self-evident. We would need some good data—and we do not have that as yet—to ascertain which groups they are. The groups that spring to mind would be indigenous, non-English speaking and so on.

Senator FAULKNER—What about younger people?

Mr Dacey—If I could come in on that. We are also planning that with continuous roll update, or CRU, we will have individual plans developed—as we have national and state initiatives—for each of our divisions and they may have specific areas. By looking at ABS and other data, we can look at where areas of underenrolment are, and you are right, they are

non-English speaking background and indigenous groups—as the commissioner mentioned—and obviously youth. We target youth through our normal education strategies, but we are looking at revising our education strategy and also developing a specific CRU plan for each division so that we can target specifically areas in each division of underenrolment.

Senator FAULKNER—What about homeless people?

Mr Dacey—That is always difficult.

Senator FAULKNER—It is; I know.

Mr Dacey—It is always difficult, but obviously we have to take them into consideration.

Senator FAULKNER—It is a question of identification being the first step. The current government has decided to cut the Aboriginal electoral education program. Is one of the issues, Mr Becker, when you look at developing a response to this recommendation, that you first have to identify under-represented groups and then you are asked to do something about it, effectively? This has not been the direction of government policy in recent years. Isn't there a bit of a sticking point here?

Mr Becker—I do not know that there is a sticking point here because, as you know, the AEIS program was a separately funded program. It was not part of our normal approach to enrolment. I do not see any of these issues—and I do not really think this was the intention of the ANAO—as being different from our normal enrolment program. That is, it would hopefully be brought into a continuous roll uptake environment where we could get data and massage that data within our normal enrolment program, which is half funded by the states. We may not have enough money but certainly that is where we would hope to get the resources from.

Mr Dacey—That is one of the issues in developing strategies for addressing these recommendations. If you look particularly, for example, at recommendation 2, determining more optimal data sources, and at recommendation 5, that the AEC upgrade its management information systems, they may not be able to be funded within our existing budget, but they are the sorts of issues we need to address as we go through and look at each recommendation and prepare a plan.

Senator FAULKNER—It is important, and I am pleased to hear that the commission is giving the Auditor-General's report such priority. I look forward to receiving regular updates, which I am sure you will be providing to the joint standing committee, on how the implementation of those recommendations is going. You do accept that it is a high priority for the AEC, Mr Becker?

Mr Becker—I do. The Auditor-General will be interested to see how we are going. Traditionally they follow up within about six months. I hope we would be a fair way down the track by then.

Senator FAULKNER—I will ask about an article I saw in the *Sunday Mail* newspaper on Sunday, 24 February. It is under the heading: 'Somlyay details referred to police'. I do not know whether you are aware of it, but I will just read you the bit that I want to ask you about. It states:

The Australian Electoral Commission launched its own inquiry after the Sunshine Coast MP revealed to *The Sunday Mail* early this month that his wife, Jennifer, had voted in a cliffhanger election in Fairfax, when she did not live in the electorate. Mr Somlyay also revealed his wife had never lived at a Coolum house where they enrolled before the 1998 election.

I am well aware of the background to this. My question only goes to one matter: the status of any such investigation.

Mr Becker—I believe it is still with the AFP at this stage.

Senator FAULKNER—It is a matter with the AFP?

Mr Dacey—The matters have been referred to the AFP.

Senator FAULKNER—Is it true that the AEC launched its own inquiry?

Mr Dacey—Not true.

Senator FAULKNER—I did not say the AFP, I said the AEC.

Mr Dacey—The AEC has not launched its own inquiry; the AEC referred the issue to the AFP.

Senator FAULKNER—I hope I said the AEC; I think I did. The article states, ‘The Australian Electoral Commission launched its own inquiry.’ It said, ‘Federal Police have been called to investigate enrolments,’ and, ‘The Australian Electoral Commission launched its own inquiry.’ Maybe it is a misprint.

Mr Dacey—It is terminology, I guess. We would make preliminary inquiries, but that is not an investigation as such by the AEC.

Senator FAULKNER—I am just checking. The article certainly talks about the AFP. I was interested in that element that went to the AEC, and that is all I am asking you about.

Mr Becker—We read the report, followed up on that and referred it to the AFP.

Senator FAULKNER—That is the issue: the AEC did refer the matter to the AFP?

Mr Dacey—Absolutely.

Senator FAULKNER—That is where it lies, as far as you are concerned?

Mr Becker—As far as we are concerned, yes.

Senator FAULKNER—My question goes to process and process only. That is its current status?

Mr Becker—Yes, that is its current status.

Senator FAULKNER—At the conclusion of such an inquiry, you may or may not receive a report from the AFP?

Mr Dacey—It varies; we could.

Senator FAULKNER—So you may or may not?

Mr Dacey—We may or may not. The AFP may choose to go straight to the DPP in these sorts of cases.

Senator FAULKNER—I want to use the right terminology here. You can help me with this, Mr Chairman. How would you describe ‘crikey’? Would you describe it as an Internet site?

Senator Abetz—Pathetic, useless, unreliable.

CHAIR—A profound Internet site.

Senator FAULKNER—I hear what Senator Abetz’s description is. I was not looking for those sorts of adjectives; I was looking for the technical terminology.

Senator Abetz—I am sorry; I misinterpreted.

Senator FAULKNER—An Internet site.

Mr Becker—The home page on our web site?

Senator Abetz—No, ‘crikey’.

Mr Becker—Crikey.com? I am sorry.

Senator FAULKNER—No, Mr Becker, it is not your web site.

CHAIR—We might link the AEC site to ‘crikey’.

Senator FAULKNER—No, I do not think anyone would suggest that. Not even one of Senator Brandis’s or Senator Mason’s conspiracy theories would go that far, Mr Becker, I can assure you. The ‘crikey’ Internet site reported on 27 May 2002 an item about a dozen people paying \$3,300 to attend a luncheon briefing given by Senator Alston and Senator Minchin on media policy.

Senator Abetz—That sounds very cheap to me.

Senator FAULKNER—It goes on to say that there were ‘the usual investment banker types, but three people particularly caught crikey’s attention’. I will not say who they are particularly, unless you would like to know. One is actually identified on the basis of being somebody else’s fiancée. So it goes on. My issue goes to technical questions about obligations for this under the act. As I understand it, section 287 of the Electoral Act defines ‘gift’ as:

any disposition of property made by a person to another person ... being a disposition made without consideration in money or money’s worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration ...

I raise the issue here: in the view of the AEC, is paying \$3,300 for a lunch with the two senators interpreted as ‘a gift’? We can deal with this in the hypothetical or we can deal with the specific case. But this is an important issue in terms of the AEC and your obligations. I wonder, first of all, whether the AEC was aware of whom the cheques for that lunch were made out to.

Mr Becker—I might ask Kathy Mitchell, who is Director, Funding and Disclosure, to answer that question.

Ms Mitchell—No, we do not have any detail in relation to that particular function at this stage. We would not expect to see anything until the returns for this financial year are due, which is not until October, if we expected to see anything at all. You are probably aware that the issue of payments for attendance at fundraising functions—or what might be termed ‘fundraising functions’—has always been an issue that receives consideration by the AEC. But the fact that the legislation does talk about whether or not there was adequate consideration for the payment is an issue that is complex and often goes to the view of the person paying the amount of money. If they feel that they have had adequate consideration for the amount of money that they have paid, it is difficult for the AEC to argue to the contrary.

Senator FAULKNER—But what do you do in a situation—this is an example—where such a function or luncheon is reported in the media? Does your section take a note of that?

Ms Mitchell—Yes, and they are issues that we would follow up when we get the returns and when we carry out our reviews of the information that is in the returns.

Senator FAULKNER—How effective do you think the coverage is of these things? This particular luncheon that I am talking about got quite a bit of publicity. But there may well be luncheons that occur of a similar nature that do not have any public notoriety.

Ms Mitchell—It is not a simple issue, and the way the legislation stands at the moment does not lead to making it a simpler issue. So it is an issue that is quite a complex one for the AEC to consider.

Senator FAULKNER—What do you do when something like this comes to your attention?

Ms Mitchell—Whenever we see media reports, we take a copy and keep them on file for when we are reviewing whether or not the returns meet the requirements of the legislation.

Senator FAULKNER—How else are these things drawn to your attention? I suppose that you would have seen the media reports of this one.

Ms Mitchell—Yes.

Senator FAULKNER—Let us say that you had not. I could draw it to your attention, I suppose, in a Senate estimates committee, couldn't I?

Ms Mitchell—Yes.

Senator FAULKNER—But what are other ways?

Ms Mitchell—In the normal course of events, when we review the returns for completeness, we will actually visit the relevant organisation. Usually, in the books you look at, you see documentation of functions, and those are issues that we look at.

Senator FAULKNER—So, as the AEC, you would check in this case whether the Liberal Party benefited in any way. Is that what you would do?

Ms Mitchell—What we need to determine is whether or not there has been a gift and, if there has been, whether or not that has been disclosed in a return.

Senator FAULKNER—You see, section 305B (2) of the act says:

If a person makes a gift to any person or body with the intention of benefiting a particular registered political party or State branch of a registered political party, the person is taken for the purposes of subsection (1) to have made that gift directly to that registered political party or branch.

I would suggest that, if there were a benefit, the gift must be declared. That is the intention of that section of the act, isn't it?

Ms Mitchell—Yes, and that is the issue that we need to determine: whether or not there has been a benefit. If we determine that there is a benefit, then we would expect to see the information reflected in both the party return and a donor return.

Senator Abetz—Only if it is a gift. If I am wrong, I am sure I will be corrected: as I understand it, if the benefit arises as a result of a commercial transaction, for example, then it is not a benefit coming from a gift.

Ms Mitchell—Yes.

Senator Abetz—I can assure you, Senator Faulkner, I looked very closely at all this in relation to another lunch, dinner or whatever that excited the interest of Laurie Oakes. I will not go down the path of Markson Sparks, but I looked at that and I think that was the differential. So, without trying to be provocative, I am trying to assist.

Senator FAULKNER—I do not find that at all provocative. I think disclosure is absolutely appropriate in these circumstances. The obligations under the act I think are clear. They ought to be adhered to, regardless of the political party involved. I have no problem with that at all. In this particular case, you have your friend, Senator Abetz, at crikey.com—

Senator Abetz—I think you are getting to the stage of misleading now. A friend at crikey.com? I hardly think so.

Senator FAULKNER—Should I say ‘your enemies’?

Senator Abetz—That would be right, given the things they allegedly write about me.

Senator FAULKNER—They must have been drawn to your attention.

Senator Abetz—Some kind people print them off and put them on my desk for me.

Senator FAULKNER—There we go.

Senator Abetz—In case I feel too good one particular day, they just run it off for me to deflate me somewhat.

Senator FAULKNER—But anyway, let us not get caught up with your obsessions about the aforementioned web site. They did actually name three people who attended this luncheon. In fact, it was Mr Ian Smith, Mr Stokes and Mr Stokes. Again it is a process issue I am interested in here. Do you go to the registered political parties here; do you go to the ministers—in this case, Senator Alston and Senator Minchin; or do you go to the attendees—and, in this case three are named in this crikey.com article? What is your approach? I am interested in how you deal with this, if a matter comes to your attention—and we know that this one got considerable notoriety.

Ms Mitchell—The first approach would be to wait and see whether information is contained in annual returns. Once we receive annual returns lodged by political parties and associated entities, we undertake reviews. During the course of any review of the returns that have been lodged, we would look at issues that have been raised with us, either by the media or by direct approach, or issues that we come across when we are looking at the financial transactions of an organisation. Then we would determine whether we felt there was a disclosure obligation there. If we determined that a disclosure obligation was there, we would raise it with both the party and the donor.

Senator FAULKNER—That is really the point. I wondered whether you had taken an advisory role in relation to disclosure obligations of the attendees themselves.

Ms Mitchell—One of the things that we have been looking at is how to convey information to attendees about whether or not they have disclosure obligations. To a large degree, we are reliant on party records to identify the full list of attendees. As you have noted, only three of the attendees are reported in that particular media article, and I imagine there were others. So they may all have disclosure obligations. We would have to obtain a full list of attendees in order to be able to write to them if it were determined that they had a disclosure obligation.

Senator FAULKNER—This will be dealt with obviously at a later stage and I do not want to delay the committee too long but, finally, in terms of the information gathering process that you explained to us—keeping a record of media coverage and the like—how broad is that?

Ms Mitchell—We have a media clipping service that provides us with copies of newspaper articles that relate to electoral matters. We monitor the crikey.com site—

Senator Abetz—Shame!

Ms Mitchell—for issues that are raised. Our media monitoring service also provides us with reporting from radio and television.

Senator FAULKNER—Why do you monitor crikey.com?

Ms Mitchell—Because we have found that we often get questions raised at Senate estimates in relation to it.

Senator FAULKNER—Who by?

Senator Abetz—Senator Faulkner.

Ms Mitchell—Any one of the senators who might be on the committee at the time.

Senator FAULKNER—That is a very discreet answer.

Senator Abetz—A diplomatic answer.

Senator FAULKNER—I must admit that I received a free subscription but it was provided by crickey.com. I don't feel that I should declare this because I didn't ask for it.

Senator Abetz—It's definitely not worth \$200.

Senator FAULKNER—If it is \$200, it is probably worth it. There is always an issue here. I have consulted close colleagues—

Senator Abetz—You didn't consult me.

Senator FAULKNER—and given that the subscription is free, I felt that this is a matter that is not declarable although I have said it at a number of estimates committee meetings from time to time. It is like other things that are provided to senators and members. I do every now and again keep a weather eye on material, Senator Abetz, so we can hold you particularly accountable on these issues.

CHAIR—Is it true, Senator Faulkner, that you wear the crikey T-shirt or is that just a rumour?

Senator FAULKNER—That is not true. I don't have a crikey T-shirt. I may have been sent a crikey T-shirt but, if I was, it was obviously—

Senator Abetz—The staff intercepted it.

Senator FAULKNER—Either the staff or the security services at Parliament House.

CHAIR—Senator Faulkner, I think that Senator Brandis has a couple of questions on this issue.

Senator BRANDIS—I want to raise another problem that is related to this area—that is, occasions where there is the interposition of a third party between the donors and the political recipient. I have in mind one celebrated instance: the Gough Whitlam tribute dinner in Sydney a couple of years ago. The entrepreneur for which was the firm Markson Sparks. As I am sure you are aware, Ms Mitchell and Mr Becker, the remit to the New South Wales branch of the Labor Party disclosed a contribution by Markson Sparks which in effect laundered the contributions paid to that firm by the many people who paid an astonishingly large amount of money to hobnob in the political museum with Gough Whitlam and other luminaries of that era. How does the AEC think the abuse of the system by the interposition of a laundering agency in circumstances like that ought to be handled?

Ms Mitchell—We have made a recommendation in one of our submissions to the funding and disclosure inquiry that the Joint Standing Committee on Electoral Matters had commenced last year. That recommendation is that the requirements for disclosure by associated entities be broadened to capture Markson Sparks type organisations which are conducting events on behalf of political parties. That requirement would not require those organisations to disclose all of their transactions, merely those that relate to functions held on behalf of political parties.

Senator BRANDIS—Thanks, Ms Mitchell.

Senator FAULKNER—That is a good initiative. I hope in the general tightening of the disclosure laws that that is one of the things that we can achieve.

Senator BARTLETT—It is a shame that the electoral matters committee wasn't able to progress that funding and disclosure inquiry further. It might have been the government members of the committee who decided to put it on the backburner to pursue other purposes. We might have been further down the track otherwise.

Senator Abetz—I am sure Senator Bartlett is not reflecting on the decision of a committee of this parliament, given the standing orders.

Senator FAULKNER—I think he is actually, Mr Chairman, just telling the truth.

CHAIR—Thank you, Senator Faulkner.

Senator FAULKNER—The truth, in this instance, is a defence.

Senator BARTLETT—My questions deal with the expanded power that the Electoral Commission now has to deal with people who have unusual or frivolous names—I am not sure what the legal term is. These people can be taken off the roll or are not able to register under a particular name if it is perceived that their name is not genuine but a joke name or something like that. Firstly—and you may need to take some of this on notice—are you able to provide figures on how many people you have moved to refuse enrolment to?

Mr Dacey—Very few, but we will take it on notice.

Senator BARTLETT—Have there been any appeals against those decisions?

Mr Dacey—Yes, there have.

Senator BARTLETT—Do you know how many?

Mr Dacey—I know of two to the AAT.

Senator BARTLETT—Do you know what the outcome of those were?

Mr Dacey—One was upheld and one has not been finalised yet.

Senator BARTLETT—One was upheld, so the appeal was successful?

Mr Dacey—That is correct.

Senator BARTLETT—And you have accepted that? Which case was that?

Mr Dacey—It was Mr Free Marijuana in Queensland.

Senator BARTLETT—So that name has now been accepted as genuine?

Mr Dacey—That is correct. In fact, Senator, we will be making some recommendations in our submission to the next Joint Standing Committee on Electoral Matters about the difficulties we have with the legislation as it currently stands.

Senator BARTLETT—The second case, which I am assuming is Ms or Mr Tamara Tonite; where is that one at? That was also successful in the tribunal?

Mr Dacey—That is the one that has not been heard yet.

Senator BARTLETT—So it has not been heard before the tribunal yet?

Mr Dacey—That is correct.

Senator BARTLETT—So it is still before—

Mr Dacey—If it has, we have not had an outcome. But I am sure it has not been heard.

Senator BARTLETT—So it is still before the AAT at present. And you are saying that overall the number of people that this provision has been applied to would be very small—less than 20?

Mr Dacey—Oh yes. We can give you figures, but probably less than 10.

Senator BARTLETT—My understanding of both those cases—without wanting to go into the merits or otherwise of them—is that they were both people who had stood as candidates before, under those names. What sort of process do you follow to identify potential cases?

Mr Dacey—We actually have details in our enrolment manuals, which we put out to our staff and which we will be quite happy to provide on notice as well, if you like. A lot of it is down to local knowledge, but also there are some procedures in place about certain checks that are done on the roll et cetera. We can provide the committee with those full details.

Senator BARTLETT—Has there been some process of going through existing names on the roll?

Mr Dacey—There has.

Senator BARTLETT—I understand the source of the original recommendation to address this matter may have been from an election or two back; I cannot remember the name precisely, but it was to do with family court issues. Are those names no longer on the roll?

Mr Dacey—He has gone back to his original name.

Senator BARTLETT—Are you able to provide on notice the costs that have been incurred with the appeals?

Mr Dacey—Yes.

Senator BARTLETT—And I presume that monitoring or reviewing the existing roll would not have any discernible extra cost, as it would be pretty much ongoing.

Mr Dacey—They are costs that we carry with our salary costs anyway, so there is no additional cost there.

Senator BARTLETT—We can explore this further in the electoral matters committee, but are you saying that you still have problems with the nature of the act?

Mr Dacey—Because it did not achieve the results that we thought it may achieve, we need to review it and discuss it more fully with the joint standing committee to see how we can perhaps tighten it up.

Senator BARTLETT—What result were you wanting to achieve?

Mr Dacey—Success.

Senator BARTLETT—Success how?

Mr Dacey—In being able to have some of these people with these names successfully removed from the roll.

Senator BARTLETT—What happens in a case where someone has legally changed their name, you have refused to accept that on the roll and they will not use another name? Do you just refuse the enrolment, and they are not allowed on the roll?

Mr Dacey—We enrol them under their original name; we have done that.

Senator BARTLETT—In all your formal communications with them and when they turn up to vote, they would have to use the name that is not their legal name.

Mr Dacey—That is correct, yes.

Senator BARTLETT—Have you struck a case yet where someone has had an original name that you are not happy with?

Mr Dacey—I do not know off the top of my head. We are not aware of any. Obviously there are some unusual names around, but it is in our guidelines to take that into consideration, whether that is the person's original name or not.

Senator BARTLETT—If you could provide those guidelines, that would be good. The only issue I wanted to raise briefly is that I am aware—and I presume you are—of changes that have just been made in Queensland in the requirement for the electoral authority there to oversee or monitor party preselections. Are you aware of that change in general terms?

Mr Dacey—Yes.

Senator BARTLETT—Does that have any impact on the AEC?

Mr Dacey—No.

Senator BARTLETT—You are not considering that process?

Mr Dacey—No.

CHAIR—Senator Faulkner, do you have any further questions for the AEC?

Senator FAULKNER—Yes. Has the issue of Senator Heffernan's loan to the New South Wales Liberal Party of \$13,000 been drawn to your attention?

Ms Mitchell—No, that is not an issue that I have had drawn to my attention yet.

Senator FAULKNER—It does not appear in the last return of the Liberal Party, but it depends of course on the date of the loan. I just wondered if you were able to assist us on that, but you are not aware of it.

Ms Mitchell—No, but I can take it on board to follow it up, if that is what you would like.

Senator FAULKNER—Okay. I was interested to know whether there had been any contact with the New South Wales division of the Liberal Party or Senator Heffernan about that loan—its terms and so forth. It was not in the last return. It is possible that the timing meant that it was not appropriate for it to be. I am not suggesting that it necessarily should have been. We will keep monitoring it. Could we now have a status report—and I think I know the answer to this question from the newspapers—from the AEC of the fraud charge in relation to Ms Hanson?

Mr Becker—That is a state issue, for the Electoral Commission of Queensland.

Senator Abetz—I got all these letters from One Nation supporters in Queensland accusing me of this terrible witch-hunt, and I had pleasure in writing back to them saying that it was in fact the state electoral commissioner, that it was nothing to do with us.

Senator ROBERT RAY—There is an old saying: you are nothing in politics until you are hated.

Senator FAULKNER—I understood that to be the case, and I thank you for that. Have any federal implications that might have any relationship to that case been matters for consideration by the AEC?

Mr Becker—Not to my knowledge.

Ms Mitchell—The basis of the registration of Pauline Hanson's One Nation has always been that it is a parliamentary party, so the issue of registration of the party is not one for the

AEC to consider. There may well be issues in relation to financial transactions of the party, but that is not clear at this stage in time.

Senator FAULKNER—Thanks for that. Again, I understand that and appreciate what you say to the committee. Specifically, I wanted to touch on an issue that I thought may have been a matter for the AEC or may have been drawn to your attention. It goes to some issues that have received some publicity. I am aware of one article in the *Courier Mail* and one in the *Australian*, both dated 24 April 2002. The *Courier Mail* article, ‘MP Abbott dobbled in Hanson, court told’, reads:

A fraud case involving former One Nation leader Pauline Hanson has heard allegations that federal MP Tony Abbott had bankrolled the Queensland Supreme Court action which led to One Nation’s demise.

The *Australian* article reads:

Detective Sergeant Newton also said he had heard suggestions that Workplace Relations Minister Tony Abbott financed legal action by former One Nation candidate Terry Sharples that led to the deregistration of One Nation in Queensland.

I wondered if that issue had been drawn to your attention. It is in your bailiwick from this perspective: if such donations or bankrolling had occurred, would any such donations or gifts to, in this case, Mr Sharples amount to a donation or gift under the Commonwealth Electoral Act 1983?

Ms Mitchell—Not in my opinion, no.

Senator FAULKNER—Could you explain to me why not?

Ms Mitchell—Mr Sharples is not a registered political party or an associated entity nor was he at the time a candidate. Those are the people to whom donations have to be declared; that is where the disclosure obligations relate. If Mr Abbott had given money to Mr Sharples, it would not be an issue that fell within the Commonwealth Electoral Act.

Senator FAULKNER—‘Gift’ is defined in section 287 of the act, isn’t it?

Ms Mitchell—Yes.

Senator FAULKNER—You have not thought to seek any advice on that issue?

Ms Mitchell—I have not thought to seek any advice, but if you think—

Senator FAULKNER—I am not doubting it, I am just a little surprised by the answer. I thought there might be a very strong case that giving money to someone to help them out in such a court case would fall within the definition in the act.

Ms Mitchell—I am happy to reconsider the issue. All I can do is take on to look at the issue and get back to you on it.

Senator FAULKNER—Let us work through it a little. I have mentioned section 305B(2) before, and it reads:

If a person makes a gift to any person or body with the intention of benefiting a particular registered political party or State branch of a registered political party, the person is taken for the purposes of subsection (1) to have made that gift directly to that registered political party or branch.

I suppose the issue here is that there may be a benefit in such action for the Liberal Party.

Ms Mitchell—I must admit that I had not looked at it in terms of whether there was a benefit to One Nation, and I did not think that there was a benefit to One Nation.

Senator FAULKNER—No, I do not think—

Senator ROBERT RAY—I do not think he was trying to do that!

Senator FAULKNER—Do you see the point I am making?

Ms Mitchell—Yes, I can see the point you are making and, yes, I am happy to consider it from that angle and get back to you on it.

Senator FAULKNER—I appreciate that.

Senator Abetz—It will be interesting to see what comes back for all parties, because I would have thought that, if it is not a direct link or a direct benefit, it will be interesting then how far would you go down the track. It is an interesting point.

Senator FAULKNER—I am not making any allegations here. I am not saying there is any truth to these articles. I do not know; I do not know the background of this. I only know it is in the newspapers, and I know now how much attention you apply to newspaper articles—and web sites.

Senator ROBERT RAY—There are not more free T-shirts to be had, are there?

CHAIR—So there were T-shirts?

Senator ROBERT RAY—I do not know. We knocked ours back.

Senator Abetz—Senator Faulkner was denying that just now.

Senator ROBERT RAY—They did not have a XXXX one anyway.

Senator FAULKNER—Given that you do take account of it, that is something that came to mind. I would be interested in your response. I suspect it is uncharted waters in a way.

Ms Mitchell—It is, yes.

Senator FAULKNER—But I would have thought the provisions of the act here were clear. Anyway, I will be interested in your response, and no doubt we will have an opportunity to look at that at a later stage. Would you care to take that issue in the broad on notice and come back to the committee?

Ms Mitchell—Yes.

Senator FAULKNER—I do appreciate that it may take a little more time than some other questions on notice, because you might want to give a more considered response. If it is any assistance, I can supply the newspaper articles to you, but I suspect you are better placed than me to be able to delve into the matter.

Ms Mitchell—Yes, we will have copies of those newspaper articles on file.

Senator FAULKNER—There has also been some press coverage about the financial support for the Citizens Electoral Council. Did you see the article in the *Sunday Telegraph* in Sydney on 3 March 2002 headed, ‘Pensioners “bullied” for donations’ and the one in the *Herald Sun* on the same date headed, ‘Far-Right calls boil over’? Did you see those articles?

Ms Mitchell—I do recall having seen the articles, yes.

Senator FAULKNER—I will try to fairly put the case to you, I think it goes to income received by the CEC at over \$1 million in 2000-01, yet only a little over \$100,000 of that is declared. So, in round figures, 90 per cent of the revenue is undeclared. I thought that this would fall very much within your purview, given the press coverage and given your close interest in what is reported in the press.

Ms Mitchell—There is not necessarily any direct correlation between the total amount of receipts and whether or not you expect to see a large number of over-\$1,500 amounts detailed declared in the return. I guess it is not common, but it is not unknown for parties to actually

have a large number of receipts that are under the disclosure threshold. We have certainly looked at the issue in relation to party returns in the past and would continue to look at that issue in the future to make sure that full disclosure is occurring.

Senator FAULKNER—Is CEC a registered political party?

Ms Mitchell—They are, yes.

Senator FAULKNER—So, they would be audited from time to time?

Ms Mitchell—Yes.

Senator FAULKNER—And if there was anything of concern to the AEC obviously that would—

Ms Mitchell—That would be raised.

Senator FAULKNER—You would raise that. That would be an outcome of your audit?

Ms Mitchell—Yes, it would be an outcome of the review of the return and, if there was a requirement to lodge an amended return, we would advise the party of that and we would follow up to ensure—

Senator FAULKNER—And that has not happened in relation to this organisation?

Ms Mitchell—No.

Senator FAULKNER—Fair enough. When were they last audited?

Ms Mitchell—Off the top of my head, I cannot remember, but I can get that detail for you.

Senator FAULKNER—Okay, thanks. Again, these are issues that are raised in the media. Something we have in common now is that—as I have always said—in opposition I have not got as much to do with my time as I should have, so we also closely look at your own clips. These were articles that came via the AEC clips. Thank you again for sending them, Mr Becker. It is a good clipping service and it is appreciated.

CHAIR—I have a couple of follow-up questions for Mr Becker and Ms Mitchell from last time when I asked about the McKell Foundation. The issue was the McKell Foundation's return for 1997-98; I think the wrong form had been sent and so forth. You took the question on notice, and I think the information is that you sent a new form to the McKell Foundation. I just wondered if they had returned it to the AEC and if their return was now complete for 1997-98?

Ms Mitchell—We have not received that extra page yet, but we are still liaising on the issue.

CHAIR—So it is coming?

Ms Mitchell—Yes.

CHAIR—Thank you. Secondly, Ms Mitchell, I asked in the February estimates about whether donors to the McKell Foundation who donate over \$1,500 have been asked to lodge annual returns and you said that, if they are identified on the return as being donors, you would have sent donor returns out to them in line with the legislation. I was wondering whether Computer Associates, which I understand is a major donor to the McKell Foundation, have been asked to lodge annual returns for the financial years 1999-2000 and 2000-01?

Ms Mitchell—I cannot answer that question off the top of my head. I will have to take it on notice.

CHAIR—Thank you, Ms Mitchell.

Senator ROBERT RAY—Maybe Mr Becker would be the best person to answer this: has the Victorian government given you any sort of an exposure draft to their new electoral funding and disclosure.

Mr Becker—My recollection is that there is no disclosure.

Senator ROBERT RAY—There are limits on donations.

Mr Becker—I think it is pretty much like our original legislation, where it is acquitted to get—

Senator ROBERT RAY—Rather than ask that question, what I really wanted to get to was whether the proposals gave you any problems in terms of compatibility.

Ms Mitchell—We have actually sat down and done a comparison of their legislation and our legislation, in terms of the funding and disclosure requirements. One of the things we have noticed is that to a large degree they pick up the Commonwealth Electoral Act or recommendations that the AEC has made which are yet to be considered by the Joint Standing Committee on Electoral Matters. They also in some instances reflect the way parts of the Commonwealth Electoral Act used to be, but which have now been removed from the act. So by and large it is fairly compatible but there are some differences.

Senator ROBERT RAY—We might follow this up on another occasion, because I think the minister wants to get away.

Senator Abetz—That is exactly right, thank you.

CHAIR—Minister, I think Senator Murray did want to ask some questions, and he is on his way.

Senator ROBERT RAY—Can we do it on the basis that the minister excuse himself, and if there are any policy matters that require him to answer he can do so after lunchtime. We have done this before.

CHAIR—I do not want to stop Senator Murray asking questions.

Senator Abetz—When do we resume?

CHAIR—It will be 2 o'clock, Minister.

Senator MURRAY—Mr Becker, I return to some questions I addressed to you last estimates concerning the disclosure returns for the 500 Club. I asked whether there was a need for amended returns, since the content and the style differed so much between the two returns. The answer we got, both in estimates and subsequently, was that the AEC did not like to comment on the specific details nor on the face value plausibility of individual returns but that it would take on board issues that are raised with it for consideration. Using them as an example but also as a general issue, surely the AEC would desire to ensure that the content of returns from similar organisations is similarly detailed, that there is not in one a one-liner that says, 'Total donations from various sources is \$1 million,' and in another nicely detailed figures in terms of its constitution?

Ms Mitchell—This is a similar issue to one Senator Faulkner raised earlier. Certainly the AEC receives returns from political parties' associated entities, and it reviews those returns to see if the disclosure obligations under the legislation have been met. One of the issues that we would consider is whether the detailed disclosure requirements in relation to amounts of \$1,500 or more have been met, and if they have not been in our opinion then we would seek

an amended return. We do carry out reviews of that information. In relation to the specific question, we have taken it on board, but I do not have a definitive answer for you at this stage.

Senator MURRAY—Whilst we all accept that there is a political motive to some of the questions you are asked, nevertheless the general thrust of a senator through the estimates process raising these issues is that an issue is indicative of a problem and should be addressed. The problem I have identified is that some returns give you very commendable detail but returns of similar organisations give you very little. I think it should be stamped out in the interests of full accountability and openness.

Ms Mitchell—The AEC does that within the limit of the legislative requirements when it is reviewing the returns to see if they have been correctly completed.

Senator MURRAY—Are you able to tell me that, as a result of any of your activities in any of those areas, you request amended returns where you think it is appropriate?

Ms Mitchell—Yes. Wherever we feel that the disclosure obligations of the act have not been met, we request the relevant party or associated entity to provide us with an amended return that meets their obligations.

Senator MURRAY—Do they ever refuse or say they cannot provide an amended return?

Ms Mitchell—Not usually, no. If they refused to provide an appropriately completed return then we would look at the offence provisions of the act and whether or not we needed to proceed to look at prosecution.

Senator MURRAY—You said ‘not usually’. Was that just a loose response or did you mean that sometimes people do refuse to provide an amended return?

Ms Mitchell—Sometimes there is disagreement with us about whether there is a need to, but it is not usual for them to actually refuse to provide the information requested.

Senator MURRAY—If they did, you would look to the law.

Ms Mitchell—Yes.

Senator MURRAY—I think that is all we can do now. Mr Becker, turning to the new Queensland rules, regulations, laws and so on: is the AEC keeping abreast of the changes that have been made to the Queensland electoral law?

Mr Becker—To the extent that we are aware of them, yes, but it would depend on what you were specifically referring to as to what we might be doing about it.

Senator MURRAY—One of the key and interesting issues is the fact that the Queensland Electoral Commission has now been asked—in fact, required—to oversee preselection processes within political parties. For the record, as you know, our own party believes that that is a service you should provide federally, on request from political parties. We do not yet move to a position of seeking to mandate it. But, plainly, the development of electoral law in all the jurisdictions within the states and the Commonwealth always affects the views of legislators as to what is appropriate in different areas. That is a particularly interesting development.

Mr Becker—Yes, it is. It is something that, frankly, we would not be keen to take on, but that is another issue for the parliament. It is a bit like looking at the funding and so-called disclosure laws in Victoria. They are very different to ours, to the extent that, as Kathy said earlier, they are more like our old act. But we would not be in a hurry to follow that line, notwithstanding the fact that we might like to get rid of the disclosure provisions. But acting virtually as they do in the United States, with a body that conducts primary elections, is really

a matter for the parliament. As I said, it is something I am not enamoured of—taking on that amount of work would be a costly exercise—but, on the other side of the coin, you can understand why Queensland has moved that way.

Senator MURRAY—Minister, turning to the political donations inquiry—

Ms Mitchell—That minister is not here.

CHAIR—He is notionally here.

Senator MURRAY—Right. I will put a question on notice, although it will probably lose its flavour. I wanted to know if there is any intention to reconstitute the reference to the Joint Standing Committee on Electoral Matters.

Senator ROBERT RAY—Which reference was that?

Senator MURRAY—Mr Georgiou.

Senator ROBERT RAY—The Senate reference is there if we feel like doing it, but it is not contemplated in the immediate future. I think one of the reasons—if I may interpose, Chair—is to try to get the committee working in a productive way. I am not going into the past, but to re-establish—

Senator FAULKNER—You are drawing a distinction with what happened under Mr Pyne's chairmanship.

Senator ROBERT RAY—I am not commenting.

Senator MURRAY—That question does not need to be put on notice then, and I will just withdraw it—but any time you need the numbers on that particular issue, I think you can count on them.

CHAIR—Are there any further questions of the Electoral Commission? There being no further questions, I thank Mr Becker and the officers for their assistance.

Proceedings suspended from 12.24 p.m. to 2.07 p.m.

CHAIR—The committee was examining the Department of Finance and Administration. We were at output 3.1, Ministerial and parliamentary services.

Senator FAULKNER—We were talking about a number of questions on notice prior to the lunchbreak. I just want to very briefly revisit this, and see if I can do it in a way that short-circuits our discussions, in terms of time at least. We were canvassing the original question that I placed on notice on 19 February, and the form in which it was dealt with by the department. I do not want to go back over that ground, but I do want to ask this: has the department dealt with the question in either the original form as asked at the table here or the form that it was finally developed into, that is, arising out of the hearing on 19 February. I refer to the answer received by email on 5 April. In relation to either of those two iterations of the question, was another or different answer drafted at any stage?

Senator Abetz—Ultimately, the answers are, as I understand it, for me to give. What variations and how often, I am not sure is necessarily something that is appropriate to be canvassed. They are questions to me, and I ultimately answer them.

Senator ROBERT RAY—It might have relevance in terms of the next question that is placed on notice. If a substantial body of work had been done and then not provided in that draft answer, it would have been available to the next question put on notice by Senator Faulkner.

Senator Abetz—The answer that was given to the question on 5 April went to the point of the misunderstanding as to what Senator Faulkner was actually asking. The department could not identify who was actually working at Liberal Party headquarters. As a result, Senator Faulkner has placed on notice a question dated 8 April, which is, I note, related to all staff employed. So in those two questions it would stand to reason that the interpretation of the first question was only the Liberal Party. This is ‘all’ staff and so a considerably greater amount of work needs to be done to cover all staff under the MOP(S) Act, as opposed to how the question was interpreted, as I understand it, by the secretariat.

Senator FAULKNER—I think you are going to find that not a lot more work will need to be done at all, actually, which is the point of the other question that was dealt with at the time of the estimates to which I received an answer by email on 5 April. My question was:

Can you confirm that no ALP staff member, MOP staff, a shadow ministerial or opposition office holder staffer who worked at ALP election headquarters in Melbourne during the election campaign claimed travel allowance?

That also received a one and a half line answer. My original question—and let me not be diverted by all that—

Senator Abetz—Yes, but that was only travel allowance. We are talking about cab charges and dates of airline flights et cetera in this question.

Senator FAULKNER—Let me say again: what I was asking is: was another or different answer than the one provided drafted by the department to the question of 19 February?

Senator Abetz—As I understand the situation, Senator Faulkner, the drafts and how many drafts of answers to questions that might or might not come through, or how often I re-draft an answer and then look at it again, is not a matter for discussion at these committees.

Senator FAULKNER—I do not agree with that, but let me then ask a different question, which clearly is a matter for discussion by these committees.

Senator Abetz—We’ll see.

Senator FAULKNER—What work was generated within the department in response? I am not going into whatever might have been submitted to you. This is departmental work well before it gets to the minister, as you would appreciate. You can accept or reject answers as you see fit—ministers do. What work was generated within the department as a result of the questions that were taken on notice? What was done? In other words, what administrative work was undertaken? I am not asking whether another answer was drafted or not, I am just asking now what administrative work was undertaken?

Ms Mason—Generally when we get a question of that nature the process is that we would interrogate our records in the service centre. That can take some time. That is normally done and then we would endeavour to see that the answers that we have match the question that has been asked. In that particular case we were unable to determine which staff members may or may not have been working from party headquarters, and so you got the answer that you did.

Senator ROBERT RAY—Let us go to the interrogation and narrow it down somewhat. Let us ignore party headquarters, because you say you were not at the front door ticking people off. If you wanted to interrogate your records, which I assume are computerised—

Ms Mason—Yes.

Senator ROBERT RAY—and have them simply say which MOP staff member claimed from date A to date B for Melbourne—because you have to specify the place—how long would it take for the entire MOP staff, for MOP staff that work for Liberal members, or just

for MOP staff employed under part III of the act in terms of ministerial rather than electorate? I always get parts III and IV mixed up, to be honest.

Ms Mason—That sort of interrogation would take a number of days from the time that it is commenced. But that is not the end of the process in extracting information. As Mr Edge, I think, indicated earlier, we then need to check and crosscheck the information—for instance, to remove trips during those dates that may have been via Melbourne rather than to Melbourne.

Senator ROBERT RAY—You say ‘via Melbourne’, but your claim is for overnight; it does not matter whether you are going somewhere. That will come up as a one-day claim and most people will think, ‘Gee, that wasn’t a big effort for the campaign headquarters; we can dismiss that one.’ You do not have to know whether they are going via somewhere. You say that you cannot tell us, but I have now excluded the purpose for which someone was in Melbourne and I am asking you: how long does it take to interrogate your records when you put in the parameters, let us say, of 1 October to 15 November—and that is just possible—and you want to know which staff? How long does it take you to know which staff claimed for which nights in Melbourne and then maybe break them up into political parties or whatever? Mr Barnes, you are looking knowledgeable, and so, with the minister’s permission, you might like to tell us.

Mr Barnes—Yes. We would first investigate what travel allowance was paid within the specified period for that destination, it being Melbourne. We would also try to correlate that travel allowance with fares of transportation to that destination.

Senator ROBERT RAY—I am interested in travel allowance claimed and paid, not whether they travelled properly or improperly there. That is another matter; that is an entirely different matter. I want to know who claimed travel allowance in the City of Melbourne in that period.

Mr Barnes—We can extract that information.

Senator ROBERT RAY—The question is: how long does it take you to extract that information?

Mr Barnes—I could not tell you offhand. It has proved to be a difficult task at times because of our systems. It is not a simple matter of just pushing the button. But I imagine that we could do that within a day or two.

Senator FAULKNER—Is it only done from electronic records?

Mr Barnes—It should be, I think, only from our electronic records, but I would have to verify that.

Senator FAULKNER—But you also have the original paper records, I suppose?

Mr Barnes—We keep the paper records for the travel allowance claims.

Senator FAULKNER—Obviously it is a much easier task, dealing with the electronic records, isn’t it? It is aggregated and so forth.

Mr Barnes—We would wish it to be.

Senator ROBERT RAY—Let us get one thing clear: you not only do it from paper records; you do it from the original records, don’t you? A lot of people around this building have been burnt and are watching these proceedings right now, thinking, ‘We didn’t get paid for that period because we didn’t put in the originals.’

Mr Barnes—My understanding is that we have to operate from the original request for travel allowance that has been signed by the approving senator or member, or their delegate.

Senator ROBERT RAY—I am endorsing that as a policy; I think that is a good idea. Nevertheless, that would make you more careful to keep the records. I am trying to reinforce my colleague's view. You would have the records going back for what is now nine months or six months, wouldn't you?

Mr Barnes—Yes.

Senator ROBERT RAY—For that task—as opposed to the more complex task in Senator Faulkner's question on notice—it might take one to two days or, to be fair, a bit longer to extract that information; but it is not weeks on weeks, is it?

Ms Mason—Perhaps I could just talk a little more fulsomely about the process. Mr Barnes has talked about how long it might take to extract a certain amount of data. In order to answer a particular question, we then need to look at how that data fits with the question that has been asked. In that case, as Mr Edge mentioned earlier, there is a need to remove certain data from the full set. There is also a need—and a usual process that we follow—to consult with people whose information may be released in answer to a question, to make sure that the information is indeed accurate. That step is one that we have yet to take in relation to your question of 8 April.

Senator FAULKNER—But, in relation to the question that has just been asked by Senator Ray, that very limited amount of work on the original material has already been done, hasn't it?

Mr Barnes—There have been extractions of raw data pertaining to the broad parameter of the question asked.

Senator FAULKNER—While that has been done, are you suggesting, Ms Mason, that final checking has not taken place yet?

Ms Mason—As I understand it, where we are up to in answer to that portion of your question of 8 April is that we have extracted some broad data. We are at the moment checking that that data appears to be right, and so we are doing some internal checks and crosschecks. The next step will be for us to consult with the relevant offices to make sure that the information that has been revealed through our checking and through the interrogation of our data is indeed accurate in terms of those people. If we have made an error, we would like to know about it before we give you an answer.

Senator ROBERT RAY—So you would agree with Mr Edge's opinion that an answer to the question on 8 April is likely within two weeks?

Ms Mason—I am informed that we can do it within two weeks, and I believe that is correct.

Senator ROBERT RAY—We have estimates committees next week, and then we have a week off. We would like to debate this matter in the appropriation bills; we would like the answer by then. Our problem is that I do not think we can get much time to debate the appropriation bills this time around. Parliament resumes on 17 June, and that is easily within the two weeks. We will have it by then.

CHAIR—I know Senator Lightfoot has some questions.

Senator FAULKNER—We can come back to this; there is no problem.

Senator ROBERT RAY—We can come back; we are here for the long haul.

Senator BRANDIS—Not too long, I hope, Senator Ray.

CHAIR—I do not want to cut you off mid-question.

Senator FAULKNER—We are not flash sprinters like you, Chair; we are stayers.

Senator ROBERT RAY—We are proposing cricket hours, Senator Brandis—that is, we will conclude at six o'clock, provided the over rate is sufficient.

Senator BRANDIS—You will not get many interjections from us.

Senator Abetz—Perhaps I can quickly pose a question—although I think we might be able to talk about this later. Are we pursuing the name of each staff member as well? Is that really necessary? I would really ask you to reflect on that. The information can be provided in numbers of staff or people from certain members' offices or whatever. But trawling gratuitously through individual staff members' names I am not sure is necessarily going to add to the total knowledge base or, indeed, any information that the Labor senators are seeking out of this.

Senator FAULKNER—Let me try something out on you, Senator Abetz. You posed that question. You, I think, had suggested that there were some privacy concerns with the question I had asked, and you indicated that you were going to approach me over the luncheon adjournment about it. There I was for an hour and a half hunched over the phone waiting for it to ring, but it did not, and so I thought I had better get on to some other things.

Senator Abetz—I had a very quick chat to Senator Ray, and I thought he might have passed on the information.

Senator ROBERT RAY—That was on another subject.

Senator Abetz—That was on the hotel issue. Senator Faulkner, before lunch I think you were seeking the name of the hotel at which each staff member stayed. Is that right?

Senator ROBERT RAY—At this stage I would suggest that Senator Lightfoot ask his questions. I think I know the direction you are heading in. Just give us a few minutes to think how it could be remodelled, if we want to do so.

Senator Abetz—If you want the numbers, the costs and all those things—

Senator ROBERT RAY—You are saying, 'and who they work for'?

Senator Abetz—Yes, I think that is quite appropriate.

Senator ROBERT RAY—We will have a look at that.

Senator FAULKNER—If I were to ask officers at the table now—this is a question about gross amounts; it does not go to names of individuals, hotels or anything else—does the department have readily available the total amount of TA paid to government staff and opposition staff during the last election campaign period, would you be able to answer that at the table today? It is a very simple, very broad but, I think, not unreasonable question to ask.

Senator Abetz—I understand that we do have that aggregate figure. So, if that is the case, I am happy for that to be released.

Senator ROBERT RAY—We will come back to it.

Senator Abetz—I think the department's difficulty was that, if you wanted it disaggregated, they wanted to make sure that the amount allocated to every Joe and Josephine Bloggs was actually correct. But, if the aggregate is out by even a small amount, I do not think it would add much to the public debate on it.

Senator FAULKNER—There is a range of different ways to disaggregate these figures.

CHAIR—Let us take up Senator Ray's suggestion and perhaps some consultation can be undertaken on that. Senator Lightfoot?

Senator LIGHTFOOT—Thank you, Mr Chairman, and I thank Senator Faulkner and Senator Ray for their deference. Dr Watt, continuing on from yesterday's questioning, perhaps you would be kind enough to look again at paragraph 10 of that document erroneously entitled 'Onology'—which we know now to be 'Chronology'. The second line of paragraph 10 begins, 'These were examined by' et cetera. Please would you read that paragraph to the committee?

Dr Watt—It reads:

These were examined by several long-serving Comcar administration staff who came to the unanimous conclusion that they were bogus.

Senator LIGHTFOOT—Is that statement true?

Dr Watt—No, it is incorrect. As I said yesterday, on the basis of the information provided to us, we were never able to affirm or not affirm that these were genuine documents. Remember how little by way of documentary material was passed through the department. My colleagues will correct me if I am wrong but, at various stages, we were given individual job numbers—just a job number, nothing more—and then we were given, I think, three photocopies of one-line extracts. That was it. There was an absolute minimum of historical documentary evidence, and it was just never possible to either confirm or not confirm that they were genuine documents. We just did not know.

Senator LIGHTFOOT—Did you form an opinion?

Dr Watt—I have never seen the documents. This was well before my time in the department. But that is the opinion of my officers, and I have absolutely no reason to doubt that.

Senator LIGHTFOOT—So the statement that you read out, and which is recorded in that document called 'Chronology': has that ever been made in any finance department document?

Dr Watt—Again, not that we are aware; not prior to us seeing this document and confirming that the document was not ours. Let me say that now.

Senator LIGHTFOOT—You are saying that the statement never originated in any document that you are aware of in your department?

Dr Watt—Not in any document that was generated in the Department of Finance and Administration, no.

Senator LIGHTFOOT—I suppose, if I were to think aloud, we are talking about two discrete government departments. It must have originated in the High Court by High Court officials.

Dr Watt—Again, as we discussed yesterday, I do not think it is appropriate for me to speculate on that.

Senator LIGHTFOOT—It would not be an unusual decision to arrive at.

Dr Watt—Again, I do not think I should speculate on that.

Senator LIGHTFOOT—There were only two people on that telephone call at the time. I draw to your attention the House of Representatives *Hansard* of 19 March 2002 and a censure

motion moved by the Leader of the Opposition, Mr Crean. Amongst other things, Mr Crean said:

Long-serving Comcar admin officers examined them—
that is, the documents—

and concluded unanimously that the record was bogus.

Would you say, for the benefit of *Hansard*, that Mr Crean's statement and the statement in the 'chronology' document, as we term it, are virtually identical?

Dr Watt—They use the same words. Whether that makes them identical or not is another matter.

Senator LIGHTFOOT—Thank you. I also draw to your attention the Senate *Hansard* of 21 March 2002 and a question asked by Senator Carr. So there is no ambiguity, I will read the whole of the question. It is only a short one, particularly given that it is from Senator Carr. He said:

My question without notice is to Senator Abetz, the Special Minister of State. Can the government confirm that the documents purporting to be the Comcar records from 1992 in relation to Justice Kirby have at any time been examined by the government or any Commonwealth agency who found them to be bogus?

Would you say that the substance of Senator Carr's question and the wording of the 'chronology' are virtually identical?

Dr Watt—The sentiments are similar.

Senator LIGHTFOOT—They are not exactly the same—

Dr Watt—They are certainly not in this case.

Senator LIGHTFOOT—but they are very similar.

Dr Watt—I think it is probably fair to point out that, both in relation to this question and the previous one about the Leader of the Opposition—my memory here is not good enough, and so I may not have the commentary right—early in that particular week, there had been media commentary which may have used those words as well; I do not know.

Senator LIGHTFOOT—Yes, but we could arrive at the decision that both questions so far have virtually the same wording. That is not unusual.

Dr Watt—There are certainly similarities. As I said, I am not sure I can draw a causal link. That is what I am saying.

Senator LIGHTFOOT—We are yet to do that. I also draw to your attention the Senate *Hansard* of 20 March 2002 and a speech made by my colleague Senator Faulkner, the Leader of the Opposition in the Senate.

Senator FAULKNER—It probably would have been good speech. I make so many that I do not recall it, but I suspect it was an excellent one!

Senator LIGHTFOOT—I appreciate that contribution.

Senator Abetz—Somebody has to endorse you. It might as well be you!

Senator FAULKNER—Exactly. If you do not do it yourself, no-one else will!

Senator LIGHTFOOT—If you have not re-read your speech, you may have a chance to at least hear part of it, Senator Faulkner.

Senator FAULKNER—Thank you. I look forward to it!

Senator Abetz—But the delivery will be better!

Senator LIGHTFOOT—In that speech, Senator Faulkner asked the following questions. They were probably rhetorical questions, as most of Senator Faulkner's questions are rhetorical. He asked:

Were extracts of the documents checked by the Department of Finance and Administration two years ago and found to be bogus? Were there other bogus documents checked by the department?

I ask again: would you say that the substance of Senator Faulkner's questions is premised on information contained in the 'chronology' document or appears to be so?

Dr Watt—What I could say is that, again, there are similarities. I do not think I could say that it was premised on information contained in the chronology document.

Senator LIGHTFOOT—In fact, there is a distinct similarity between the questions asked by my colleague Senator Faulkner and those in the chronology document. I also draw your attention to the Senate *Hansard* dated 20 March 2002 and a question asked by Senator Conroy, who is not here at the moment. Senator Conroy asked the following question:

... Dr Peter Boxall, was provided with copies of Comcar documents—or documents which purported to be Comcar documents—by the Brisbane Courier-Mail journalist Mr Paul Whittaker when he was pursuing an FOI request very similar to Senator Heffernan's? Can he confirm that Dr Boxall investigated the authenticity of the documents, and can he clarify what those documents were? Can he further indicate how the investigation into the documents was conducted? What was the specific departmental finding and what was the date of the finding?

Let me go back to the original question to you, Dr Watt. Would you say that the substance of Senator Conroy's question and the chronology, in the paragraphs 8, 9 and 10, which you have in front of you, are virtually identical?

Dr Watt—Again, there are some similarities.

Senator LIGHTFOOT—There is a strong similarity there.

Dr Watt—I am not sure I would put it quite that strongly, but there are similarities.

Senator LIGHTFOOT—We will not split hairs on 'quite that strongly', but I appreciate your answer.

Senator FAULKNER—Keep going on this conspiracy theory; it is good.

Senator LIGHTFOOT—I will probably be able to develop it a little further, if I am able to without any interjections.

Senator FAULKNER—I know; that is obvious.

Senator LIGHTFOOT—Finally, I want to draw your attention to the House *Hansard* dated 19 March 2002 and a question asked by Mr Laurie Brereton. He asked the following question:

... is it not a fact that in the year 2000 the Secretary to the Department of Finance and Administration, Dr Peter Boxall, was advised of the existence of certain Comcar records relating to Justice Kirby? Were these records actually provided to the government and evaluated? Were they not examined by several longstanding Comcar administration staff, who unanimously judged them to be bogus?

Would you say that the substance of Mr Brereton's question was along the lines of being very similar to the chronology document?

Dr Watt—I think you have to split Mr Brereton's question into two.

Senator FAULKNER—You've got it right, Dr Watt.

Dr Watt—Thank you. I think the first half was not particular to the ‘onology’ document. In the second half, there are some similarities.

Senator LIGHTFOOT—That is right—in the last sentence, in fact. I think I read two sentences. If I could sum up, it would appear that these people—who asked these questions on independent days in the two houses of the parliament—had access to that chronology document in preparing their questions and speeches. That is a fact, isn’t it?

Dr Watt—I do not think I can reach that conclusion, primarily because there had been a great deal of material already circulating in the press—on the Tuesday, I believe. Whether those particular questions were framed from this document, another document or press material, I am just not able to comment.

Senator LIGHTFOOT—If one were to read the questions in *Hansard*, as I have today, and if one were to have a copy of the chronology document in front of one, one could not help but arrive at the conclusion: they were all remarkably similar to at least one or two paragraphs in the chronology document. Put the press aside. One could not help but do that.

Dr Watt—I acknowledge that there are similarities in the words, particularly the four or five words around ‘bogus’. But, as I said, I would not necessarily draw a causal link.

Senator LIGHTFOOT—We have not drawn anything causal yet—we may do later on. Perhaps I could then refer you—having gone on from the similarity of the *Hansard* questions—to an article in the *Australian Financial Review* by Mr Steve Lewis, dated 21 March 2002. He wrote:

However, senior ALP sources said the Opposition had material which confirmed Mr Howard—not the Prime Minister—

had been told on Monday the document was a fake.

The material obtained by Labor, part of which is in the possession of *The Australian Financial Review*, also reveals the Department of Finance investigated allegations that Justice Kirby had illegally used Comcar but could not locate relevant materials, or concluded that other evidence was “bogus”.

To a political student such as me, it would appear rather conclusive that the opposition had the chronology document in its possession, would it not?

Dr Watt—I am an economics student and I never draw conclusions of that kind.

Senator LIGHTFOOT—Perhaps I could answer for you: it appears rather conclusive.

Senator FAULKNER—No, you can ask silly questions, but you cannot answer them.

Senator LIGHTFOOT—It was a very serious question, and I think that those who listen to and read *Hansard* are likely to come to the conclusion that the chronology document and the questions asked are very similar. In some respects, they are exactly the same—and that is undeniable. Let me shift on. You could conclude also that at least one member of the press gallery also had that document. Given the date in March, the questions that were asked prior to the date of the *Australian Financial Review* report and the questions preceding that report in the *Australian Financial Review*, you could conclude that at least one member of the press gallery had the chronology document.

Dr Watt—As I stated in my letter to the CEO of the High Court, Mr Doogan, it was our understanding that the document was circulating in the parliamentary press gallery, or at least had been acquired by a member or some members of the gallery.

Senator LIGHTFOOT—When you say ‘the document’, do you mean the chronology document?

Dr Watt—Yes. That was our understanding at the time.

Senator LIGHTFOOT—If we were to assume that that same chronology document was prepared by persons unknown but in the High Court, it would logically follow that the document must have been leaked by someone in the High Court.

Dr Watt—As I think I have said before, I do not think it is appropriate for me to speculate on where the document was prepared. I can tell you clearly where the document was not prepared, and that was in the department of finance.

Senator LIGHTFOOT—Would it be wrong to conclude then that someone had access to the document from the High Court?

Dr Watt—Someone has had access to a document; whether it was a document prepared in the High Court or not, I do not know. It was certainly not a document prepared in the department of finance.

Senator LIGHTFOOT—It was not?

Dr Watt—No.

Senator LIGHTFOOT—As I mentioned earlier, there are two discrete government departments that we are talking about. If it were not prepared in the department of finance, one could not help but conclude that it had its genesis in the High Court.

Dr Watt—Again, I do not think it is appropriate for me to speculate on that.

Senator LIGHTFOOT—We will pass on. If that hypothesis were followed, one could not help but arrive at the decision that the leak came from an official from the High Court. Let me make that a rhetorical question and we will pass on. If that hypothesis were true, it would appear that, on an issue of political controversy, somebody in the High Court tried to background the opposition—if I could put it that way—and embarrass the government.

Dr Watt—That is not something I can comment on.

Senator ROBERT RAY—It is doing a pretty good job of embarrassing itself on this issue.

Senator FAULKNER—Certainly Senator Heffernan assisted them.

Senator LIGHTFOOT—Through you and with your permission, Dr Watt, I would like to ask Ms Mason whether Mr Doogan from the High Court spoke to her on 14 March 2002, and whether he repeated those blatant errors in what we have come to refer to as the ‘chronology document’. Do you recall that, Ms Mason?

Ms Mason—I did speak with Mr Doogan at around lunchtime on 14 March, and words similar to those were used during the course of the conversation.

Senator LIGHTFOOT—Similar to the words in the chronology document?

Ms Mason—Yes. I was asked whether the department had reviewed documents and found them to be bogus.

Senator LIGHTFOOT—That is what Mr Doogan said to you?

Ms Mason—Yes.

Senator LIGHTFOOT—Thank you. To conclude, could I perhaps direct my questions to the minister, Mr Chairman?

CHAIR—Yes.

Senator LIGHTFOOT—Minister, am I correct in saying that members and senators are not permitted—nor is anyone else, for that matter, but particularly members and senators—to mislead parliament?

Senator Abetz—I am not sure whether that is necessarily a question for me. Possibly it is a question for the chair and the secretary of the committee, but I understand that standing orders do not allow us—

CHAIR—Senator Ray is with us.

Senator Abetz—Indeed, the chair of the Privileges Committee, but he is not here in that capacity. But I understand that the assertion in your question is correct, Senator Lightfoot.

Senator LIGHTFOOT—Given that the Leader of the Opposition, Mr Crean, has effectively—wittingly or otherwise—misled the parliament in his 19 March speech, by relying on false information in the chronology document—

Senator ROBERT RAY—Mr Chairman, I raise a point of order under section 193. You have ruled on it before, although I have never raised it before. They have ample opportunity to take this up with Mr Crean in the House of Representatives, as you know.

CHAIR—I think you said it would be a hypothetical question as well, Senator Lightfoot. Isn't that right?

Senator LIGHTFOOT—I would not have thought there was much of the hypothesis about it. I thought it was a straight-out question. I gave some doubt as to whether Mr Crean had done anything with mens rea by saying 'may have unwittingly'. I thought it was a reasonable question.

CHAIR—On this occasion, I think Senator Ray is right: you are raising a doubt about Mr Crean's honesty. I do not think in this case it is appropriate, but the matter can be taken up elsewhere.

Senator LIGHTFOOT—Then I will say it more positively: given that Mr Crean unwittingly misled parliament in his 19 March speech, by relying on false information in the chronology document, I merely want to know whether there has been any attempt by Mr Crean to correct the record.

Senator ROBERT RAY—It is a pity that you did not show a similar concern for someone smearing a High Court judge in the way that they did. You sat there silently, Senator; for heaven's sake!

CHAIR—Senator Ray, I will allow that question.

Senator Abetz—Not that I am aware of.

Senator LIGHTFOOT—I have no further questions. Thank you.

Senator FAULKNER—The presses have stopped all over Australia, Mr Chairman!

Senator MURRAY—Mr Chairman, I want to ask questions about this document, and so I have copies here for everyone. Minister, I have a couple of short questions. I cannot see or read the dates on this protocol, but I understand that it was put into place in 1998. Do you know whether that is true?

Senator Abetz—The document tells me that the protocol was approved by the then Special Minister of State on 23 June 1998, and so I assume that is correct—that is in the first line of the document. This is the document that is often referred to as the 'Minchin protocol'. Is that right?

Senator MURRAY—Yes. Is this document still a valid operating protocol?

Senator Abetz—Yes, as far as I am aware.

Senator MURRAY—With regard to this protocol, have there been any referrals to the Australian Federal Police where an administrative review was not performed by DOFA? This protocol says that DOFA is first and then the AFP.

Ms Mason—Yes, there are at times direct referrals of matters from members of the public to the AFP. I understand that there have at least been a couple of those.

Senator MURRAY—But not more than a few?

Mr Gavin—I would emphasise that, since the protocol has been put in place, we have meticulously followed it in respect of any allegations or other reasons why we would consider that a reference to the Australian Federal Police was appropriate. But, as Ms Mason says, the Australian Federal Police can receive allegations from elsewhere.

Senator MURRAY—I understand that, but to be clear: if you generate an inquiry, you first go through this process and then refer it?

Mr Gavin—Absolutely.

Senator ROBERT RAY—Just to help Senator Murray: you are right in that there is no written protocol; there is just this page of the report of the protocol, isn't there? I think we established that in the Reith case and before. It says here that the protocol was approved by the then Special Minister of State—and I think you gave us the date, Minister. But there is no actual written protocol anywhere else; is there? It is only this report of the protocol.

Mr Gavin—It has been tabled in the Senate; that is right.

Senator ROBERT RAY—But there is no written protocol?

Mr Gavin—There is nothing beyond that, except for the document that has Minister Minchin's signature on it, which was a brief.

Senator MURRAY—That is what I have established, but let us just go over it. If an investigation is conducted, having been initiated and put into motion by DOFA, it is only once it has been referred through to an administrative review that the secretary will refer to the AFP—and there have been no exceptions to that.

Dr Watt—That is correct.

Senator MURRAY—Thank you.

Senator ROBERT RAY—But at any time the Prime Minister can foreshorten this protocol and just refer things to the Federal Police without any of this happening. Is that right?

Senator Abetz—Anybody can go straight to the Federal Police with a complaint.

Senator ROBERT RAY—But the Prime Minister can too. That has already happened, hasn't it?

Senator Abetz—It is available to any citizen.

Senator MURRAY—I just want to be sure that DOFA has followed correct procedure—and their evidence is that they have.

Senator ROBERT RAY—'Follow the correct procedure until the political imperative means that it should be foreshortened.' That is not in writing anywhere, unfortunately.

Senator MURRAY—I think your interjection is helpful.

Dr Watt—It is also fair to point out that that political imperative is outside the department's control.

Senator ROBERT RAY—I just think, Dr Watt and Minister Abetz, that the writing out of the protocol one day, when you get a spare moment, would be a good idea. Rather than just having a report of the protocol, it would be a good idea to have a written protocol.

Senator Abetz—I must be a bit slow. What is the material difference? The minister has said—

Senator ROBERT RAY—This is a report of a protocol—

Senator Abetz—Yes, that this is what he is going to do?

Senator ROBERT RAY—that we do not actually see.

Senator Abetz—Sorry?

Senator ROBERT RAY—This is a report of a protocol that we do not actually see. It is not high priority, but I just think it would be nice to have a protocol rather than a report of what the protocol is.

Dr Watt—I understand the distinction you are drawing.

Senator Abetz—If I do it, it might be called the Abetz protocol instead of the Minchin protocol!

Senator ROBERT RAY—He can guide you in it.

Senator Abetz—Good.

CHAIR—Senator Murray, do you have any questions on that?

Senator MURRAY—I am entertained by the interchange.

Senator FAULKNER—Travel allowance claims are, as I understand it, Mr Barnes, in both electronic and original paper form?

Mr Barnes—That is correct. The claim is received in paper form and the information is set into an electronic system.

Senator FAULKNER—So there are electronic and paper files, effectively?

Mr Barnes—Yes, that is correct.

Senator FAULKNER—Are the paper files always held in the same place?

Mr Barnes—The paper files, as I understand it, are held against each individual? I am sorry, I do not understand the question.

Senator FAULKNER—You are saying that they are in separate locations. Is that right?

Mr Barnes—Yes. The individual applications for travel allowance are held in paper files with each individual's activities. The electronic system is operational from the same area.

Senator FAULKNER—For the purpose of responding to the issues we are talking about, are all these files about able to be accessed easily?

Mr Barnes—Relatively easily.

Senator FAULKNER—Would it present any special problems?

Mr Barnes—We have 1400 MOP staff, and so there are 1400 paper files of current individuals.

Senator FAULKNER—Yes, but you did not go to the paper files.

Mr Barnes—We started with the electronic system to identify the parameters that were specified.

Senator FAULKNER—Have you gone to paper files as well?

Mr Barnes—There has been a verification process, I understand.

Senator FAULKNER—When was that conducted?

Mr Barnes—Over a period of time, as a result of questions.

Senator FAULKNER—What was the period of time?

Mr Barnes—It began from your question, as I understand it.

Senator FAULKNER—And when did it end?

Mr Barnes—That process is still continuing, to ensure that the information we give you is accurate.

Senator FAULKNER—When do you expect it to end?

Mr Barnes—I think Mr Edge was addressing that issue, and he was hoping to be able to provide the information within a couple of weeks.

Mr Edge—That is right. The information that we have to assemble to answer all seven elements of this do come from disparate sources and they have to be pulled together. Some filtering out has to take place, particularly airline records. I was saying this morning that what it will do is pull out airline records that have ‘Melbourne’ in them, but a lot of the information that comes out has Melbourne to other places. So there has to be a bit of work done on that. Several sources of data have to be pulled together and then checked and verified, to deal with all of the elements of this question.

Senator FAULKNER—Are you or one of the officers at the table able to say whether government staff were stationed in Melbourne throughout the campaign?

Senator Abetz—Some were.

Senator FAULKNER—Are you able to say in the broad how many—raw numbers?

Senator Abetz—I am not sure that I can provide the figure of the actual numbers of staff members, but I do have aggregate totals—if that is what you are interested in—as to travel allowance paid between 1 October and 18 November. Are you interested in that aggregate figure?

Senator FAULKNER—You can give me the aggregates.

Senator Abetz—Only if you want them.

Senator FAULKNER—By all means.

Senator Abetz—If you are interested, the coalition total from 1 October through to 18 November was \$623,870.90. The Labor Party total for that period was \$67,874; the Democrats, \$4,491; and Independents, \$422.

Senator FAULKNER—So that is a nationwide aggregate?

Senator Abetz—No, Melbourne.

Senator FAULKNER—It was not clear. So it is a Melbourne aggregate.

Senator Abetz—Melbourne between 1 October and 18 November. But at this stage I have not been informed as to the actual number of staff members who are included in those totals. I have just been warned to indicate to you that those figures are subject to refinement, after they

have done all the individual checks on each individual person. But I would assume that the likelihood of the error being substantial in the aggregate would not be very high in comparison to individuals. That is being checked. We would hope that the aggregate total is pretty close but it has not been refined.

Senator FAULKNER—The reason you have been able to provide that figure is the preliminary work that has gone into answering the question that I placed on notice.

Senator Abetz—Some work has been done.

Senator FAULKNER—I assume that is the reason.

Senator Abetz—Yes, that is right.

Senator FAULKNER—If we asked some dates out of the blue, ordinarily I suspect you would not necessarily be able to do that if there had not been some work go into it at the departmental level.

Senator Abetz—That is right.

Senator FAULKNER—In that preparatory work, have you further disaggregated it in terms of the time period—the dates, in other words?

Senator Abetz—I have not been supplied with it. This list—

Senator FAULKNER—When I say ‘you’, no-one would expect you—

Senator Abetz—We might be able to provide it straight after the lunch break.

Senator FAULKNER—No-one would expect the minister to be physically riffling through all the files to try to find this. By ‘you’, I meant the department. Let me rephrase it and ask if the department has been able to do any more work in that regard.

Mr Edge—I am not quite sure exactly what you are asking. The information that is in the question asked for the time period between 1 October and 18 November.

Senator FAULKNER—Yes, that is right. I am asking if it may have been broken down on a week by week basis through that full time period—the first week of October, the second and so forth.

Mr Edge—No, it has not been disaggregated in that way.

Senator FAULKNER—Are there any ways it has been disaggregated?

Mr Edge—The analysis was based on individuals, obviously—because that is the way we had to do it—and so it has people and dates. Those numbers are an amalgamation of individuals and the dates of their individual travels.

Senator FAULKNER—Yes, I appreciate that. Are there any other amalgamations?

Mr Edge—No, not that I am aware of.

Senator FAULKNER—That is what I am asking: is there any other way that you may have treated the raw data?

Mr Edge—No.

Senator FAULKNER—It is just that single amalgamation, broken into government and opposition staff.

Senator ROBERT RAY—Minister, I would like to hand you up a copy of a redrafted question on notice which I think incorporates suggestions that have flowed backwards and

forwards, and we can look at that to see how much easier that would be to answer. I am just getting a couple of copies.

Senator Abetz—Thank you. If you like, we can move onto another area and come back to that.

Senator FAULKNER—Or we can take a short break and do it.

Senator ROBERT RAY—I will only be a minute. It has just gone to the copier now.

Senator FAULKNER—Mr Gavin, in the last round of estimates you informed me that the department had taken particular care in processing all claims during the election period. I do not know if you recall providing that evidence.

Mr Gavin—As I recall, you felt we should always pay particular care.

Senator FAULKNER—Yes, but that is a fair representation?

Mr Gavin—Yes.

Senator FAULKNER—I wondered if part of that was as a result of the Auditor-General's role, if any.

Mr Gavin—At the time I mentioned that there was the impending audit.

Senator FAULKNER—Yes. We have had the initial report on entitlements from the Auditor-General. I think that is right, isn't it?

Mr Gavin—Yes.

Senator FAULKNER—You told us that this was potentially sensitive and that the ANAO was going to conduct an audit, and that meant you took particular care in processing all claims during the election period. I know it is the ANAO that conducts the audit, not you, but are you aware from information from the ANAO what stage that audit process is up to?

Ms Mason—We have recently received a letter from the ANAO indicating that they would shortly like to commence their fieldwork for the audit of MOPS entitlements.

Mr Gavin—It has not commenced yet.

Senator FAULKNER—Sorry, I missed that information; when did you say it is likely to commence?

Ms Mason—I think it will commence within the next few weeks once we have had an opening discussion with the audit office. I do not have a precise date.

Senator FAULKNER—Excuse us for a moment; we will have a look at this. We have given to the minister a revised question on notice, and he is currently looking at it. It is an interregnum.

Senator ROBERT RAY—If you would like to, we can come back to it later.

Senator Abetz—All right. There is just one very small area—

Senator FAULKNER—Mind you, I flag with you that this does not mean that questioning on this area will close. But I am happy to leave it in abeyance at this stage and then come back to it. I want to be clear on the figures that have been provided. We have been provided with figures for travel allowance for MOP staff overnighing in Melbourne for the period 1 October 2001 to 18 November 2001. I want to check that that is correct. Is that right?

Mr Edge—That is correct.

Senator FAULKNER—The figure for government staff is \$623,870.90?

Mr Edge—Yes.

Senator FAULKNER—\$67,874 for opposition staff?

Mr Edge—That is correct.

Senator FAULKNER—For the Australian Democrats it is \$4,491?

Mr Edge—That is correct

Senator FAULKNER—What is the last category? Is it ‘Others’?

Senator Abetz—It is Independents, and that includes the Greens and One Nation.

Senator FAULKNER—The figure for ‘Others’ is \$422. Those figures would include the travelling parties of the leaders during the campaign, which were quite substantial?

Mr Edge—Yes.

Senator FAULKNER—And, I think it is fair to say, they were comparable in size.

Senator ROBERT RAY—Do you want to return to the question after the afternoon tea break or do you want to make a comment now?

Senator Abetz—I misread question 4 at first. It does not seek to identify which office, and that was the only preliminary concern. On re-reading I do not have any difficulty with those questions being put on notice, and the department will seek to get you answers. As I understand it, in question 6, all words after ‘accommodation’ are deleted. Is that correct?

Senator ROBERT RAY—That is right.

Senator FAULKNER—When we have a short break I would like to have an opportunity to have a close look at it.

Senator Abetz—It is open to you to amend.

Senator FAULKNER—Are you now saying that you do not have a privacy concern with question 4?

Senator Abetz—No, because, quite properly, we will be referring to them as numbers as opposed to individuals.

Senator ROBERT RAY—Ms Mason, would this remove the need for third party consultation?

Ms Mason—I do not think it would. We would still want to check with the relevant offices that the calculations that we have done are correct because if we have made an error we would want to fix it. So I do not think it removes the need for consultation.

Senator Abetz—That is possibly because of question 2.

Senator ROBERT RAY—I am sorry, I missed that, Minister.

Senator FAULKNER—He is saying that question 2 is the reason—

Senator Abetz—I do not know; I was throwing that in as a question.

Senator ROBERT RAY—I think that needs to stay.

Senator FAULKNER—As it stands it is at least close to being finalised. It will be finalised after the next break and we may return to this issue at that point.

Senator Abetz—What is the status of question No. 222?

Senator ROBERT RAY—The real question, which I cannot answer—if anyone should know, I should—is: how do we substitute this for the actual question on notice? The way we

could do that is by Dr Phelps ringing Senator Faulkner's office, on your behalf, and querying the previous question and Senator Faulkner would clarify it by putting this to you.

Senator Abetz—All right.

Senator FAULKNER—Clearly the clock does not start running again.

Senator ROBERT RAY—No. That is fair.

Senator FAULKNER—We do understand that, Minister. That is the key point.

Senator Abetz—I can assure you that the department will do everything within its powers. If we come to some 'gentlemen's agreement'—for want of a better term—I have no idea whether that would somehow impact on the standing orders of the Senate. But we will not seek to rely on that; we will seek to get you answers as quickly as possible.

Senator ROBERT RAY—Minister, you are already outside the standing orders in terms of it being raised in the chamber—

Senator Abetz—Exactly.

Senator ROBERT RAY—however, we do not intend raising it in the chamber if there is good faith. What Senator Faulkner said is that the clock started ticking on 8 April for the purpose of that, and it will continue ticking.

Senator Abetz—I do not know whether you would still be protected if, under the standing orders, you substitute. That is all I am saying. I am not saying that we are going to raise that as a technicality.

Senator ROBERT RAY—What you have sought to do is to clarify the nature of the question and what Senator Faulkner's office will do is assist you in that clarification.

Senator Abetz—In fairness, reading the question, I can see that it is a lot less work for the department.

Senator FAULKNER—It has actually limited the task that the department has. It has not increased the task. Another issue that I raised in relation to the last election campaign was this issue of business class travel for staff during the campaign. You will recall, Ms Mason, that it was raised at the last estimates round?

Ms Mason—Yes, I do.

Senator FAULKNER—There is what I would describe as a clarification—or, if you prefer, an answer—on this particular matter. Let me just quote an element of F20 and F21:

Department records indicate that advice was received on 27 September 2001 that the Special Minister of State had given approval for personal staff to fly business class on official travel where an economy class seat was not available.

And you indicate, in answer to my question, that there was only one instance where an opposition staff member contacted the department seeking approval to fly business class. You then indicate:

This request was not agreed as it was made the day prior to Ministerial and Parliamentary Services (M&PS) receiving the Special Minister of State's approval. This contact occurred on 26 September 2001.

My questions go to that particular issue, because I was concerned that this provision was dealt with in a highly partisan way during the election campaign. The first thing I would like to ask is in relation to the Special Minister of State's approval. The date of approval was 27 September 2001, wasn't it, Ms Mason?

Ms Mason—I understand so.

Senator FAULKNER—After the date of approval, how was the decision of the Special Minister of State conveyed to MOP staffers? I hope some work has been done on this; when I last raised it, no-one knew anything about it.

Senator Abetz—The officials are not aware of that decision being communicated.

Senator FAULKNER—Was it done within government only?

Senator Abetz—No, it was not communicated.

Senator FAULKNER—Are you saying to me that this was not communicated to MOP staffers generally?

Senator Abetz—It was not communicated generally—that is, to anybody. If anybody rang up their account managers or my office then people would be given advice on the basis of what I understand was a blanket approval on 27 September.

Senator FAULKNER—Did you or your office take action to communicate this determination to government MOP staffers only?

Senator Abetz—No. As I said before, we did not communicate it at all. Account managers were informed around the country, so if somebody rang up their account manager and said, ‘What do I do in these circumstances?’ then the account manager would know to tell them that I, the Special Minister of State, had approved this. We did not notify government members but not opposition members. It was communicated to the account managers, and my office had a standing instruction that should anybody ring it would apply.

Senator FAULKNER—How long did this particular arrangement stay in place?

Senator Abetz—We are not aware of it having an end date.

Senator FAULKNER—Is it still in place?

Senator Abetz—That would seem to be the situation, but we will check the record on that.

Senator FAULKNER—Someone surely knows. The account managers must know if it is still in place, if they were informed.

Senator Abetz—That is what I have just been advised but for clarity I was going to go back and check it. I will not bother to do that. We will tell you that it is still in place and, if that is incorrect, we will come back and correct the record.

Senator FAULKNER—How many MOP staffers took advantage of this ruling?

Senator Abetz—We do not know. We will take that on notice.

Senator FAULKNER—We will have a short break soon. I would like to follow this through. We know how many opposition MOP staffers were able to take advantage of the ruling, don’t we?

Senator Abetz—I do not know.

Senator FAULKNER—You sign off the answers to questions on notice.

Senator Abetz—I do.

Senator FAULKNER—Do we know how many opposition MOP staffers were able to take advantage of this ruling?

Senator Abetz—In the answer to questions F20 and F21 you were advised by the department that as far as we can ascertain there was only one instance where an opposition

staff member contacted the department seeking approval. But, given that we believe this is open ended, there may have been requests since then.

Senator FAULKNER—Of course, none of the MAPS officials were able to assist me with this in the last round of estimates, which, when I received the further information, I found surprising.

Ms Mason—That may be because, as far as we are aware, it is not a commonly used provision.

Senator FAULKNER—It is certainly not commonly used by the opposition: it has not been used at all. Then again we did not know about it so we were not able to use it.

Ms Mason—As I recall it was in the context of changes in the airline industry that meant there was more pressure—

Senator FAULKNER—I accept that absolutely and it may well have been a sensible thing to do, but the thing is it was not communicated to the opposition so no-one was able to use it in that important period in the political cycle right through—we know now—to 19 February. There was one instance where an opposition staff member contacted the department, and that was rejected. I want to know how many government MOP staffers used it.

Senator Abetz—We will find out for you.

Senator FAULKNER—It is nought for the opposition, and the opposition was not informed, were they, Senator Abetz?

Senator Abetz—Nor were the government.

Senator ROBERT RAY—I take it now—big mouths—we have informed everyone, have we?

Senator Abetz—Hopefully you have. I can assure you with things such as this, as when the Ansett collapse occurred, there were a number of requests—I cannot remember how many—for people, including Labor personnel, to be able to charter aeroplanes to get them back to certain places because they were stuck. I can assure that you that each one of those was approved without hesitation. You were into Senator Lightfoot before about conspiracy theories. I can assure you that with this you can try and develop a conspiracy theory but—

Senator ROBERT RAY—You can try all your life; you will never match Senator Lightfoot.

Senator Abetz—No, your colleague is the one with the conspiracy theory.

Senator FAULKNER—In this one instance that is referred to in the answer that I received, given that the new approval for personal staff to fly business class was approved by you the next day, did anyone think to get back in touch with the poor old opposition staff member who had been knocked back less than 24 hours beforehand?

Senator Abetz—We will check the records, but I do not have any memory of being advised in relation to the request of the 26th. I think I got a request for a general blanket approval, which I signed off—I think one could describe—expeditiously.

Senator ROBERT RAY—I think, Minister, the question was directed more to department officials than you: we do not expect you to be getting back to opposition staffers and telling them anything. If a blanket approval came out the next day, I thought one of the account managers may have rung that person back to say, ‘We have changed the policy.’

Mr Edge—It may have been that it was for travel on that day. I am not certain of that. It may have been the case.

Senator FAULKNER—Of course it may have been. I would like to know how many government staffers were able to take advantage of this in the period up to 19 February and, as no-one knows at the moment, could you take it on notice? There is no need to ask about how many opposition staffers, because it is ‘blobbo’—none.

Senator Abetz—Yes, but the fact that they did not ask is—

Senator FAULKNER—They did not ask perhaps because they did not know about it, and when one did ask, one was rejected.

Senator Abetz—Yes, but then you have to provide an explanation for government staffers using it, and that is where your conspiracy theory comes in, which I reject.

Senator FAULKNER—Then you would ask me to get involved in a conspiracy theory—

Senator Abetz—which I reject.

Senator FAULKNER—and suggest that you may have informed government staffers and not opposition staffers.

Senator Abetz—That is what I am asserting to you is absolutely incorrect, because I think I have been meticulous in relation to these approvals.

Senator FAULKNER—I will leave the conspiracy theories to Senator ‘Lightweight’.

ACTING CHAIR—Senator Lightfoot.

Senator FAULKNER—Sorry, Senator Lightfoot. I will not be worrying you with a conspiracy theory.

Senator Abetz—Oh, good. Thank you.

Senator FAULKNER—The facts will suffice.

Senator ROBERT RAY—Moving along to one of the perennials, and you are usually very well prepared for this: what are the ministerial staff numbers and other assorted numbers? I do not have to spell it out, do I? What are we up to?

Senator Abetz—I am told 365.6—I do not know who the poor 0.6 is—as at 1 May.

Senator ROBERT RAY—You also normally provide us with a breakdown per office. Can you do that now?

Senator Abetz—Sue Whisker, I understand, can do that for us.

Senator ROBERT RAY—Minister, could you have a look at the document before you provide it to us? We do not want the wrong document again—it was just so helpful last time!

Senator Abetz—We will see if any document is actually provided on this occasion. We will provide the information.

Senator ROBERT RAY—You normally bring with you allocation of staff per office and give it to us. Is there a problem this time?

Senator Abetz—I was not aware that we usually do that.

Senator FAULKNER—It has been an understanding of both—mainly because it saves so much time.

Ms Whisker—We do not normally provide you with a copy at Senate estimates.

Senator ROBERT RAY—I am sorry, you do. My corporate memory is not that bad—I have received it three or four times in a row. Haven't I, Mr Gavin?

Ms Whisker—To answer the question, there are is a net increase of plus four.

Senator ROBERT RAY—From when?

Ms Whisker—What I worked on was the answer to the Senate estimates question of Senator Murray.

Senator ROBERT RAY—Last year's answer had 354.4. This is the reason why we would like the list to see where we think the changes have occurred.

Ms Whisker—Sorry, I think the last time I gave responses on this was prior to the election, and we have not given you—

Senator ROBERT RAY—Yes, you are right and I am right: the last time I asked for it, it was 354.4; the last time Senator Murray asked for it, you might be right, it might have been 361. Again, I ask for the staff per office like we normally get. Can we have that?

Ms Whisker—Can I take that on notice.

Senator ROBERT RAY—No, why would you want to?

ACTING CHAIR—I think the custom is, Senator Ray, that when an officer asks to take a question on notice then they are entitled to do that.

Senator ROBERT RAY—With due respect, Acting Chair, I have respected that, but this cuts off a whole line of questioning.

ACTING CHAIR—You have asked a question and Ms Whisker has said that she will take it on notice.

Senator ROBERT RAY—So you want me to go through every minister's office and ask the specific question rather than get the totality of it now?

ACTING CHAIR—I do not want you to do anything, Senator Ray. All I am saying is that Ms Whisker has said that she will take the question on notice and as I understand the practice that is the end of it.

Senator ROBERT RAY—Why are you taking it on notice?

Ms Whisker—I did not bring that information in that format for you.

Senator ROBERT RAY—You are not saying that you cannot have that provided to me in the next hour? Surely you can? I am surprised it has not been brought. Because PM&C take responsibility for DLOs, every estimates they bring the list along. They anticipate that we are going to ask this question.

Ms Mason—What we have with us is the changes by level.

Senator ROBERT RAY—That would be helpful, but make sure the footnotes do not tell us something we are not supposed to know.

Ms Mason—That is a common question that is asked and we certainly have prepared for it.

Senator Abetz—The suggestion has been made to me, Senator Ray, that in the past you have asked and it has been provided to you in a document on notice.

Senator ROBERT RAY—The very last time this occurred we were given a document, which I think is the one that Ms Mason is referring to. It sat on this desk for hours; I was bored and picked it up. If you want to know how I found out that principal advisers were

being paid outside the range or how there was a new special advisers thing, it was not a leak: it was footnoted on this document. But it was not the one I wanted, and then you gave me the one I wanted—in that period. It was not taken on notice and given to me down the track. This is not a secret document.

Senator Abetz—No.

Senator ROBERT RAY—It is relevant to our inquiries, as you know, because of the ratio between government and opposition; if there is creep in terms of seniority we need to know about it. I cannot understand why we cannot have it, other than that it is not here right at the moment. I do not believe it cannot be got here in the next hour or so, that is all.

Senator Abetz—Sue Whisker will get somebody else from the department to make a phone call. We will try to get that to you.

Senator ROBERT RAY—I appreciate that. Can we have the other document now? Have you read right through it, Ms Mason, to make sure there are no little gems there?

Senator Abetz—We will just rip the bottom off.

Dr Watt—That will be provided.

Senator FAULKNER—While we have this slight interruption, Ms Whisker, have we got the 1 March 2002 figure—

Ms Whisker—Sorry?

Senator ROBERT RAY—The 1 March 2002 figure as compared with this one because that is relevant to a formula that we may or may not ask about; that is, the opposition staffing.

Senator FAULKNER—I am asking about the 1 March 2002 figure; I think you have given the figure to Senator Ray as it was on 1 May 2002.

Ms Whisker—The figure is 361.5

Senator ROBERT RAY—So it has gone up by four in just two months.

Senator FAULKNER—It is a pattern that I must say does worry me. It does seem to be a developing pattern that as soon as the opposition staffing level is determined there is a bit of a bump up immediately.

Ms Whisker—One of those figures was actually a figure that we discovered recently that should have been with the 1 March figures; it was at the lower level that we left off our figures for 1 March.

Senator FAULKNER—Can you say that again?

Ms Whisker—One of the increases—

Senator FAULKNER—That shows up in 1 May?

Ms Whisker—It should have read ‘362.5’ but we were working on 361.5.

Senator FAULKNER—And does that affect the opposition’s allocation?

Ms Whisker—One position—no, it did not.

Senator FAULKNER—I do not have a copy; it depends where it falls on the—

Ms Whisker—It was a lower level position.

Senator ROBERT RAY—You divide this figure by 21 per cent, don’t you? Do you know what the quota was?

Ms Whisker—Yes. It did not affect that, I did check that.

Senator ROBERT RAY—It did not affect the quota, which is what Senator Faulkner was asking.

Ms Whisker—It did not affect it. I did look.

Senator FAULKNER—Sometimes one extra person does affect it—there is a 20 per cent chance it will.

Senator ROBERT RAY—So it is just a minor error.

Ms Whisker—Yes.

Senator FAULKNER—So that is just bad luck for the opposition?

Senator Abetz—Yes.

Senator FAULKNER—That is more bad luck for the opposition, really. Now we are waiting for the document to be tabled, aren't we?

Senator ROBERT RAY—We are waiting on the smaller document; and then the larger one later, if it is possible.

ACTING CHAIR—Minister, would you like a little time to look at that carefully?

Senator Abetz—If you want a break, I think that might be a good idea. I have two documents in front of me which do not quite match.

Proceedings suspended from 3.43 p.m. to 4.04 p.m.

CHAIR—Before we resume questioning, is it the wish of the committee that the document relating to classifications and salary ranges in a number of positions be tabled? There being no objection, it is so ordered.

Senator ROBERT RAY—There is no reference to 'special adviser' in that document. What category is that in? Is it under 'adviser'?

Senator Abetz—As I understand, special advisers are not establishment positions. They are personal classifications based on skills and responsibilities. Once the person goes, the position reverts to whatever it was.

Senator FAULKNER—So this table records the actual establishment position that the special adviser occupied?

Senator Abetz—Yes.

Senator ROBERT RAY—I will come back to that later.

Senator FAULKNER—To conclude the issue of travel allowance during the election campaign and the figures you gave us for MOP staff in Melbourne—because they are, as we know, going to be subject to a further question on notice—were there any repayments that were taken into account in the preparation of those figures?

Mr Edge—We would have to check, but we are not aware of any outstanding acquittals.

Senator ROBERT RAY—Aware of any outstanding—

Mr Edge—Outstanding acquittals are like adjustments.

Senator ROBERT RAY—I think the question is: since 18 November, have any of those figures been affected by repayments? By all means, take that on notice.

Mr Edge—We could take it on notice. My understanding of what Ms Whisker said was that they would reflect any repayments. That is, if there were an acquittal then the requirement for a repayment would have been taken into account.

Senator FAULKNER—They would reflect it?

Mr Edge—That is my understanding.

Senator FAULKNER—I would like you to tell me if there were any and, if there were, the quantum and the category of them—that is, if they were government, opposition, Australian Democrats or others.

Mr Edge—We would have to take that on notice.

Senator FAULKNER—I would appreciate a fairly early response to that because it goes to the quantum of these figures. You are clear on what I am saying, Ms Whisker?

Ms Whisker—Yes.

Senator Abetz—Senator Faulkner, I have a question. What do you mean by quick? I doubt we would be able to get you today the figure of any repayments during that period. If you were hoping to get a quick response, as in this afternoon—

Senator ROBERT RAY—You have indicated it will not be today. I understand that.

Senator Abetz—I was not sure whether Senator Faulkner was expecting a more expeditious response.

Senator ROBERT RAY—At the moment, there is only one demand on the table for something today: the staff per office.

Senator Abetz—Good.

Senator FAULKNER—We will come back to that. I have one brief issue on the tabled document at this stage. The 361.5 bracketed figure represents the position at 1 March 2002. Is that right?

Ms Whisker—Yes, it is.

Senator ROBERT RAY—Will your correction not have been put in yet?

Senator FAULKNER—The issue is that someone—and I think it might have been you, Ms Whisker—suggested that it was not 361.5 but 362.5.

Ms Whisker—Yes.

Senator FAULKNER—Should that figure read ‘362.5’?

Ms Whisker—No, because in putting this together I was putting together a document which reflected the information provided at that time, which relates to the question Senator Murray put.

Senator FAULKNER—In relation to the bottom line, the plus four, are you able to say when the four were added?

Ms Whisker—I have not brought that information with me.

Senator FAULKNER—It goes to my concern that, soon after 1 March, the number of staff seems to kick up a bit.

Senator Abetz—In fact, it was only plus three.

Senator ROBERT RAY—As it turns out, yes. The question to be taken on notice is: when were the other three added?

Senator Abetz—But it reduces the number by 25 per cent as to the rush of appointments after the starting level was set.

Senator FAULKNER—There may be no pattern, but I just want to be assured of that. I believe I have noted a pattern.

Senator Abetz—You must be into modern art.

Senator ROBERT RAY—The art of the grotesque, to be more accurate!

Senator FAULKNER—We have been provided with a document that is entitled ‘Guidelines for salary setting under an AWA’. The one that we have a copy of is described as attachment B. I do not know if you are aware of this document—I do not know who deals with this.

Ms Clarke—I do.

Senator FAULKNER—I can quickly pass the document that I have up to you, if it would assist you. I will need to get it back from you. My only interest is to know whether that is still a current document.

Ms Clarke—It certainly looks to be. We are actually verifying the statement of this to see whether it is a MAPS document that is publicly available.

Senator FAULKNER—And what is the conclusion?

Ms Clarke—We are seeking further advice.

Senator FAULKNER—I can assure you it was legitimately provided. You have taken my copy away, have you?

Ms Clarke—I can give it back.

Senator FAULKNER—I thought someone there would actually know. It is not a question of whether it is publicly available—I think that it is because it was provided to us. My question went to its currency.

Senator Abetz—Just because it was provided to you does not necessarily mean it is a public document. It is a question of how it was provided to you.

Senator ROBERT RAY—We do not have to argue it is a public document. We have to argue whether it is a current document or whether it has been superseded by an improved, better document. That is all we are seeking.

Senator FAULKNER—Or, possibly, Senator Ray, just another document. So my question was not whether it was public; it is whether it is current.

Senator Abetz—We will have a look at that document very shortly.

Senator FAULKNER—All my questioning depends on the currency of the document. There is a ‘Salary translation table’ attached to it. Would you like a copy of that too? Would that assist?

Senator Abetz—That may well help, yes. Are you able to indicate the source of the document?

Senator ROBERT RAY—I have a note here that it was sent—very disrespectfully it just says your surname, but it is meant affectionately—‘Abetz to Crean 22 March 2002’.

Senator FAULKNER—That is another document, I think. If you go to the top of this one, once you see those words match, you know it is dinky-di, Ms Mason. Does this come from you? There is no conspiracy about us having it, I can tell you. You now have a full sheath of documents.

Senator Abetz—Three pages, yes.

Senator ROBERT RAY—The first two pages being the 200 per cent increase in the information we have just given you.

Senator Abetz—Exactly.

Senator FAULKNER—The first two pages come from MAPS. What else have you given Senator Abetz?

Senator ROBERT RAY—The first three, I think.

Senator FAULKNER—And the other one that is marked, as you said, now is DOFA staff-in-confidence, but from the office of the Leader of the Opposition.

Senator ROBERT RAY—Which you do not have yet.

Senator FAULKNER—You do not have that? You do have the one headed ‘Senator Abetz’?

Senator Abetz—No.

Senator ROBERT RAY—Not yet. I will pull that out.

Senator FAULKNER—They do not have three pages then; they only have two.

Senator Abetz—By the time you guys are sorted out we might be as well.

Senator ROBERT RAY—We are sorted. We are ready to go.

Senator Abetz—You are? We are not.

Senator FAULKNER—The third document is marked ‘Leader of the Opposition’. Mr Crean has leaked it to me.

Senator ROBERT RAY—Because he represents him in the Senate.

Senator FAULKNER—He thought I was a safe bet so he has given it to me.

Senator Abetz—And how did Mr Crean get it?

Senator FAULKNER—He got it from you.

Senator Abetz—He got it from me; right.

Senator FAULKNER—He actually got it from DOFA because, if you look at it, it has got DOFA’s new security marking on it—‘For the office of the Leader of the Opposition’. That is the third page.

Senator Abetz—That is just being looked at now.

Senator ROBERT RAY—You have probably forgotten the question; it seems like an ice age ago. The question is: is this the latest or has it been superseded by another guidance on AWAs? That is a pretty simple question now.

Senator FAULKNER—In relation to attachment B—‘Guidelines for salary setting under an AWA’ and the salary translation table, which are documents sent to us by MAPS—my question is a simple one: are they still current? There has been a switch, Dr Watt, on what I told you about the time.

Dr Watt—Senator Ray was telling me that there is a lot of pressure on.

Senator FAULKNER—I do not think that you would be courageous enough to criticise the committee members for the slow progress that we are making; would you?

Dr Watt—I am never courageous, Senator.

Senator FAULKNER—You are a courageous person but, whatever weakness there may be in the questions, the answers are coming very slowly.

Senator ROBERT RAY—You would have to admit that even the Indians have a better over rate!

Senator Abetz—We understand that it is a 1998 document. That is what I have been advised. We have to check to see whether it is still current.

Senator FAULKNER—I find that incredible!

Senator Abetz—We have this list of numbers per portfolio. That table has now arrived.

Senator ROBERT RAY—You are getting back in our good books.

Senator FAULKNER—Are you doing a switch play by bringing in another document because you cannot tell us the status of the documents you sent us? That is the oldest trick in the book, but a good one. Let's have it.

Senator Abetz—Good.

Senator FAULKNER—Is there anything else you would like to offer up as a conciliatory gesture?

Senator Abetz—I can add to the answer given previously in relation to the request on 26 September for an upgrade of air travel given that no economy seats were available. I have now been advised that on 26 September—I will not mention the person's name, but somebody from Mr Beazley's office—

Senator FAULKNER—Yes, an opposition staffer.

Senator Abetz—called the staff help desk to say that a staff member was stuck and could not get an economy class flight back to Canberra. They were waitlisted, but there were only business class seats available. The staffer asked whether the staff member could be upgraded and was told no. The name of the staffer is not recorded in the call register and from whose office, which is not relevant.

Senator FAULKNER—What is not relevant? What are you telling us? We knew all that. That is what you provided as a clarification.

Senator Abetz—We have now confirmed that that is what happened.

Senator FAULKNER—But I got that in a clarification from you a month ago. It was in writing. You must have signed it off.

Senator Abetz—At the time the staff member's name was not known, which we now know.

Senator FAULKNER—You know the staff member's name; I knew that all along.

Senator ROBERT RAY—Regarding the relevance of the information you have given us, was that in relation to Senate Faulkner's question as to why you did not ring him back the next day—that is because it was all over, red rover?

Senator Abetz—Yes. There was a call that day and somebody was stuck.

Senator ROBERT RAY—I think it would have been good PR to ring back, but leaving that aside—

Senator Abetz—I think there is a lesson to be learnt from that.

ACTING CHAIR (Senator Lightfoot)—While there is a pause in the conversation I want to ask the committee whether they want to consider these documents and move that they formally be tabled. Do you know the documents that I am referring to?

Senator FAULKNER—They are the ones the minister has just tabled.

ACTING CHAIR—They are the ones with respect to the Prime Minister and senior staff and the allocation of staff to those people. There being no objection, it is so ordered.

Senator ROBERT RAY—On this document, can I ask why the cabinet policy unit are not included in the Prime Minister's staff, seeing as he signs their contracts?

Ms Whisker—It is the way we administer it.

Senator ROBERT RAY—It was not the way you first administered it. When these figures were first produced, in 1996, they were included in the Prime Minister's figures. We have established before that they do work for the Prime Minister.

Ms Whisker—Yes.

Senator ROBERT RAY—He signs, or his delegated authority signs, the employment forms, the contracts. Is that right?

Ms Whisker—Yes.

Senator ROBERT RAY—Thank you. I might come back to this after dinner.

Senator FAULKNER—You cannot help me as to whether the guidelines produced by MAPS are still current?

Ms Clarke—I am seeking advice on that and I will be able to get back to you shortly.

Senator FAULKNER—I think my other questions in this matter are really dependent on the currency of the guidelines, so I think we will have to come back to that, if we can. Why don't I try my luck in another area. Are the AWA salaries of government MOP staff ever reviewed?

Ms Clarke—Government MOP staff on AWAs are reviewed on a performance basis annually.

Senator FAULKNER—How does that work?

Ms Clarke—I am not privy to the machinations of how those pay rises or that performance review framework are arrived at.

Senator FAULKNER—How do you administer it then?

Ms Clarke—We are advised of the pay increases and we pay them accordingly.

Senator FAULKNER—Who advises you?

Ms Clarke—We are advised by letter from the Prime Minister's office.

Senator FAULKNER—Is that received on an irregular or a regular basis?

Ms Clarke—In terms of the performance review, it is a one-off event over a period of time.

Senator FAULKNER—Yes, but what is the period of time?

Ms Clarke—I think it is usually annually.

Senator FAULKNER—But, Dr Watt, you have to organise administering all the entitlements of these staff, don't you? I am just trying to understand what level of knowledge the department might have about it. I mean, you pay them.

Dr Watt—Yes.

Senator FAULKNER—I am trying to find out—

Dr Watt—I think you got an answer.

Senator FAULKNER—Can you tell me then how often the review of AWA salaries is organised? How often does it occur?

Dr Watt—Are you asking in relation to MOP staff or something different?

Senator FAULKNER—MOP staff.

Dr Watt—I think I would have to defer to my colleague.

Ms Clarke—I have confirmed it is annual.

Senator FAULKNER—What time of year does it occur?

Ms Clarke—Usually in the first quarter. It certainly occurred in the first quarter this year.

Senator FAULKNER—Do you know how many increases there have been for MOP staff on AWAs?

Ms Clarke—Do you mean in terms of total numbers?

Senator FAULKNER—Yes.

Ms Clarke—No, I am sorry. I do not have that information in front of me. I can take it on notice.

Senator FAULKNER—Do you know the percentages of the increase?

Ms Clarke—No.

Senator FAULKNER—Do you know when the last review was?

Ms Clarke—Again, I would have to take that on notice.

Senator FAULKNER—Do you have any suggestions on how we might be able to follow up some of these issues, Minister?

Senator Abetz—In relation to what?

Senator FAULKNER—The matters I have been questioning the officer about.

Senator Abetz—Sorry, can you ask the questions again?

Senator FAULKNER—I would prefer not to; a significant number have been taken on notice.

Senator Abetz—I am sorry, I was reading a brief; I do not know what you were asking. Can you please repeat the questions? I am not trying to be deflectionary.

Senator FAULKNER—I was asking about the review of AWA salaries for MOP staff. I have asked questions on a range of issues: how many staff it has applied to; that it happens, we hear, on an annualised basis; and so it goes on. The range of questions have been taken on notice. I am in a difficult position because I do not know how I can really follow these issues through and I am seeking your guidance.

Senator Abetz—I am sure you would not want my guidance as to how you ought to do something, but if you have a suggestion I could look at it.

Senator FAULKNER—It is difficult at the estimates committee to ask follow-up questions when information is not available. Let me ask one simple question then in relation to this matter: does this same system of review actually relate to opposition staff?

Senator Abetz—Yes. As I understand it, under the framework the Leader of the Opposition, the Leader of the Australian Democrats and the Presiding Officers may approve pay increases within allocated budgets and within salary ranges for each classification level. That was in fact the brief that I was reading when you asked me. My apologies for that. It says:

I wrote to the Leader of the Opposition, the Leader of the Australian Democrats and Presiding Officers in March this year advising them of the new framework.

And in relation to opposition office holders, it says:

... of the nine senior staff, three are eligible for a performance based pay increase immediately. The other six will be entitled to a review once they have been at their current salaries for at least 12 months.

Senator FAULKNER—Yes, that is the new framework. I am talking about the old framework. Although there is a lack of clarity about what guidelines might apply because I do not have answers to—

Ms Clarke—Senator, I can now answer your question on the status of these guidelines and confirm that they were put together in 1998 for a specific purpose and are no longer used. It was a one-off piece of advice.

Senator FAULKNER—So when did they cease to apply?

Ms Clarke—From my understanding, it appears they ceased to apply after the initial translation of staff onto AWAs, so it was around a particular period of time in that year.

Senator FAULKNER—Yes, but is there a specific time when these guidelines went out of favour or use?

Ms Clarke—I cannot give you an exact timeframe of when they went out of favour or use, but clearly events would have superseded them. It talks about the AWA translation and the like, and clearly that has happened.

Senator FAULKNER—So are you able to say what guidelines were replaced? You have a general understanding of when they ceased to apply. Can you give us an understanding of a timeframe of approximately when that was, in terms of the calendar?

Ms Clarke—Again, I go back to the fact that they were put together in 1998 for a specific period of time. I cannot say, 'In six months after they were first invoked they ceased to exist any more.' Now there are other ways of deciding on salaries and the like, and clearly these have been superseded, but I cannot give an exact date of when they became redundant.

Senator FAULKNER—Are there other guidelines in place to replace them? Have they been replaced with anything?

Ms Clarke—Not with comparative guidelines. But now, in terms of overall salary increases—which are also covered in this—there are the performance frameworks that were just mentioned.

Senator FAULKNER—Are you able to provide us with a copy of that? I have a copy of the now outmoded guidelines and the translation table that is attached to them. Are you able to provide us with a copy of the new guidance?

Ms Clarke—I can certainly provide you with a copy of what was provided to the Leader of the Opposition in terms of the framework, yes.

Senator FAULKNER—It is that what we have provided to you?

Ms Clarke—Again, I am not sure of the specific use of this document. I am not sure what you have provided to me and what it was specifically used for, but I can provide you a copy of what we sent to the Leader of the Opposition.

Senator FAULKNER—Are we able to get that in reasonably short order?

Ms Clarke—Yes, we will ask for that to be faxed up.

Senator ROBERT RAY—I think you took a question on notice—the minister may not have been paying full attention at that stage—as to the dates of these reviews. More specifically, because I know memory is a fickle thing, has there been a review done this year?

Ms Clarke—Yes, there has.

Senator ROBERT RAY—When was that completed?

Ms Clarke—Very recently.

Senator Abetz—April.

Senator ROBERT RAY—I take it that after that review some staffers got a salary rise—that is stating the bleeding obvious. Are any of those salary rises backdated?

Ms Clarke—The salary rises took effect from the date of the decision that they be given.

Senator ROBERT RAY—So there has not been a practice of backdating these, not out of this review but out of previous reviews?

Ms Clarke—In terms of previous reviews, I would have to take that on notice. I have not been here for previous reviews.

Senator ROBERT RAY—I will be more specific to help you out, because I do not want you chasing all over the place. Let me narrow the question: if there were any reviews mid last year for any people out of the Prime Minister's office, is it correct that they got a 10 per cent increase and is it correct that in one case it was backdated 24 months? The other three cases were backdated somewhat less.

Ms Clarke—I would have to take that on notice.

Senator ROBERT RAY—If you could answer it right now, I would be very surprised. I think that has to be taken on notice.

Senator FAULKNER—These reviews of AWAs have been taking place on a regular basis right through 2000 and 2001, haven't they?

Ms Clarke—I am certainly aware of the reviews that have been done recently, during this year.

Senator ROBERT RAY—Who was your predecessor that ran this?

Ms Clarke—It was actually a previous officer who has moved on.

Senator ROBERT RAY—Moved departments, in other words. So corporate memory has disappeared. That is just what I wanted to know: whether the corporate memory was retained in that or whether it had moved on.

Ms Clarke—On this issue, we can take that on notice and get back to you.

Senator ROBERT RAY—Do not take who that was on notice. It was just for the purpose of establishing whether the corporate memory was retained in the department or not. I do not need to know who that was.

Senator FAULKNER—It seems that there has been a range of increases around mid-2000, early 2001, mid-2001 and, as you have said, April 2002. That was a post-election review, was it?

Ms Clarke—I do not know that it was a post-election review. It was certainly an annual review of staff performance.

Senator Abetz—It was just the annual review.

Senator FAULKNER—These other reviews did take place, didn't they?

Ms Clarke—In previous years?

Senator FAULKNER—Yes.

Ms Clarke—I am sorry, again, I do not know.

Senator FAULKNER—Surely someone must know that.

Senator Abetz—I would assume that reviews have taken place in the past.

Senator ROBERT RAY—I would have thought someone from the corporate memory of the department would know about this one, really. Not you, Dr Watt; I know when you arrived.

Dr Watt—No.

Senator Abetz—I understood that reviews took place in August 2000, August 2001 and April 2002.

Senator ROBERT RAY—That is helpful. So the tradition of doing it in the first half of the year was established this year, by the sound of it.

Ms Clarke—From that, it seems to be the case.

Senator ROBERT RAY—The tradition will continue.

Senator FAULKNER—Was the April 2002 post-election review communicated to the opposition? Was the opposition aware of it? I think they were.

Senator Abetz—I would have to check my letter, but I have been told in this brief that I wrote to the Leader of the Opposition in March this year.

Senator FAULKNER—Did you or your predecessor write to the then Leader of the Opposition about the reviews in 2000 and 2001, or was there an oversight?

Senator Abetz—That I do not know.

Senator ROBERT RAY—Could you take that on notice?

Senator Abetz—Senator Ellison would have been the minister, and I do not know for either of those dates.

Senator FAULKNER—The department surely would know this.

Senator ROBERT RAY—The department might like to take that on notice.

Dr Watt—We are happy to do that.

Senator Abetz—Of course. I thought there was a demand for an answer straightaway.

Senator FAULKNER—The opposition is not aware of any reviews from 1 July 1999—the date of the last salary increase for opposition staff—until the letter that you sent Mr Crean in March this year. The opposition was not aware of not only the reviews but also the capacity to review the AWA salary levels. There seems to be a very serious problem of double standards

applying, with a serious disadvantage applying to opposition staff. I assume it applies to other non-government staff, though that is an assumption so I cannot say any more. Why did that occur? Why have opposition staff been so poorly treated by the government?

Senator Abetz—I will take that on notice, and we will find out the history.

Senator FAULKNER—Let us go to the July 2000 salary scale, which is in the document I tabled for you.

Senator Abetz—It is part of attachment B.

Senator FAULKNER—No, it is not. It is a separate document. It is called ‘Appendix 2(a) Salary rates as at 26/7/00 ministerial and other government staff’. I would like someone to establish for me the status of that. It was sent to the office of the Leader of the Opposition, which provided it to me. It is described as ‘correct as at 1 April 2001’ and also as ‘staff in confidence’. What is its status?

Ms Clarke—In terms of its currency?

Senator FAULKNER—If you care to begin with its currency, that would be helpful.

Ms Clarke—It says ‘salary rates as at 26/7/00’ and, given the recent salary increases which would not be reflected in it, I would think it is out of date.

Senator FAULKNER—Do we have a document that is up to date?

Ms Clarke—Not here.

Senator ROBERT RAY—Is there any reason why one could not be provided?

Ms Clarke—I have to correct what I just said, Senator. The salary ranges, as they are specified here, are still current.

Senator FAULKNER—That is a current document.

Ms Clarke—The salary ranges are current.

Senator FAULKNER—When were they introduced? It appears from the document to be 26 July 2000.

Ms Clarke—That is correct.

Senator FAULKNER—Is that the date of introduction?

Ms Clarke—That is right in terms of the salary translations to AWAs.

Senator FAULKNER—What is the background to the production of this completely different salary rate for government staff? This applies to government staff. Look at the classifications; there are no opposition classifications on that, are there?

Ms Clarke—They are all government positions. It is a government classification.

Senator FAULKNER—There is no opposition classification there, is there?

Ms Clarke—No, there is not.

Senator FAULKNER—What prompted the production of this special tabulation of salary rates for government-only MOPS staff? Where did this initiative come from?

Ms Clarke—Given the date of this document, I really cannot comment. Again, I would have to take it on notice and go back to corporate memory to find out.

Senator ROBERT RAY—Here we have a category called special adviser. Is that a special category? I thought I heard evidence that it was a personal classification but it seems here to have a different status. Am I misreading it?

Ms Clarke—There is a category of special adviser there. Again, given the date of the document, I am not really in a position to comment about what it was used for. I suspect it would just be for administrative purposes. I cannot verify that at the moment.

Senator FAULKNER—Let us cut to the chase, here. We have a situation where salary increases apply for senior government MOPS staff from 26 July 2000, but the rates on the old table that you have before you apply to opposition MOPS staff. What is going on? Can you help us, Dr Watt?

Dr Watt—I am unable to shed any further light, Senator, here and now.

Senator FAULKNER—Well, someone had better. It is true, isn't it, that the opposition was kept to the old salary table until March this year, until your letter was received?

Senator Abetz—Are we trying to get some histrionics for TV tonight, or do you want my answer?

Senator ROBERT RAY—Oh come on, we are well past TV.

Senator Abetz—I am just being advised so if you can just wait a moment—

Senator FAULKNER—It would be very hard to get histrionics out of this committee; it takes you about five minutes to answer every question.

Senator Abetz—Well, do you want an answer or not?

Senator FAULKNER—I do want an answer.

Senator Abetz—Well then, behave yourself and be quiet whilst I am being advised because if you honestly want me to answer your questions you will not be interrupting while I am being advised.

Senator FAULKNER—You ought to know because you sent the letter—

Senator Abetz—Oh, excuse me! Are we going to have some silence?

Senator FAULKNER—Very dramatic. We can talk about our footy tips for the weekend.

Senator ROBERT RAY—We want an answer soon, otherwise the emails will drown us.

Ms Mason—My corporate memory only goes back a certain period of time also, but in endeavouring to think through the issues that you have raised perhaps it would be helpful if I explained that the head of power for pay increases—or terms and conditions of employment for MOP employees—rests with the Prime Minister under section 13 of the MOP(S) Act. The Prime Minister may determine the framework for pay increases and other terms and conditions. As I understand it, the Prime Minister can, if approached, consider requests for pay increases for staff of opposition members and senators and it may be that those approaches have not been received. That is a possible explanation.

Senator FAULKNER—It is far more likely that they have not been made.

Senator Abetz—Which means they have not been received.

Senator FAULKNER—They certainly have not been received because they have not been made.

Senator Abetz—Sorry? There have been no requests made, no approaches made.

Senator FAULKNER—I thought you were talking about approaches from the Prime Minister.

Senator Abetz—No, from the Leader of the Opposition. I thought we were at cross-purposes; I was trying to clarify that.

Senator FAULKNER—So you are saying it is the Prime Minister who is responsible for this discriminatory treatment of opposition staff.

Senator Abetz—No, you are trying to classify it as discriminatory. What Ms Mason has just told you is, and I am sure she will correct me, it is under section 13 of the MOP(S) Act that certain power resides with the Prime Minister and, if approached, the Prime Minister can make determinations then. Ms Mason is saying that there have been no approaches from the Leader of the Opposition's office in relation to AWAs that apply in the opposition.

Ms Mason—Senator, I am saying I do not recall any approaches having been made but I did say at the outset that my corporate memory is also limited to the time that I have been with Ministerial and Parliamentary Services. I think it would be wise of us to check our records to see if what I am saying is actually correct.

Senator FAULKNER—I think it would be, but what we do know is that from July 1999 until Senator Abetz, as the responsible minister, sent his letter to Mr Crean in March 2002, senior opposition staffers on AWAs have been paid according to the salary translation table at attachment B that I tabled a little earlier. I think we can say that is factual, can't we, Ms Mason?

Ms Mason—To the best of my knowledge, that is correct.

Senator FAULKNER—I think we can also say that, from 26 July 2000, government ministerial senior staffers have been paid according to the new—and, up until now, secret—pay scales or salary rates contained in appendix 2(a). I think we can say that, can't we?

Senator Abetz—They are not secret. If you want good answers, some of the adjectives that you are applying do not help.

Senator FAULKNER—They are described as 'staff-in-confidence' on the document.

Senator ROBERT RAY—When and where were they published? I am about to concede some ground, too—I do not know if 'secret' is the right word—but they are not publicly available.

Senator Abetz—If 'secret' means 'not publicly available', I understand they were available—

Senator ROBERT RAY—'Secret' has a special meaning in document classification; that is why I do not use it. But if they are not publicly available, people do not know about them. I am just asking where they were published so people would know about them. Were they ever published?

Ms Mason—I am not aware of them being published, but I am not aware of them not being published either. That is something we would need to check.

Senator FAULKNER—Why doesn't the government's salary rate scale that is described as appendix 2(a) have a standard entry point any more?

Dr Watt—I do not think that that is very common any more in the APS, Senator.

Senator FAULKNER—Let me take it back a step. I do not know whether it is common in the APS or not—or how common it is. Do the salary rates that apply to senior government MOP staffers have a standard entry point, according to the table that was provided to the office of the Leader of the Opposition?

Dr Watt—One of the problems is that most of us do not have the table.

Senator FAULKNER—I have tabled it. Your colleagues have it, but we will send another copy over.

Ms Clarke—Senator, you were asking about standard entry points. There is not a standard entry point for government staff.

Senator ROBERT RAY—Government staffers are—

Ms Clarke—Basically, it is based on the level of skills, responsibilities and things—

Senator ROBERT RAY—As determined by their employer.

Ms Clarke—That is right.

Senator FAULKNER—Can you explain what standard entry bands are?

Ms Clarke—Standard entry bands are bands in particular categories where normally we would expect staff members to come in and be paid at that rate.

Senator FAULKNER—To start their service—that is the point, isn't it?

Ms Clarke—Yes.

Senator FAULKNER—If you go back to the salary translation table that applied to all opposition senior staff from July 1999 until Senator Abetz's letter was sent in March this year, the standard entry points are highlighted, aren't they? They are shaded on that table. It does include standard entry points, doesn't it?

Ms Clarke—Yes, it does.

Senator FAULKNER—So that is what applied to the opposition until Senator Abetz sent his letter. This is for new staffers coming in. They would have had to have started on those bands, wouldn't they?

Ms Clarke—Unless there was a request made.

Senator FAULKNER—Unless there was a side deal, under the—

Ms Clarke—No; unless there was a request made to the Special Minister of State or the Prime Minister.

Senator ROBERT RAY—No government staffer has to have a side request put in; it is dealt with.

Ms Clarke—In the case of the opposition, if there was a request put in to the Special Minister of State or to the Prime Minister, they could go outside that band.

Senator ROBERT RAY—Why not have that apply to government staffers as well?

Senator FAULKNER—When was that communicated to the opposition?

Ms Clarke—I could not tell you.

Senator FAULKNER—Has it been communicated to the opposition?

Ms Clarke—It is my understanding that it has been, but I can take that on notice and get back to you as to when it has been communicated.

Senator FAULKNER—Anyway, there are no standard entry points, are there, for government staff? There are no standard entry points at all.

Ms Clarke—No, there are not.

Senator FAULKNER—Let us go to the next document.

Senator ROBERT RAY—They do not have that one.

Senator FAULKNER—I would like to table the next document. This was sent by Senator Abetz himself to Mr Crean on 22 March. This is the minister's letter.

Senator Abetz—It looks as though this letter has caused more trouble than it is worth. I should not have sent it.

Senator ROBERT RAY—It is starting to make you look like a reforming minister, a just minister.

Senator Abetz—I look after you guys. I just do not get credit for it.

Senator FAULKNER—I do not think you will be saying that in a moment, Senator Ray.

Senator ROBERT RAY—I probably will not, but I just thought I would supplement it.

Senator FAULKNER—It is a good line but I do not think it is going to hold up. You can confirm, Senator Abetz, that you sent the 'Opposition office-holders staff salaries table' to Mr Crean on 22 March 2002?

Senator Abetz—I cannot confirm the exact detail until I see a copy, but I am not going to dispute it. I think we can move on on the basis that what you are saying I am willing to assume is correct.

Senator FAULKNER—Can you confirm you sent the material to Mr Crean in late March this year?

Senator Abetz—I have already indicated that I wrote to Mr Crean in March.

Senator FAULKNER—Ms Clarke, you have the table in front of you—the 'Opposition office-holders staff salaries table'?

Ms Clarke—Yes.

Senator FAULKNER—Can I ask you whether you can identify shaded bands on this particular table?

Ms Clarke—Yes, I can.

Senator FAULKNER—Can I ask you what they represent?

Ms Clarke—They are the standard point for the range that is described in the—

Senator FAULKNER—The shaded area represents the standard point for the range.

Ms Clarke—Yes.

Senator FAULKNER—'All new appointees are to commence at or below the standard point' unless exceptional circumstances exist to warrant a higher commencing salary. That is right?

Ms Clarke—That is what it says.

Senator FAULKNER—Again, there are standard entry points for the new staff salary ranges that have been sent to Mr Crean in relation to opposition staffers?

Ms Clarke—That is correct.

Senator FAULKNER—But there are none for government staffers.

Ms Clarke—There are no standards in accordance with—

Senator FAULKNER—No, there are none, and there have not been since July 2000. Not only are these contained in the new ones sent by Senator Abetz to Mr Crean; also, since July 1999, the standard entry points applied in relation to the previous table, the 'Salary translation

table', which is marked as attachment B, which also has shaded areas which represent the standard entry point. That is right, isn't it?

Ms Clarke—Yes, that is correct.

Senator FAULKNER—So here we have one rule for senior government staff and a completely different, and very discriminatory, one for senior opposition staff. How do you, Dr Watt, reconcile that?

Dr Watt—I do not have an answer.

Senator FAULKNER—You have to have an answer, Dr Watt. This is your responsibility.

Dr Watt—We will certainly get one.

Senator FAULKNER—If you go to that table at appendix 2 (a), which deals with the government staff salaries, where did that salary scale generate from? Surely someone in the department must be able to tell me that.

Senator Abetz—As I understand it, this salary scale was approved by the Prime Minister.

Senator FAULKNER—What prompted it?

Senator Abetz—I am not sure whether I said this before or not, but if I did not I will repeat it: this is what the Prime Minister has approved.

Senator FAULKNER—Yes, he has approved it; but what prompted it? Was this generated in the department or elsewhere?

Ms Clarke—I do not understand your question. Do you mean to ask whether we generated this table?

Senator FAULKNER—It is approved by the Prime Minister?

Senator ROBERT RAY—I am sure that is clear.

Senator FAULKNER—We know that; he has been given the responsibility by Senator Abetz.

Senator Abetz—No, by section 13, I assume.

Senator FAULKNER—It was approved by the Prime Minister. Who drew up the material that was placed before the Prime Minister for his approval? Was it done departmentally? In other words, was it done by MAPS? Or was it done elsewhere?

Senator Abetz—We simply do not know, but we can take that on notice.

Senator FAULKNER—Surely someone knows that, Dr Watt.

Dr Watt—My advice is that we do not know; we will, however, get you an answer.

Senator ROBERT RAY—I think that one is relevant to some of the other questions.

Senator Abetz—It is a document that is two years old and it predates a number of us, so just bear with us.

Senator FAULKNER—It is a document that is two years old, but it is also a document that has led to senior government staff being paid very considerably more than their opposition counterparts for a considerable period of time. I think they are reasonable questions, Minister.

Senator Abetz—You are trying to draw certain conclusions, but—

Senator FAULKNER—I am not; I am actually stating facts, and they warrant an answer.

Senator Abetz—We can argue about that, but what we are trying to do is find that information for you. If officials do not know the answer, I can understand that it is frustrating, as I can remember when I was in opposition wanting to ask questions and information are not being available at the table when you have got other questions that flow on from that. It is frustrating, I accept that; but the officials tell me that it is not within their knowledge.

Senator ROBERT RAY—Dr Watt, would it be possible to have one of your departmental officials ring PM&C to ask them whether the salary range document was drawn up in their department? They may have someone that can remember that. If it is not there, then it is possible to further track it down.

Ms Mason—We are endeavouring to make inquiries to answer your questions. We are certainly not trying to avoid answering the question, but we cannot give you information that we do not have at this moment in time.

Senator FAULKNER—I would like to go to the rationale for some of the increases. I will put aside the questions that you cannot answer at the moment, which relate to the appendix 2 (a) special government deal salary rates, and go to questions that you can answer, which are the ones that were appended to Senator Abetz's letter to Mr Crean. We don't have any problems answering questions in relation to that, do we?

Senator Abetz—It depends on what the question is. I am not going to say that we can answer all your questions arising out of it; but, as always, we will do our best.

Senator FAULKNER—My first question is about the threshold. Why is it that the standard entry points on the new scale, provided to Mr Crean in March of this year, represent an overall cut in the standard entry points on the 1998 scale?

Ms Mason—It is possible that the differences in the scales relate to differences between the demands of staff in government and the demands of staff in opposition.

Senator ROBERT RAY—No, it is not. This is comparing opposition with opposition, not opposition with government. You have got, in fact, the wrong comparison. That was an answer you could have given earlier—we would not have accepted it, but it would have been more relevant.

Senator FAULKNER—It would have been a good try, but it is not a good try here. Let us start at the chief of staff for the Leader of the Opposition; the standard entry point has a minus 1.37 percentage change. Why? Minus 1.37 per cent! This is when there are no standard entry points for senior government staff at all.

Ms Clarke—There appears to be an error in the document that went to the Leader of the Opposition and we will have to look into it.

Senator FAULKNER—There is an error?

Senator ROBERT RAY—Not with Senator Abetz's signature over it, I hope.

Senator Abetz—Senator Ray, as Senator Faulkner well knows, he presided over forestry coupes in the middle of Bass Strait because certain coordinates were wrong. Unfortunately we are all human, and we will have a look at this and see if it needs adjustment.

Senator ROBERT RAY—I was only expressing shock that you would have been given a false document to sign.

Senator FAULKNER—And I am expressing relief that you are human—because a lot of people suggest it is not the case.

Senator ROBERT RAY—It is reassuring, isn't it?

Senator FAULKNER—So we are now saying there is a mistake in the letter received by the opposition leader. What is the mistake, Ms Clarke? The mistake is the one I identified, isn't it?

Ms Clarke—Well I was looking at the chief of staff, Leader of the Opposition. The entry point sent to the Leader of the Opposition notes that it is \$99,250 but if we go to the salary entry point, as at 1 July 1999, it is \$100,000.

Senator ROBERT RAY—Yes; we are ahead of you.

Senator FAULKNER—You heard me say that I wanted an explanation of why there are overall cuts; and a cut for the chief of staff by minus 1.37 per cent. And the explanation is that it is mistake.

Ms Clarke—I said there appears to be an error and we will find out.

Senator ROBERT RAY—Why does there appear to be an error? There may be an anomaly, but where does it become an error?

Ms Clarke—I would be concerned that the entry point is lower than it previously had been. Although, I note that the range appears to have been broadened as well, which may account for it.

Senator ROBERT RAY—I would send a cheerio to Phil Tardif, because he will be concerned, too.

Senator FAULKNER—I know the chairman wants to have a break in a moment, but I have one other brief issue before the break. Let me try the entry point for media adviser as an example. The standard entry point on the new scale provided to Mr Crean by Senator Abetz is minus 5.81 per cent, compared with the old 1998 guidance. What is the reason for that?

Senator Abetz—I think we have identified something which officials and I are finding inexplicable.

Senator ROBERT RAY—Do you want me to play the theme from *Twilight Zone*?

Senator Abetz—We will have a look at this and try to get back to you ASAP. On the face of it and as advised at the moment, there is no explanation for what has occurred.

Senator FAULKNER—Anyway, why are there standard entry points on all the salary scales that apply to the opposition senior staff but none at all on the salary scales that have not been made public and that apply to the government staff?

Senator Abetz—There is the provision for exceptional circumstances; nevertheless, that is a matter that I am happy to look into as well.

Proceedings suspended from 5.17 p.m. to 5.32 p.m.

ACTING CHAIR—Welcome back.

Senator ROBERT RAY—I remind you that the last question before the dinner break was about the media adviser's salary at 5.6 per cent.

Senator FAULKNER—It was 5.81 per cent, I think.

Senator ROBERT RAY—It was 5.81 per cent, sorry. Do you have a response about that?

Senator FAULKNER—Before the break, Ms Mason, I was talking about the standard entry point issue. I drew the committee's attention to the fact that standard entry points applied to opposition staffers on the scale that applied from 1999 and the scale that applied from March-April this year, but standard entry points did not apply in relation to the new

scale for government staffers. I am concerned about a number of issues and I want to deal with the specific issue that we were talking about when we left off for the break. That was in relation to the media adviser classification, which is a 5.81 per cent cut in the standard entry point of the old 1998 scale. That seems quite extraordinary. I think my maths is right, isn't it?

Ms Mason—I have not checked the maths, but certainly there has been a decrease in the standard entry point from one document to the other.

Senator FAULKNER—What is the reason for that?

Ms Mason—The only explanation that I can offer is that it appears to be an error. Nobody that I have spoken to during the break has indicated that that is how it ought to be. I think there has been a translation of the 1999 ranges onto the document that was produced and distributed in March. There has been some rounding of the various increments, and there does appear to be an error in the entry point shaded portion of some of those bands.

Senator FAULKNER—They are just some examples.

Senator ROBERT RAY—No, there is exciting news that the salary of a senior adviser to the Leader of the Opposition increases by 0.02 per cent, so it is not all downside!

Senator FAULKNER—Yes, they are over there celebrating now!

Ms Mason—I think the issue is a rounding one rather than anything more.

Senator FAULKNER—That would be half a packet of chewing gum—per annum!

Ms Mason—I think I mentioned before the break my understanding of the process for setting the terms and conditions for MOPS employees; that is, they are determined by the Prime Minister. For government, there is a particular process in place for considering appropriate terms and conditions. In relation to the opposition, there is a response to approaches that are received. I understand that there was an approach from the presiding officers during 2001. In considering the response to that approach to establish a performance framework, that same framework was extended to the opposition, and hence the correspondence of March of this year.

Senator FAULKNER—So what we are saying now is that Senator Abetz's correspondence is wrong or it contains errors? Is that the current position of the parliament?

Ms Mason—The best information that I have at the moment is that the table that we have all been referring to does contain some errors in the shaded portions.

Senator FAULKNER—Was that generated in MAPS?

Ms Mason—That document was generated in MAPS following consultation with the office of the Special Minister of State and the Department of the Prime Minister and Cabinet.

Senator ROBERT RAY—Minister, is it ultimately your decision or is it the Prime Minister's decision that there be fixed entry points for opposition staff? Whose decision is it?

Senator Abetz—Allow me to get this absolutely right. It is the Prime Minister's decision, but if we were to get approaches from the Leader of the Opposition to have that changed—without committing the Prime Minister—I am sure that that would be looked at, if there were a framework or a set of checks and balances, so that not everybody could start at the very top of the scale on each occasion.

Senator FAULKNER—So it is the Prime Minister's deliberate decision to retain standard entry points for senior opposition staff and remove them for government staff?

Senator Abetz—No, as I understand it, that was the practice. We had not been approached by the opposition for these things to change. It is interesting that the presiding officers, in fact, did approach us for—what is the term?—

Senator FAULKNER—You do not know what they approached you for?

Senator Abetz—a performance framework. I just wanted to get the terminology right. They approached us in developing that. We were then gracious enough to write to the opposition as well to suggest that to you.

Senator FAULKNER—Reducing the salary scales—thank you very much, Senator Abetz—that is really generous of you; you are all heart!

Senator Abetz—If this is a matter of such great excitement, I dare say you have a real difficulty explaining to your staff why it has taken you people nine weeks to raise it with me. I would have thought that, as soon as this was received in the Leader of the Opposition's office and this situation was noted and observed, somebody might have written to me urgently or in fact picked up the telephone and said: 'Is this true? Was this your real intention?' et cetera. But it has been left for nine weeks, which would indicate that, chances are, it is not a matter of great urgency. Nevertheless, we are willing to look at it.

Senator ROBERT RAY—Yes, but we also know the Prime Minister's penchant for paying up to two years back pay for his own, so no doubt that will be covered!

Senator Abetz—You do not know that. You are just making wild assertions.

Senator ROBERT RAY—Could I ask you, Minister—we have heard it in evidence before, but it is essential for the next question—when was the standard entry level removed for government staff?

Senator Abetz—I understand that staff of the department met with staff of the Leader of the Opposition's office some time ago to discuss my letter and this new framework, and even at that stage these issues were not raised.

Senator ROBERT RAY—Thank you for answering a question I did not ask. But that is good. Now can I have an answer to the question?

Senator Abetz—It has just been indicated to me that that meeting took place about three weeks ago with the chief of staff of the Leader of the Opposition, talking about scales and other things, and these issues—

Senator FAULKNER—That is right. You sent the letter.

Senator Abetz—were not raised as issues with the staff at that time.

Senator ROBERT RAY—You mean that, gullibly, they thought that what you sent them was accurate?

Senator FAULKNER—They did not realise your letter contained the errors that it did.

Senator Abetz—I am sure that the staff of the Leader of the Opposition would not like the description of being 'gullible'. With the things that he overlooked, chances are—you might be gracious enough to acknowledge—somebody in the department elsewhere may have also overlooked something. I have already indicated we are willing to look at that as a matter of urgency and correct anything which needs correction.

Senator FAULKNER—There is a very important issue here. Isn't it true that opposition staff have been informed consistently now that up until March this year opposition staff and

government staff were operating under the same guidelines? They were lied to and they were deceived. That is true, isn't it?

Senator Abetz—I would doubt that that is true.

Senator FAULKNER—It is true, Senator Abetz! They were lied to and deceived.

Senator Abetz—In that case, you are not asking me a question; you are making a hysterical statement. If that is your evidence, that is fine, but I thought the idea of these meetings, Mr Chairman, was for Senator Faulkner to ask questions and then have answers, rather than for him to make hysterical statements.

Senator FAULKNER—What were opposition staff told at the meeting in relation to the situation that applied to government and opposition staff from 1 July 1999?

Senator Abetz—On what date was the meeting that you refer to?

Senator FAULKNER—It is the meeting that you refer to, Senator Abetz, in relation to MAPS officers meeting staff in the office of the Leader of the Opposition.

Senator Abetz—The one about three weeks ago? Is that the one you are talking about?

Senator FAULKNER—That is the one you are referring to, yes.

Senator Abetz—So you are now saying that the two officials of my department lied to the chief of staff of the Leader of the Opposition?

Senator FAULKNER—No, what I am asking—

Senator Abetz—You do not even believe that.

Senator FAULKNER—What I am asking you is what our staff were told!

ACTING CHAIR—Order!

Senator Abetz—When you start saying that about departmental officials—

Senator ROBERT RAY—He said no such thing.

Senator Abetz—it really is pretty immature. You can be gracious enough to say—

Senator ROBERT RAY—He did not say that at all, so stop misleading the committee!

Senator FAULKNER—What I am saying is that you covered it up.

ACTING CHAIR—Order! You cannot possibly have three people yelling at once.

Senator FAULKNER—We are not going to cop this nonsense from the minister. We have a situation where we have had a major cover-up in relation to ministerial staff salary levels since July 1999.

ACTING CHAIR—Senator Faulkner, you have asked your question. I cannot model the answer.

Senator Abetz—I wrote it in an open letter, Mr Chairman. What a great cover-up! I write an open letter to the Leader of the Opposition—

Senator FAULKNER—Full of errors!

Senator Abetz—and that is a huge cover-up? What a joke!

Senator FAULKNER—Full of errors!

ACTING CHAIR—Order, Senator Faulkner!

Senator FAULKNER—It is full of errors!

Senator ROBERT RAY—I want to return to my question, Mr Chairman.

Senator Abetz—That is different to accusing departmental officials—

Senator FAULKNER—I am not accusing the departmental officials of anything.

Senator Abetz—You did and the record discloses—

Senator FAULKNER—I am saying the government covered up—

ACTING CHAIR—Order! Will you address your remarks through the chair, please.

Senator FAULKNER—Yes, Mr Chairman. I am saying to the minister that this government covered up—

ACTING CHAIR—Do not say to the minister, please, Senator Faulkner. Direct a question to the minister through the chair.

Senator FAULKNER—I am indicating quite clearly, if you just listen and do not interrupt, Mr Acting Chair—

ACTING CHAIR—I will interrupt you if you are out of order.

Senator FAULKNER—I am not out of order. Isn't it true, Minister, and you might care to comment on this, that since 1999 we have had a situation as far as standard entry points are concerned—in other words, for new staffers coming in—that there has been a standard entry point for all opposition staffers, whether it be from Senator Abetz's letter in March this year containing the massive errors it does or the original guidance which applied from July 1999? There was a document brought down as far as government staffers were concerned that applied from July 2000 that removed that and established new salary scales, and the opposition was not informed. It is not a matter for staff in the department; it is a matter for ministers.

Senator Abetz—This is sounding very much like a speech.

Senator FAULKNER—I might indicate to you, Senator Abetz, that it is being raised here because it is appropriate, given that you as the minister wrote the letter, that the appropriate shadow minister, namely myself, responds to. What has been exposed is the fact that at a minimum your letter contains massive errors, and there has been a cover-up of the massively increased salary scales that apply to government staffers.

ACTING CHAIR—Thank you, Senator Faulkner. Do you wish to reply to that, Minister?

Senator Abetz—I think the *Hansard* will record that there will be virtually no question marks in that tirade but a whole lot of exclamation marks and full stops.

ACTING CHAIR—Any further questions?

Senator ROBERT RAY—Yes. I asked a question and Senator Abetz intervened on another subject, and hence the dialog since. I asked when was the standard entry point for government staffers abolished or removed. That is what I asked. The implication is that we are supposed to know about this and therefore make special supplication to the Prime Minister to have the same treatment for ourselves. I am trying to find out when it occurred.

Senator Abetz—We can answer that as to the date.

Ms Clarke—I understand it was July 2000.

Senator Abetz—It was always open for the Leader of the Opposition to approach to have these things changed.

ACTING CHAIR—Have you finished your series of questions?

Senator ROBERT RAY—No, I have not. I have one more. This was announced by press release, was it? How were we supposed to know that the government had made this decision?

Ms Clarke—I am unaware of how it was announced. I can take that on notice.

Senator ROBERT RAY—Minister and others, the implication is that we were supposed to avail ourselves of this, but how can we if we do not know about it? When the government got it removed for them, we do not know about that. Do not accuse us of being bad representatives on behalf of our staff if we are not told that this is an option. You would go on to say, Senator Abetz, ‘But there is an option to appeal on a specific case.’ It has always been there in a specific case for government and opposition. That is irrelevant.

ACTING CHAIR—Could you frame that into a question, Senator Ray?

Senator ROBERT RAY—Yes. I am asking when did the department indicate to the opposition that they had removed standard entry points for government staffers?

Ms Clarke—I cannot add to the answer I previously gave. I am unaware of that. I will have to go—

Senator ROBERT RAY—Is anyone aware? Then how the heck were we going to be aware?

Senator FAULKNER—One meeting that I am aware of that was reported to me—and I would like to have this confirmed; I believe Ms Whisker can help us with this—was the one that you, Ms Whisker, had with the senior members of my own personal staff in February this year.

Ms Whisker—Yes, I did.

Senator FAULKNER—You were actually able to provide to my staff ‘Guidelines for salary setting under an AWA’, attachment B. I think you were able to provide that for the benefit of my staff.

Ms Whisker—I cannot recollect, but I may have. If you say I have, maybe I did.

Senator FAULKNER—I think that is where the documentation came from. I am not critical of that at all; it is quite appropriate. I think you were also able to provide the salary translation table at attachment B.

Senator Abetz—Is that the document that you previously said was given to you by Mr Crean’s office?

Senator FAULKNER—No.

Senator Abetz—Which one was it?

Senator FAULKNER—Minister, you have to try to keep up with the game. Four sheets of paper have been tabled. Two of them are, I think, effectively the same attachment—‘Guidelines for salary setting under an AWA’ and ‘Salary translation table’. One was provided to the office of the Leader of the Opposition as staff in confidence—I described that as ‘secret’ and Senator Ray, probably quite rightly, chided me because it was described as staff in confidence—but I do not know when, and the other is the letter you sent to Mr Crean on 22 March 2002. You were not aware of the date of that. So there are effectively three documents, and one has two pages. I think it is fair to say the ‘Guidelines for salary setting under an AWA’ have as an attachment the ‘Salary translation table’. You are clear on that, Dr Watt, aren’t you?

Dr Watt—I am. We got two documents as one. So if we were a little confused, that is—

Senator Abetz—They were stapled together.

Senator FAULKNER—That is right. I am referring to the guidance that was helpfully, and I believe properly, provided. I think it was an outcome. It may have occurred at the time; I cannot nail that down precisely, and I do not think it matters much. It was either an outcome of Ms Whisker's meeting with senior staff in my office or it was provided at the time. It was provided at or around the time. None of this information—and I think I indicated this to you, Minister, a number of hours ago—was improperly obtained in any sense. It was provided effectively by your department. Ms Whisker, could you confirm that for us? There appears to be some argument about it.

Ms Whisker—I can confirm I had a meeting with staff of your office, and it is obvious, if you say that I gave the translation table—

Senator FAULKNER—That is my understanding. That was what I think I was advised. I try to remember these things.

Ms Whisker—In looking at this document, I think, because we were having discussions about salary levels, I provided this document, because it points out that:

If exceptional circumstances exist that warrant a variation to any of the above salary setting guidelines, a case must be put to the Special Minister of State for approval.

I think I pointed out to your staff that, if they felt the salary levels were not right, that was the avenue they could take.

Senator FAULKNER—Sure. But that was the transitional scale that applied at the time.

Ms Whisker—I cannot recollect and I do not know that I would necessarily have said 'these guidelines', but I would have pointed out that they had the option to go to the Special Minister of State.

Senator FAULKNER—I am not critical of that at all. It is true. That salary translation table was the only applicable guidance as far as senior opposition staff were concerned. That is right, isn't it, Ms Clarke? There was nothing else. It was either this or a vacuum—one of the two.

Ms Clarke—I am trying to think whether any other documentation was around at the time. If Ms Whisker took this up to talk to you staff then that was probably the best document that she could have taken to do that.

Senator FAULKNER—I would sum up what I think the problem is in a sentence: there appears to have been, since at least July 2000, one deal and one arrangement for senior government staff and a very different situation that applied to senior opposition staff.

Senator Abetz—That is a statement, not a question.

Senator FAULKNER—How do you intend to address it, Senator? Are you planning on backdating? What are you going to do?

ACTING CHAIR—That is a question, Senator Faulkner.

Senator FAULKNER—To Senator Abetz, yes. I know it is; I just asked it.

Senator Abetz—I have already indicated to you—I do not know how long ago; certain people were prepared for histrionics, so they had to get through it and do it—very early on in the piece that there were apparent difficulties with the documentation, we did need to readdress the situation and I would be back in touch with the opposition as soon as I could.

Senator ROBERT RAY—Have you been able to find out in the meantime—you were right; that was not all one document—whether the third page with the salary levels was the result of work by your department, the Prime Minister's department or, for that matter, workplace relations? Have we got any further news on that?

Senator Abetz—Are we talking about appendix 2(a)?

Senator ROBERT RAY—Yes.

Dr Watt—I think we were checking the separate document with this one about where it came from.

Senator Abetz—Senator Ray is inquiring about appendix 2(a), is that right?

Senator ROBERT RAY—Yes. I thought it was taken on notice to be checked, and that is the one we suggested we check with PM&C. The Prime Minister approves this, and we know that, and that has a legislative base, and he indicates that to Senator Abetz. But who actually draws up the scale? Do you send it there for approval and then it comes back to you? Is it developed in PM&C? Where does it come from?

Dr Watt—Our initial focus was on this document, and we talked about that process. We will have an answer to the other one.

Senator ROBERT RAY—We knew where that document came from.

Senator Abetz—And that document in the *Hansard* is the opposition office holders staff supplements document.

Senator ROBERT RAY—Yes. We knew where that came from; it came in Senator Abetz's letter.

Dr Watt—You were also asking how the numbers were generated, as I understood.

Senator ROBERT RAY—I am sorry; either I was inarticulate or you were not concentrating, but it was definitely this document.

Dr Watt—We will have an answer for you.

Senator ROBERT RAY—It has to be approved by the Prime Minister.

Senator Abetz—Is this appendix 2(a)?

Senator ROBERT RAY—Yes.

Ms Mason—Apologies for that confusion. We do a number of documents, and we did not have them all for the entire discussion. Appendix 2(a) is a document produced within the department of finance, and it is produced drawing on the salary ranges that have been approved by the Prime Minister.

Senator ROBERT RAY—That does not quite answer my question, but we are getting there. I assume the Prime Minister does not sit down—not at the Lodge, but at Kirribilli—and pen all these out and send them to you. I assume someone sits down, works out the relativities and presents them to the Prime Minister. Do you do that or does PM&C do that?

Ms Mason—Your question is going to advice that may have been provided to the Prime Minister, and I am not sure that is appropriate.

Senator ROBERT RAY—It does not go to that in this case. It is asking which relevant department draws these up for some government consideration. That is certainly in order.

Ms Mason—As I said earlier, the table is produced by the department of finance, but it is not as if we calculate the numbers. We put the numbers in that have been approved.

Senator ROBERT RAY—A five-year-old could understand this question.

ACTING CHAIR—I think we might all be a little confused. Perhaps Dr Ian Watt could answer.

Dr Watt—I would be delighted if I could, but I cannot.

Senator FAULKNER—This is a joke.

Senator ROBERT RAY—I am starting to think that this table is produced at Mount Ararat and handed down. That is about the only logical explanation.

Senator FAULKNER—In tablets of stone, maybe.

Senator ROBERT RAY—It is a simple question; it has no hooks in it. It does not take us far—we will just find this out and move on.

Senator Abetz—The difficulty is that it is possibly a question that would be more appropriately addressed to PM&C. I do not know.

Senator ROBERT RAY—That is the whole point: if it is, that is where we will pursue it. I have to know that.

ACTING CHAIR—Would you like to take it on notice, Minister?

Senator Abetz—We will see whether we can find out from this discussion of the officials. I think that the answer has been given a number of times that the Prime Minister's office supplies the information and, therefore, if you want to find out how those figures are generated, you will have to ask the Prime Minister's office.

Dr Watt—My understanding is that the document appendix 2(a) that you have in front of you is a rounded version of the numbers in the salary translation table, which I think we have agreed. That was drawn up in the department of finance originally, and provided to the Special Minister of State, who, in turn, provided it to the Prime Minister for recommendation. Is that roughly right?

Senator ROBERT RAY—That is exactly what I thought about three hours ago because it is a logical, bureaucratic way of dealing with it. So you draw them up.

Senator FAULKNER—What is the document that it is the appendix to? It is appendix 2(a) of what document?

Ms Whisker—This is a page from the staff establishment list that we produce for our purposes.

Senator FAULKNER—But it is appendix 2(a) of another document, isn't it?

Ms Whisker—I would have to go back and have a look, but I can tell by the page numbering and the 'staff-in-confidence' heading.

Senator FAULKNER—What is the page number—104?

Ms Whisker—It is a document that we produce that lists all the staff employed under MOPS. It has information in it, including the staffing tables.

Dr Watt—I think you have the answer: it is what we call the staff establishment lists that list the staff and all the details. This is one small part of that.

Senator ROBERT RAY—I want to return to appendix 2(a) where you have 'special adviser'. I was asking earlier about the other document that you supplied us with—I cannot really identify it, other than to say that it is the one you took all footnotes off. I commented that there was no reference to 'special adviser' there, and I was told that was a personal

classification. I accept that, in as much as someone who has an adviser's job or whatever it is gets called a 'special adviser'. But I would have thought, implied on your other document, that there is a category called 'special adviser' because you have a pay range for it. Am I just confused, or is there an explanation?

Dr Watt—I am sure there is an explanation. As I understand it, the commonsense answer is that this is just an indicative band and not a formal category. People are still 'advisers' but, where they are considered to be 'special advisers', it is just an indicative band rather than a new hard and fast category.

Senator ROBERT RAY—I would not like it to be thought that I oppose the concept of 'special advisers' because it may well give government extra flexibility. Would that category also apply to the opposition—that they have a right to reclassify someone as a 'special adviser'?

Dr Watt—I think the answer is yes.

Senator Abetz—Yes, they can apply; you can ask.

Ms Clarke—Certainly if you are interested in having a classification of special advice, you could write to the Special Minister of State.

Senator ROBERT RAY—Is it within your power, Minister, to grant that or does it have to be referred to the Prime Minister? I need to know that; I am not being at all—

Dr Watt—I think it has to be referred.

Ms Clarke—We would certainly do it in conjunction with the Department of the Prime Minister and Cabinet.

Senator Abetz—It does have to be referred.

Senator ROBERT RAY—To the Prime Minister?

Senator Abetz—Yes.

Senator ROBERT RAY—But you are the conduit in this case. You may well put recommendations or anything up, but you cannot make the final decision.

Senator Abetz—No.

Senator ROBERT RAY—We have seen that there is an establishment of 365.6. Let us round it to 365. How many of those people have special personal classifications?

Ms Clarke—There are 25 staff members with personal classifications and another eight special advisers.

Senator ROBERT RAY—There are now eight special advisers? This is testing my memory, but I thought that a year ago there were three. There are now eight. Where would they be in this first list that you gave us, the classification list going from consultant down to secretary/administrative assistant? Where would the special adviser numbers be? They may be across several areas; I am not sure. Are they all in one particular area, like adviser and then bumph?

Ms Whisker—I cannot remember exactly. Those figures do not reflect personal classifications. They reflect the actual—

Senator ROBERT RAY—We are clear on that; we had established that. We know for a start that eight are now personally classified outside this establishment as special advisers. What position do they hold within the establishment? I know they are special advisers, but they must have a level here for you to do these figures. I am asking what level.

Ms Whisker—I cannot tell you. The majority would be advisers.

Senator ROBERT RAY—You might like to take on notice, firstly, where the eight special advisers are. I do not want them by name; I understand that. But I want to know where they are classified in this table. I would also like to ask how many of them are on the two top salary ranges—if this document, the one we referred to as 2A, is still extant. At the bottom, it has special advisers at \$86,000 and \$83,250. I want to know how many of those eight are on the top or the second top range. Clearly, I would also like to know where the other 17 personal classifications are, which range they are in and whether they are up or down, because, from previous evidence, there were at least three positions where the personal classification was in fact downwards. Do you understand the question I am putting on notice?

Ms Whisker—Yes.

Senator ROBERT RAY—Basically, I am asking where all 25 are.

Senator Abetz—I think you may have been inadvertently misled on that. Just bear with me.

Senator ROBERT RAY—Yes, correct the record.

Senator Abetz—It is 25 plus eight—not 25 minus eight, which is where I assume you got the figure of 17 from. As soon as you mentioned the figure of 17, I was alerted that something had been misunderstood. There are eight special advisers and 25 with personal classifications.

Senator ROBERT RAY—So we are very close to the figure of 10 per cent—it may be 9.5—of government staff having personal classifications that do not correspond to this. So it would be eminently fair, wouldn't it, Minister, that when we put our generous submission to you we put in for nine per cent of our staff?

Senator Abetz—You know me; I look at all these things very fairly.

Senator ROBERT RAY—It is only seven.

Dr Watt—Remember that some are down as well as up.

Senator ROBERT RAY—That is precisely why I asked the question. I remember last time, and it was about a six or seven to one ratio, but nevertheless there were some; and there are a couple on the opposition staff who would be very pleased to submit, to go down.

Ms Clarke—Of the 25, five have been classified downwards.

Senator ROBERT RAY—Of the 25, five are down and 20 are up. The overall ratio—I can assure you—is 28 to five, because none of the special advisers went down, did they? No, they did not.

Senator Abetz—It is a fair punt.

Senator ROBERT RAY—So it is 28 to five, which is about the same ratio as when the figures were a lot smaller. By all means ring me if I have not made clear what I am asking for on notice.

Dr Watt—I think we are clear.

Senator Abetz—That is why I wanted to clear it up. If the record showed 17, there could have been some ambiguity.

Senator ROBERT RAY—I underestimated the industriousness of reclassifying people.

Senator FAULKNER—What is the current justification for the personal classifications?

Ms Clarke—The special advisers are classified as such in view of the individual's expertise and key areas of responsibility.

Senator FAULKNER—Is any other justification used?

Ms Clarke—Those are generally seen to be the criteria for that personal classification.

Senator ROBERT RAY—You might take another question on notice: is any special adviser being paid at a salary level below the lowest level available for a senior adviser? The import of that, Minister, is that when you put out a table which shows an ever increasing number of senior advisers, we may want to add eight into that in terms of that range. But that is our polemic; it is not yours.

Senator ROBERT RAY—I thank you for the figures on that table that note that there are five principal advisers being paid an AWA salary range of \$108,000 to \$130,000. Is that an accurate figure, or are only two being paid within that range? Are there five principal advisers in this government being paid in an AWA salary range of \$108,000 to \$130,000?

Ms Clarke—Sorry, Senator, there is a misunderstanding about the question. Could you repeat it, please?

Senator ROBERT RAY—You have given us this list and classification, and the second column down is 'principal adviser'. Then on that column it says 'AWA salary range \$108,000 to \$130,00, 5(5)'. I am asking whether that is accurate. Do we have five principal advisers being paid within that salary range?

Ms Clarke—That is the salary range. As to the payment levels—salary levels—I would have to take that on notice.

Senator ROBERT RAY—Let me assist you a bit, because I am going off previous answers to questions. In fact, there are only two being paid in that salary range and three are being paid in excess of it. That has not changed has it? Or has Senator Abetz sent another letter? There are three being paid outside that salary range aren't there? This may not be the case now, sorry, Minister—you are looking a bit puzzled.

Senator Abetz—But it was last time.

Senator ROBERT RAY—But it was last time—that is why I am wondering.

Senator Abetz—From my memory, yes.

Ms Mason—Can we take that question on notice?

Senator ROBERT RAY—My memory is possibly a little defective here. Did you actually supply the names previously of the three that were being paid outside that salary range?

Senator Abetz—The answer from the back of the room is no.

Senator ROBERT RAY—To a question on notice taken here?

Senator Abetz—Three times now I have been told no.

Senator ROBERT RAY—I will not pursue it by mentioning any individual names if they are not on the public record, but I would like to know whether any principal advisers are being paid outside the salary range. I would like to know their names and I would like to know their salary. I am sure the latter will not be provided, but I think it should be so I will ask for it. I know a refusal will hurt but I really do not think that 99 per cent of MOPS staffers should have their salary range known and three not known. But I will leave that there if I may.

Ms Mason—I think in the past we have provided the range for those positions but not the precise salary.

Senator ROBERT RAY—I am asking for the range for these three individuals who are being paid in excess of your own tables approved by the Prime Minister. I am asking for their salary range, not their actual salary. I will ask for their range, although it might give me a good hint as to how much they are being paid—like everyone else in this room from senators and ministers to officials at this table. That is all I have on that.

Senator FAULKNER—We are back now on the document that was tabled earlier by Ms Whisker, I think.

Senator ROBERT RAY—It is shown in the evidence as the non-footnoted document. But if you want to table the footnotes, we will be pleased to look at them.

Senator FAULKNER—Ms Whisker, you may have answered this, and if you have I apologise; I probably should have taken note of it. Where does the extra ‘1’ go on the figure of 362.5?

Ms Whisker—You are talking about the one that we inadvertently left out?

Senator FAULKNER—Yes.

Ms Whisker—It should have read as a ‘10’ against ‘Personal secretary’ at the time.

Senator ROBERT RAY—Where it currently has ‘8(9)’.

Ms Whisker—Yes.

Senator ROBERT RAY—You are saying that should be ‘10’?

Ms Whisker—Yes.

Senator ROBERT RAY—We are up two and somewhere else has gone down one. We have a minus one—

Ms Whisker—That is because I am working on the figures as they are there. In terms of the differences, we are talking about a net difference. When we go to the right-hand column there is 1.1, and the net differences are in the form of a number of pluses and minuses within those areas.

Senator ROBERT RAY—You told us the error was at the lower level, that it was at ‘Personal secretary’ level. You have listed here eight down from nine and a minus one. Are you really telling us that is 10, or in fact nine?

Ms Whisker—No. The nine should have been 10.

Senator ROBERT RAY—The nine is in brackets, which is previous.

Ms Whisker—That is right.

Senator ROBERT RAY—That should just be 10.

Ms Whisker—That should have been 10.

Senator ROBERT RAY—If we make that 10 we have an accurate sheet. Okay. We are clear on that now.

Senator FAULKNER—I think that is about it for staff issues.

Senator ROBERT RAY—Could I ask how many staff and senior staff have taken the option of cash in lieu of a private-plated vehicle?

Ms Whisker—I will have to take that on notice.

Senator ROBERT RAY—Absolutely. I understand that. Could I also ask whether any media advisers qualify for a private-plated vehicle or cash in lieu?

Ms Whisker—No, they do not.

Senator ROBERT RAY—There has been no upgrading of media advisers to senior advisers as I think there was several years ago? There have been none recently?

Ms Whisker—I cannot recollect.

Senator FAULKNER—Minister, a little earlier this morning we may for a brief moment have been talking at cross-purposes about an issue that you had raised with me outside the chamber which I think goes to this issue of the need for the development of guidance on the application of entitlements. I think you are aware, because of questioning here and a view that I have made very clear publicly, that there are lots of issues that need to be sorted out before the next election campaign, because, to be as generous as possible, there is a range of grey areas—and that is putting it mildly. The department, of course, is working on a discussion paper on these issues. I wonder if you or one of your officers might give us a status report in relation to the discussion paper.

Senator Abetz—Yes. I did that earlier for Senator Murray, who asked about this, but I am happy to repeat it. I think it would be fair to say that the department has—

Senator FAULKNER—I am sorry I was not here. I was walking down to my office at that time.

Senator Abetz—Yes. They have provided me with a copy that I still need to digest.

Senator FAULKNER—They being?

Senator Abetz—The department.

Senator FAULKNER—The development of this discussion paper has been handled completely in house by the department, has it?

Mr Gavin—Not completely, Senator.

Senator Abetz—There has been interactivity, if we want to use that term—

Senator FAULKNER—Fair enough.

Senator Abetz—but basically it has been done by the department.

Senator ROBERT RAY—Who with?

Senator FAULKNER—Mr Gavin might give us some background on that.

Mr Gavin—There has been consultation with the Attorney-General's Department and with the Department of the Prime Minister and Cabinet.

Senator FAULKNER—So you have not got any outside consultants or anything like that?

Mr Gavin—No.

Senator FAULKNER—So the paper is, what, currently with the minister?

Senator Abetz—Yes.

Senator FAULKNER—What are your plans for it, Minister? First, what is its status going to be? Is it going to be a departmental discussion paper? Are you going to make it a ministerial discussion paper? What are your intentions in that regard?

Senator Abetz—I thought that at the end of the last estimates—and I will keep thinking about this—the idea was to provide it to you and Senator Murray when it is finalised. You two can consider, digest and consult on it and then the three of us can get together and see if there is any common ground that can be reached.

Senator FAULKNER—Yes, but what are you looking at doing? Are you looking at having a ministerial discussion paper or a departmental one? What status will it have?

Senator Abetz—It will be an informal discussion paper at this stage.

Senator ROBERT RAY—I have some sort of dim memory that the Audit Office, having completed their audit as requested by the Senate, were also going to continue auditing through the election period. Is that right?

Mr Gavin—Senator Murray's motion that led to the audit covered staff entitlements—

Senator ROBERT RAY—Yes, I know that.

Mr Gavin—as well as names of senators and members. As I recall, the report says that the first part deals with senators and members and that we will come back to see you soon about staff. At some point there was mention of some focus on entitlements usage by staff during the election period.

Senator ROBERT RAY—By staff, I just wondered how useful their views may have been. It would still be useful, wouldn't it, in part to this paper? We did not ask the Audit Office, but do you have any idea if they have started that audit?

Mr Gavin—Ms Mason mentioned, in an answer to Senator Faulkner earlier, that we have had advice that they are about to start. It has not started yet.

Senator ROBERT RAY—They are about to start now, fair enough.

Senator FAULKNER—But you have been able to integrate recommendations of the ANAO into this? You have not formally said that is one of the inputs, for example.

Senator ABETZ—Senator Ray, I think that is a good and worthwhile suggestion—albeit that where the difficulty is in relation to the other audit, the Auditor very kindly suggested that certain terms ought be defined and then sidestepped the issue, as has the Remuneration Tribunal and—

Senator ROBERT RAY—Was the queue too long?

Senator Abetz—Exactly. As a result, whilst certain points were made, no assistance was provided out of the audit report—other than that we ought to do something. And, if you recall, we as a government went to the Remuneration Tribunal and they sidestepped it. The Auditor-General very kindly suggested we ought to define it but did not suggest how or in what framework. But if the Auditor-General does come up with other issues in relation to staff entitlements, I think that is an important issue to consider as well.

Senator ROBERT RAY—I do not think it should slow down your discussion paper at this stage, either. We can merge the two together at some other point.

Senator Abetz—Yes.

Senator FAULKNER—I was wondering about the Auditor-General's input into the discussion paper. How is that working, if it is working at all?

Ms Mason—We have an awareness, obviously, from the Auditor-General's published reports of the issues raised, and clearly we have taken those into account when preparing a draft discussion paper for consideration, but if you are suggesting that we should consult with the Audit Office about it, I do not think we would have any difficulty in doing so.

Senator FAULKNER—I am not actually suggesting that; I am asking more what the general approach is. I think this is a good way to go at the right time of the political cycle. That is my personal view and I think Senator Abetz would have to acknowledge that.

Senator Abetz—I acknowledge that it is your personal view, but I happened to agree with it as well—as did Senator Murray.

Senator ROBERT RAY—Uh-oh!

Senator Abetz—It is a worry, isn't it?

Senator FAULKNER—I am in trouble now! I just lost the caucus—if I ever had them!

Senator Abetz—I was just going to ask that.

Senator ROBERT RAY—I have still got them; it is okay.

Senator FAULKNER—On a serious point, I would not be saying that it is a necessity, Ms Mason. I am more interested in just the inputs. Why, for example, do you see Attorney-General's as an important input into the process? Because of—what?—legal advice, legal issues that you are encountering?

Mr Gavin—It is difficult to talk very much about this until you have seen the paper because it could be altered before you see it, but it is fairly obvious that, from a logical point of view in approaching it, you need to establish what the legal framework is within which the conventions are to operate. It was to get the sign-off from the Office of General Counsel on the legislative framework that we went to them.

Senator FAULKNER—I think that is a logical way of dealing with matters. The Department of the Prime Minister and Cabinet?

Mr Gavin—For the same kinds of reasons given when you have on two or three occasions asked the Government Division during Senate estimates what was happening about the development of such guidelines: within government they are the obvious point that you would want to consult before you produced a document for consideration by a minister.

Senator FAULKNER—Look, I am not critical of it.

Mr Gavin—No, no, I am saying that is for the same reason.

Senator FAULKNER—What about the Remuneration Tribunal?

Mr Gavin—It is a question of at what stage one does that. The tribunal is outside the government—it is an independent body—and an issue for the minister is whether he would want to go to the tribunal before or after he consulted with you, for instance. Before the thing is bedded down, I would certainly strongly counsel that the tribunal be involved.

Senator FAULKNER—Minister, have you given consideration about how you intend to approach that issue? It seems to me to be pretty crucial in this.

Senator Abetz—I am still considering.

Senator FAULKNER—Fair enough, you are considering it, but what stage—

Senator Abetz—I indicated to Senator Murray that I hoped to have it out by the end of this financial year—so relatively soon.

Senator FAULKNER—What? The report out?

Senator Abetz—No, the draft discussion paper.

Senator FAULKNER—Sorry, I do not think you are up with the play.

Senator Abetz—Sorry. I will determine that some time in the future. I do not have a fixed view on that.

Senator FAULKNER—Now that we have got you concentrating, I was asking at what stage of the process you see it is appropriate to involve the Rem Tribunal in this? I have heard what Mr Gavin has said to us, and I said to him that I generally feel that it is a reasonable comment to make. I am interested in you from the ministerial perspective. Given that you at some point are going to consult with members of parliament about this, how does the Remuneration Tribunal in your view fit into this process?

Senator Abetz—I am not sure that I necessarily have a fixed view on that at the moment. Depending on what comes out of the paper and the discussions, we may then approach the Remuneration Tribunal in relation to certain matters. I do not want to lock myself into any position at this stage.

Senator FAULKNER—Am I right or wrong in thinking the Remuneration Tribunal is currently conducting what it describes as a ‘fundamental examination’ of all parliamentary entitlements.

Ms Clarke—The Remuneration Tribunal is conducting a review of determinations.

Senator Abetz—And I understand all members and senators have been notified as to that.

Senator FAULKNER—So I am right in that regard?

Senator Abetz—Yes.

Senator FAULKNER—Isn’t there a strong link, or at least a possibility of a strong link, between outcomes of this process and the Remuneration Tribunal’s review? It is even possible—I am sorry, I think Dr Phelps wants to talk to you again.

Senator Abetz—I understand the submissions to the Rem Tribunal close round about mid-July, which unfortunately does not give us much time in relation to the discussion paper.

Senator FAULKNER—This is the point. What is your thinking here? Is part of your thinking that some of this might actually flow into what the Rem Tribunal is doing or not?

Senator ROBERT RAY—Or more to the point, there is a danger they may do something that runs contrary to the direction you are going in.

Senator Abetz—Exactly. As I understood the genesis of all this, it was that Senator Murray, Senator Faulkner and I would discuss the discussion paper and see if there were any common matters that could be agreed upon. Depending on that, I think it would then be highly appropriate for a submission arising out of that to potentially go forward to the Rem Tribunal.

Senator ROBERT RAY—You might have to go in three directions though: Rem Tribunal, legislation, determination.

Senator Abetz—Exactly. I do not want to predict what is going to result or in any way be seen as limiting the possibilities of what will arise out of the discussion paper.

Senator FAULKNER—So you just do not have a view about that?

Senator Abetz—No fixed view. As I digest the discussion paper that is now with me, I dare say the views will become more fixed and the approaches that may be appropriate will be determined and then I will discuss them.

Senator FAULKNER—What sort of priority would you say there is, Dr Watt, in terms of the department’s mission statement, of actually reaching a commonly held understanding on the one hand and the uniform application on the other hand of senators’ and members’ entitlements? What sort of priority do you give that in the department’s mission statement?

Dr Watt—I think it is an important priority, Senator. If you want me to put a number on it—

Senator FAULKNER—I am not asking that.

Dr Watt—I think it is an important priority.

Senator FAULKNER—I might be quite out of line with others thinking that this is a very important thing to do. I wondered where it sat in terms of the work of the department.

Dr Watt—In relation to the discussion paper?

Senator FAULKNER—No, in the broad.

Senator Abetz—Do you want the definitions?

Senator FAULKNER—I was raising the issue in the broad; I was not suggesting that definitions per se were important.

Senator Abetz—In the broad, we have the conventions and other established practices, through Mr Gavin and others—and I think the department do a very good job, given the difficult area in which they operate.

Dr Watt—It is very kind of the minister to say that.

Senator ROBERT RAY—That was in lieu of performance pay. Don't get too carried away!

Dr Watt—I do not have great expectations. I think it is an important priority for the department; it is one of our three outcomes and we take those outcomes pretty seriously. Also, it is an area where I suspect you make progress steadily rather than rapidly. If you are asking me whether I have a grand vision for reforming, I do not think I do.

Senator FAULKNER—I am just wondering how important it is—

Dr Watt—It is important.

Senator FAULKNER—With the department inheriting these responsibilities, there is obviously a significant need for a range of issues to be sorted, and I think they should be sorted in a way that is going to mean that there is a much broader acceptance and understanding of the administration of the entitlements of members and senators. That is my view. As I have listened to officials from your department over the years, I think that it is generally held as being a pretty important objective.

Dr Watt—From the little that I have seen in my time directly in the department, I think it is important to get a much simpler system. We have got a system which is extremely difficult for members and senators and extremely difficult for officials. It is something I would like to try and do but I also suspect that it is a step by step approach, and that is what we will be trying to do.

Senator FAULKNER—I do not know that this approach will work; I hope it does work but I think it is as likely to see us make progress as anything else. Do you share the concerns that I have expressed at this committee that there is an inconsistency—and I take out any suggestion of political spin—in the way the entitlements are applied and used?

Dr Watt—I am not sure what you mean by 'inconsistency'. I think the department attempts to administer the entitlements in an even-handed fashion.

Senator FAULKNER—There is a range of grey areas and uncertainties, when parliamentarians look at the way they use their entitlements. Surely you would acknowledge that?

Senator Abetz—That is nothing new, and the department knows that.

Senator FAULKNER—It sure isn't anything new; that is the point.

Senator Abetz—Even if the only thing that comes out of the discussion paper is that some of the conventions are clarified, hopefully that will be of assistance. But the department administers something which is poorly defined.

Dr Watt—I am a great believer in consistency in public administration, because that keeps all concerned out of trouble.

Senator ROBERT RAY—I now know you will not be contesting preselection against any of us; that is good.

Senator FAULKNER—Mr Gavin and others have tried to fill this gap in, but there remains one issue. Senator Conroy is keen to take over the questioning, and in fact he is so keen that I am not even going to ask my question.

Senator ROBERT RAY—I know that Senator Conroy wanted to proceed with some questions to do with frequent flier points, but I want to ask a question on that. I am not making an allegation, but it has been suggested, in relation to the charter allowance available to certain members and some senators, that it is possible to enter with a particular company for a flight and then have an additional amount of charge put in which is referred to as 'frequent flier'. I am not asking whether that has happened, but I am asking you, Minister, whether you would write to members and senators saying that that is not on. That is not the purpose of the entitlement. The quid pro quo is that at some stage whoever does it gets two, three or four free flights.

Senator Abetz—I will consider what you have said. I am not going to make a decision here and now.

Senator ROBERT RAY—No; but will you take it under consideration to so advise senators and members?

Senator Abetz—Yes.

Senator ROBERT RAY—Thank you.

Senator FAULKNER—I notice Senator Conroy is still eating a biscuit, so I think I can ask my question. One issue remains very important: the need for us—members and senators, Labor, non-Labor, Callithumpian—to be able to access clear advice if we take the initiative to seek such advice. With all best endeavours and efforts that the department might have made, that has been a substantial weakness for long period of time. It is not the fault of the parliamentarians, and it is not the fault of the officials that this advice cannot be provided. I do hope that, if nothing else, this discussion paper really starts to come to grips with that issue where any parliamentarian of any political persuasion, who is acting in good faith and is uncertain of the approach to take and does not want to run the risk of abusing in any way their entitlements, can be given some assistance. That is absolutely crucial, and I leave that with you. I really do hope that you address it, and I hope that you yourself consider that is an important issue.

Senator CONROY—I refer to an answer to a question on notice that I asked in June last year. I asked about the Commonwealth's ability to claim frequent flier points. I asked whether the Commonwealth believed they owned the frequent flier points. There has been a subsequent court action that you may be familiar with in terms of the Ansett liquidation, where frequent flier point holders went to court to seek rights as creditors. The judge ruled that the frequent flier points were a property right and therefore the creditors had standing in

the liquidation credit process. I received a letter—as I am sure Senator Mason and other colleagues did, and possibly Senator Abetz did—inviting us to participate in the general meeting as a creditor.

Senator Abetz—No, I did not. That is interesting.

Senator CONROY—Maybe you did not have any.

Senator Abetz—I did, in bulk.

Senator CONROY—Given that a court has ruled that it is a property right and that I received a letter, should Senator Mason and I come to the conclusion that that is the definitive position that the property right belongs to the senator—that is, to Senator Mason, me or any other senator or member?

Ms Mason—The government's policy on the issue—

Senator CONROY—Can I save you time? This is not about the government's policy; it is about the legal position. I have been asking questions about that. I have a copy of something here where you say the stated policy. I have no problem understanding the stated policy. The government can have a policy that the earth is flat; it does not change the legal position of anything. What I am seeking to elicit from you—as I have been trying to do for some considerable time—is what the status is. I can only assume, given that in answer to my question you do not indicate you have any legal advice, that the Commonwealth own them. Given that a judge has now ruled that they are a property right, if you sought to take them you would have to take them on a constitutional just terms basis. Therefore, we can consider the matter settled that they are not the property of the Commonwealth and that they are the property of the person who is a member of the scheme.

Ms Mason—We do not have legal advice in relation to that court case that you mentioned or its implications for frequent flyer points that might relate to official travel by senators and members. We can consider it further.

Senator CONROY—I did ask whether the Commonwealth believe they are the owners. You came back and did not indicate that you did. You now have a judge who has said effectively the same thing. Can we consider the matter settled? The Commonwealth do not own them. You see, it is a property rights issue.

Senator Abetz—The question is, I suppose, what power the government has to direct. I would also have to look again at determination 26 of 1998 in relation to the Remuneration Tribunal.

Senator CONROY—The Solicitor-General ruled in relation to the Reith telecard affair that we are not employees of the Commonwealth. So there is no contractual relationship between us. Therefore, the contract that the minister signed when he received the telecard meant that it was in fact not a contract that bound Mr Reith, because Mr Reith was not an employee of the Commonwealth. I think that is what the Solicitor-General said in his legal ruling. The facts seem reasonably straightforward: we are not employees, and the judge has ruled that it is a property right.

Senator ROBERT RAY—Let us get on to Henry. We will get a quick answer.

Senator CONROY—It is a property right. That was the finding of the case. Therefore it is a property right that must belong to somebody. There are only two parties involved: the Commonwealth and the senator or member.

Ms Mason—Our advice indicates that, whilst the Commonwealth may not be the owner of the frequent flyer points, there is a duty to account for use.

Senator CONROY—There is no argument that it has to be accounted for, but accounting is not the same as owning. I appreciate that the legal advice says that we have to account for them, but the legal advice does not say that you are the owner of them.

Ms Mason—Correct.

Senator CONROY—Therefore, by definition, we—as in Senator Mason, Senator Abetz and me—are the owners of them. I am not trying to play with words. There has been a string of legal judgments and Solicitor-General's opinions. I am not trying to overturn the government's policy. I completely understand the government's policy. I understand the point you make about accounting for use, but they have now been clearly defined by court as a property right. They are not the Commonwealth's property right. Therefore, by a process of elimination, they belong to Senator Mason, Senator Abetz, me and others. So can we consider the matter closed in terms of who owns them?

Ms Mason—No; I think we can get some further legal advice to try and clarify that point.

Dr Watt—But we will do that expeditiously.

Senator CONROY—As I said, there has been a string of legal court cases on this matter, plus the Solicitor-General's ruling on the status of Mr Reith in relation to his contractual relationship with the Commonwealth.

Ms Mason—Our previous interest has been in relation to their application for reduction of the cost of further official travel. That has been our focus.

Senator CONROY—I am not questioning the ruling or the government's policy at all. I fully understand that. It is just that a couple of court rulings now seem to be running strongly in a different direction—not to the government policy, because the government can make any policy it likes—in terms of the clarification of the issues.

Ms Mason—We will take that on board.

Senator ROBERT RAY—I asked four years ago whether the department would give some guidance to members and senators on how to maximise the use of frequent flyer points to relieve the burden on the taxpayer. Any chance of that appearing before Halley's comet comes back?

Senator CONROY—I think the ACCC have conducted an inquiry into the lack of availability of frequent flyer points—other than at midnight on the third Thursday of a solar month on a flight to Islamabad—and have found that there are a few problems. I would not hold my breath that it is possible to come up with an answer to that question, because ordinary Australian consumers have been unable to get Qantas to cough up sufficient frequent flyer seats just on any given day.

Dr Watt—This is a problem for government departments as well, Senator.

Senator Abetz—And also booking in advance.

Senator CONROY—Booking in advance is nigh impossible.

Senator ROBERT RAY—So that guide is not in contemplation for a while yet, is it?

Ms Mason—We have certainly encouraged our travel services provider to assist senators and members—

Senator ROBERT RAY—Yes, but he also promised that me four years ago. Mr Gavin has the corporate memory; he may remember. Maybe too much has gone under the bridge since. I asked at two or three separate estimates committees whether guidance could be given to

members about how best to do it. Of course, I very much appreciate that you have not, because I have not had to bother with it. You have given me a great excuse.

Mr Gavin—Senator, what Ms Mason was about to tell you, I think, was that Synergi are prepared to try to assist you.

Senator ROBERT RAY—With the collapse of Ansett, it is almost a lost cause at the moment. Anyone trying to get here on Monday morning or Sunday night had to book weeks ago so there were a lot of MPs on a lot earlier flights to get here for this session. It was very difficult.

Senator FORSHAW—When booking flights out of business hours, particularly on weekends, you ring Synergi on the Parliament House number and there is no direct answer, you are put in a queue. Do you know whether the call is going through to the staff who are allocated for the parliamentary travel or to the general booking system?

Mr Gavin—When it was set up it definitely was going to a dedicated officer. I do not know now, but that certainly was how it was.

Mr Barnes—The service offered by Synergi gives their local office first priority. Calls are diverted as appropriate, as I understand it, where the load or the local representation is unavailable, so they have an overflow mechanism to deal with senators' and members' requirements.

Senator ROBERT RAY—The amount of complaints associated with this—we had a special committee, Minister—has declined massively over the last three or four years, or at least the ones coming to me have.

Proceedings suspended from 6.58 p.m. to 8.03 p.m.

CHAIR—The committee is continuing to examine outcome 3, output 3.1, Ministerial and parliamentary services.

Senator ROBERT RAY—I have been asked by a few people around the building to take up some IT questions, especially with regard to the upgrade that occurred last year. I am such a master of this. If you want to put it in layman's language, just remind me, won't you?

Dr Watt—We have chased up the individuals concerned. We do not have them with us, I apologise. We will see what we can do to get them up here in the next 15 or 20 minutes. If it is easier to take those questions on notice, we would be happy to do that. I am not trying to obfuscate—

Senator ROBERT RAY—Some are probably interactive, I am not sure.

Dr Watt—You are an IT buff, Senator! The IT function you are talking about is in another part of the department that handles the ministerial suite IT up here. It is not part of MAPS.

Senator ROBERT RAY—No, but MAPS—

Dr Watt—I appreciate that. It is not part of the MAPS group, which is why we were caught short.

Senator FAULKNER—Could we deal with Comcar?

Dr Watt—We could.

Senator FAULKNER—Mr Sweeney, after the events of September 11 have there been any new approaches by Comcar, or has any new training been offered in the current security environment for Comcar drivers? I am particularly interested in this because it does seem as if there is now an overwhelming casualisation of the Comcar drivers.

Mr Sweeney—As a result of the Barblett review, Comcar management have actually undertaken a review of the training in the organisation. The tragic set of events of September 11 and the results have meant that Comcar has taken, and did take for example through the election campaign, heightened arrangements to ensure that security was covered off for all clients in accordance with recommendations that we would get on a daily basis through the PSCC.

As a part of our review we took all of those considerations into account. Arising from that, there was a set of recommendations, which are being considered by management executives. They cover off a continued commitment by Comcar to ensure that driver training is indeed an integral part of the delivery of our car-with-driver service. In addition to that, Comcar are committed to, and will give recognition to, focusing our driver training program to ensure that we maximise the number of staff receiving additional training to meet client needs. By that I mean that if clients have a requirement to have an antiterrorist-trained driver, we would acknowledge that requirement. Again, that is a result of the tragic events of September 11.

In addition to that Comcar has looked at, and will continue to look at, the best ways of providing our training. By that I mean we will be looking at whether that will be done by our in-house driver development officers, who are accredited as driver trainers. We would be looking at outsourcing the provision of some driver training, for example motorcade training. We would be looking at the content of courses. That perhaps is a long answer to the question you have asked. The issue is that we are taking the client needs, the security assessments that were given by the PSCC and the in-house skills that we have in combination to ensure that we have the appropriately skilled work force.

Senator FAULKNER—Thanks for that. I think it is important and I appreciate the detailed answer. Is outsourcing training a new situation for Comcar?

Mr Sweeney—I have been in Comcar for some 18 months now, so I can only answer literally in relation to that period. The outsourcing of training is something that commenced, to my knowledge, in July last year when we had a situation with CHOGM arising whereby our four driver development officers were all involved in CHOGM driver training in Queensland. So at that time we actually outsourced motorcade training for the first time to a company called Transport Industries Skills Centre at Sutton Road. That was the first occasion on which we had done that, and that proved quite successful.

Senator FAULKNER—What is the value of that contract?

Mr Sweeney—I do not have those figures with me, but I could get an answer for you pretty quickly.

Senator FAULKNER—I would appreciate that.

Mr Sweeney—That was a once off at that time. We have subsequently done further induction defensive training through that group at Sutton.

Senator FAULKNER—Is that the only outsourced provider you have for driver training?

Mr Sweeney—To my knowledge, yes.

Senator FAULKNER—You might indicate the costs of that contract and the period that it applied to so we have some relativity.

Mr Sweeney—Certainly.

Senator FAULKNER—Have you made any comparisons about what the costs were when that sort of training was done in-house?

Mr Sweeney—It is not an either/or. We actually have had a look at the costs that have been attributed to both the in-house and the outsourcing arrangement. It is a matter of the availability of resources as much as anything.

Senator FAULKNER—Are you using in-house training when you have the capacity to use it?

Mr Sweeney—We certainly are, depending upon the target group and the availability of those resources. Whilst they are accredited trainers, they are also senior drivers. As such, they are in demand when there are client needs.

Senator FAULKNER—With any extra training that is available because of the enhanced security environment, are you doing a regular program of refresher courses?

Mr Sweeney—As I said in my response in relation to the management review, our objective is to spread the available dollars across the maximum number of staff in this financial year. In doing that, we have actually spent in this financial year considerably beyond what we had planned to spend on driver training. What we have done in relation to the antiterrorist driving is that in the first half of this calendar year, 2002, we have trained some 12 out of our 23 accredited antiterrorist drivers. Our plans would be to extend the rest of that training to the balance of the people later this calendar year.

Senator FAULKNER—Do you have an assessment process, with the assistance of other agencies, of the actual categories of security risk for your passengers? In other words, are there differences in Comcar clients in terms of security risk?

Mr Sweeney—Yes. As I have just been advised, the AFP and the PSCC are both involved in that advice and we act accordingly on that advice. That clearly would differentiate the categories of security risk at which some of our clients may be.

Senator FAULKNER—With the highest security risks you would try to ensure that you had permanent drivers, would you, such as level 6 drivers and the like?

Mr Sweeney—Yes. Again, the input in that decision is the client and the client request and the advice we get from the security agency.

Senator FAULKNER—Would you ever have faced a situation, for example, where the Governor-General might have been driven by a casual driver when level 6 trained drivers were available?

Mr Sweeney—In relation to the Governor-General, I could share with you that, without exception, an appropriately qualified driver is always provided to transport him.

Senator FAULKNER—Without exception?

Mr Sweeney—I might say that there would be a very limited number of occasions where that would not be a permanent level 6 driver. However, what we do is always respond to the client requests. For example, I understand there was an occasion in the last 12 months where the Governor-General, whilst going through a selection process in wanting to be comfortable with who his driver would be, asked to have a selection of drivers to choose from and to drive him for a period of time. I understand that a casual driver did drive him at one point.

Senator FAULKNER—Would a casual driver be available for such a selection?

Mr Sweeney—Under normal circumstances, casual drivers are not necessarily trained to level 6. To answer your question, if the client asked for a particular driver, we would provide that driver and, if that person was a casual driver, we would provide that driver.

Senator FAULKNER—I am not saying that the Governor-General is in the highest security risk category or not—I do not know, to be honest with you—but if we had, for example, a VIP passenger and they requested perhaps a very inexperienced casual and there were level 6 qualified permanent drivers available, is that an issue for Comcar?

Mr Sweeney—As I perhaps did not explain to your satisfaction, we would accede to the client's request and—

Senator FAULKNER—That is what I thought you said. So client requests override security issues?

Mr Sweeney—No. It is certainly a combination of both, but I think the example you gave was where a permanent level 6 driver was available and in fact a casual driver was used. The suggestion that I am putting forward is that that would have been at the client's request.

Senator ROBERT RAY—Yes, but what you are being asked is: can a client, on a consistent basis, put in a request for a casual driver when there are level 6 drivers available? Who determines that? Is it the client or you?

Mr Sweeney—I am sorry, Senator. I missed the last part of your question.

Senator FAULKNER—The issue comes down to this: if you have a situation where you have an enhanced security environment and VIP drivers who might well be recommended by those agencies that you outlined to us, there might be an increased threat level or the like, and a client requests a less adequately trained casual driver as opposed to a very thoroughly trained and permanent—

Senator ROBERT RAY—And available driver.

Senator FAULKNER—and available level 6 permanent driver, what you are saying to us, I think, is that the client's request has precedence over any security issue that might arise. I think that is what you are saying to us. We are looking to get some clarity on that issue.

Mr Sweeney—I will try to explain it again. The request by the client, taken in consultation with the security assessment we would have from the PSCC and the AFP, would be the basis on which we made the decision. In the case that you speak of, and the reference that we made about somebody in the last 12 months driving the Governor-General who was not a permanent level 6 driver, it was at the request of the client. The security assessment at that time was such that we were comfortable with providing that driver. In other words, we did not have a security assessment which indicated that a level 6 driver was required.

Senator ROBERT RAY—What happens in the circumstance where the client has asked for a casual driver but you think a level 6 driver is required? You can overrule the client's request, can you?

Mr Sweeney—We would provide advice to the client that we believed a level 6 was appropriate in that circumstance.

Senator ROBERT RAY—And if they persisted?

Mr Sweeney—We would ask the security agency to consult with the client to make sure that the appropriate level was provided.

Senator ROBERT RAY—Good.

Senator FAULKNER—Who deals with entitlements issues such as the appropriateness or otherwise of MPs' newsletters and the like? Who should I direct questions to on that? I thought it might be you, Mr Gavin. Some of the issues that I am going to raise, Mr Gavin, are not entirely dissimilar to some of the issues I have raised previously with Senator Abetz. I am

trying to get some clarity on this for the future. But let us see how we go on this. I am keen to hear what you have to say.

Could I pass this document to you, please. What I am providing to you, Mr Gavin, is a newsletter which was distributed as an insert in the *Northern Territory News* on 22 May this year. It is entitled 'David Tollner at large in the community'. It is described as the member for Solomon's community newsletter. As a threshold issue, I am directing my questions assuming—and I think properly assuming—that this is paid for out of printing allowance. I want to ask whether this sort of thing is legitimate for such a newsletter. Basically—I will try to be fair about it—it is a budget propaganda sheet. Is this okay in terms of that entitlement?

Mr Gavin—I genuinely think this would be a good thing to put before the group who look at the discussion paper. The one thing I would say about that document, without reading the content, is that there is a rule that says that if you put an insert in a newspaper you do not have continuous pagination and the invoice should separately itemise the printing from the distribution cost. The cost of distribution is not a proper charge against the newsletter entitlement.

Senator FAULKNER—Thank you for that.

Mr Gavin—In terms of going through that now and reading it, I do not feel, without the guidance of those of you who read the discussion paper, that I am capable of doing it definitively.

Senator FAULKNER—That is not really good enough, Mr Gavin, only because we have operated for years without the discussion paper. The discussion paper as yet has not been ticked off by the minister. There has to be some benchmark against which we can measure these things. I accept the general difficulty that you raise; you know I do. I have for a long time, as you know. But that is the environment in which we operate. I have had this raised with me by concerned people and I want to be able to ask, 'Is it legitimate?' That is pretty reasonable to ask you here, I think.

Senator Abetz—It is a big ask. It is a four-page newsletter. I assume he has not read every word of it.

Senator FAULKNER—No, I assume not.

Senator Abetz—It may be difficult to comment on whether it is legitimate without knowing exactly what it relates to.

Senator FAULKNER—It is budget propaganda. The issue is—

Senator Abetz—'Howard Government achievements' might be a more apt description.

Senator FAULKNER—We can call it what we will. Would it be legitimate, for example, for an opposition MP to put out something that was propaganda in support of, say, Mr Crean's budget reply—same issue, different party.

Mr Gavin—What is now in regulation simply says newsletters are for distribution to constituents. Neither the act nor the regulations—and I suppose I say the act because that is the parliament itself—has not seen fit to actually set out parameters. With every respect, it is a pretty big call to put it on an official to tell you what he thinks a court might rule. I say that with every respect.

Senator FAULKNER—Yes, but you have been placed in that position. You have been the person providing guidance at times to members and senators on these issues. I cannot think of anyone better placed and more experienced to do so. You know that; you both know that.

Mr Gavin—The guidance I provide is usually things like, at the end of the day—

Senator FAULKNER—I know how qualified it is. You know that I have a problem with that qualification, because at the end of the day it is of limited assistance. Let me ask you something specific. Go to page 4, the last page. The page is largely devoted to promoting Senator Scullion. I suppose that is fair enough. There is a photo of him, a couple of articles and the like. Contact details are included with Mr Tollner's. Is that okay?

Mr Gavin—The contact details part?

Senator FAULKNER—Yes.

Mr Gavin—I should have thought so.

Senator FAULKNER—So it would be quite okay for opposition MPs to promote Labor senators, if they wanted to, in the same way—vice versa? No problems with that?

Mr Gavin—There is a doctrine that says that if you do something, it is a 60-40 or 70-30 issue. I think that would be seen as incidental to the main purpose of the newsletter, if you were having to defend a challenge.

Senator FAULKNER—Let us say Mr Tollner came to you for advice on this. He may have, for all I know, and I do not want to know. But let us say he did, and he said to MAPS, 'Is this okay?' Who currently would be advising him? Which officer?

Mr Gavin—It would be in the account management area, but might I say no-one would be seeing themselves as approving it, censoring it or vetting it.

Senator FAULKNER—I know that. I did not ask that.

Mr Gavin—No, but it is important to make that point because the way it used to work in fact was exactly that, when it was administered by the House of Representatives.

Senator FAULKNER—What I am asking is: who is the last port of call on advice—not approval, advice—in MAPS? Once the buck gets passed around, does it end up with Dr Watt? Does he have to scratch his head over this or is it someone within MAPS dealing with it?

Dr Watt—At the end of the day, the buck does stop with me.

Senator FAULKNER—Has anyone ever raised these issues with you?

Dr Watt—Not this sort of printing issue, no.

Senator FAULKNER—So you do not mind if I direct members and senators to you now?

Dr Watt—I would be delighted, Senator!

Senator FAULKNER—You would?

Dr Watt—No!

Senator Abetz—Hansard does not pick up sarcasm.

Senator ROBERT RAY—At the bottom of the newsletter there is a two-minute survey, reply paid David Tollner MP. The Commonwealth does not pick up that cost, does it?

Mr Gavin—It is conceivable that he has an arrangement to charge that against his communications allowance.

Senator ROBERT RAY—What? Win a BMX bike competition? That is what it is. Fill out the survey, say which way you vote, improve the database and you might win a BMX bike. Don't tell me the taxpayers are picking that up?

Mr Gavin—No, I do not know. I said it is conceivable.

Senator ROBERT RAY—I am asking you to take that question on notice—whether that is or is not the case. I do not think that should be allowed. A lot of stuff may be marginal, but that cannot be allowed.

Senator Abetz—It is a genuine survey. Whether somebody gets a BMX bike at the end of the day, I would have thought, the purpose—

Senator ROBERT RAY—‘Optional. Please tick your choice: Generally, do you consider yourself a committed party voter? CLP, One Nation, Labor, Independent, Green, other, Democrat, or an uncommitted/swinging voter. Which party do you prefer?’

Senator Abetz—Which is an optional part. I very quickly browsed it, so I do not have it in front of me. But it is an optional aspect of a survey which seeks to get to community attitudes. I would have thought there is no difficulty with that. And if the member concerned is giving away a BMX bike, he is undoubtedly following Harry Quick, the member for Franklin, who has a good reputation for giving away BMX bikes. But usually through raffles and other things—

Senator FAULKNER—That may be true. I read the banner headline ‘David Tollner at large in the community’ and I thought, ‘God, no-one should use their entitlements to frighten the electors!’

Senator Abetz—Keep your daytime job.

Senator FAULKNER—I will hand you up a photocopy of this, Mr Gavin, because I would like to keep the original. I just did not want you to think for one moment that I would provide you with a doctored photocopy.

Senator Abetz—It is a pity the Labor candidate in Solomon must have frightened the electors even more than David Tollner.

Senator FAULKNER—A good rejoinder, Senator Abetz. A bit late—but, two or three minutes, and it’s terrific.

Senator Abetz—Sour grapes is a bad thing, isn’t it, Senator!

Dr Watt—To go back to your question to me, ultimately—

Senator FAULKNER—You want to cover that off quickly, don’t you?

Senator Abetz—Do you want an answer or not?

Dr Watt—Thank you, Senator. Clearly, if members and senators do want advice, the department will provide it to the best of its ability. If they want advice from me, I will provide it to the best of my ability, drawing very heavily on Mr Gavin, obviously. I think though, as Mr Gavin put, there is not a lot of basis for providing advice.

Senator FAULKNER—Let’s get serious: he has been doing this for a long time. He is very experienced at it. My question was: who is the last port of call?

Dr Watt—The answer is: I am.

Senator FAULKNER—In MAPS who is the last port of call?

Dr Watt—It would be Ms Mason.

Senator FAULKNER—It looks like you are home free, Mr Gavin—no problems at all. You have got everyone else to make all the decisions. That is terrific.

Senator Abetz—That is why he is the special adviser.

Senator FAULKNER—Moving right along, if we can, to Ms Bishop—Ms Julie Bishop, that is.

Senator ROBERT RAY—The nice Ms Bishop.

Senator FAULKNER—I understand Ms Bronwyn Bishop is very angry with me for asking questions—well, she is not really angry with me; she is angry with Senator Hill, actually, for dumping her in it.

Senator Abetz—Can we have the question? Come on.

Senator FAULKNER—Yes. We are just clarifying which Ms Bishop we are talking about: the *Curtin Correspondence*.

Senator Abetz—I know two nice Ms Bishops, for the record.

Senator FAULKNER—Oh, you schmoozer.

Senator MACKAY—One that is not in parliament.

Senator Abetz—Very droll.

CHAIR—It is getting to the hysterical part of this committee, I think.

Senator ROBERT RAY—No longer the minister for caged hair.

Senator FAULKNER—I read in the *Australian* editorial this morning that Senator Ray was very droll. Do you want me to hand you up a copy of this? I am happy to.

Senator Abetz—If you expect him to comment on it, it might be helpful.

Senator FAULKNER—Again, he might think I rigged it or something like that. This is a similar situation. I will ask you this, Mr Gavin, or, if you would prefer, Dr Watt or Ms Mason: is it still the case that it is not permissible to use the Commonwealth crest in conjunction with a party logo on the same page?

Mr Gavin—That is certainly the advice we give.

Senator FAULKNER—Can you say, having had in front of you to examine issue No. 12 of Ms Bishop's *Curtin Correspondence*, that the Liberal Party logo and the crest is on the front page of this? Can you confirm that that is the case?

Mr Gavin—The crest and the—

Senator FAULKNER—Yes.

Mr Gavin—Yes, they are on the same page—on this photocopy, yes.

Senator FAULKNER—What penalty is exacted for breaches of that guideline?

Mr Gavin—I do not think there is any punishment.

Senator Abetz—Nothing less than the death sentence!

Senator FAULKNER—Of course it is not a death sentence—you are quite right, Senator Abetz.

Mr Gavin—It is the advice, as I recall, that the honours secretariat in the Department of the Prime Minister and Cabinet have given us, and we have included it in the senators and members entitlements handbook.

Senator FAULKNER—Yes. So what is the penalty for breach of the guideline, if any?

Mr Gavin—I doubt that there is a penalty as such. It would be my recommendation to the minister to write to Ms Bishop and draw her attention to the fact that—

Senator FAULKNER—The issue then becomes: if there is no penalty, what the hell is the use of the guideline?

Senator Abetz—I think with things like that most people would be willing to abide by it, and any breach of it, I am sure, is unwitting.

Senator FAULKNER—But Julie Bishop is not most people.

Senator Abetz—If you are saying she is a special person, I would agree with you, because she is a member of the parliamentary Liberal Party. So I would agree with you on that. I am sure that people such as the member for Curtin, when this is drawn to her attention, will ensure it does not occur again.

Senator FAULKNER—Are you going to draw it to her attention?

Senator Abetz—Now that it has been drawn to my attention and the department's attention, I would be hugely surprised if I did not get a brief advising me of this and suggesting that I write to the member for Curtin.

Senator FAULKNER—And what will the consequences be for Ms Bishop, the member for Curtin?

Senator Abetz—None, other than—

Senator FAULKNER—None? Okay, that is fine. So why not just ditch the guideline if that is the case? This is the point: why not, at the end of the day, if there are no consequences, no penalty and it really does not make any difference, ditch the guideline?

Senator Abetz—It is the extent of the breach. If it is an unwitting breach, it is like other matters. It is not really a capital offence, I would have thought, in anybody's language. I am sure it was an unwitting inclusion and I am sure it will not occur again.

Senator ROBERT RAY—There is no respect for convention in the Liberal Party—none whatsoever.

Senator FAULKNER—Do you think it is acceptable—can someone tell me—for senators or members to use their communications entitlement to campaign on state or local issues?

Senator Abetz—It depends. Give us an example. If it is an issue—

Senator FAULKNER—No, I want the principle and then we will show you Senator McGauran's letter.

Senator Abetz—If the letter that you are referring to is the one from my colleague Senator McGauran, I cannot see why that would have excited any interest. It is about issues. It states that he is prepared to take up issues of a state government nature for them, write to the Bracks government and respond—'I will then submit your response to the state government for consideration.' I suppose Senator McGauran is a keen federalist; as a senator, believes in the role of the states and is anxious to ensure that the state that he represents in the federal parliament looks after the interests of his constituents.

Senator FAULKNER—So the answer is that it is appropriate—

Senator ROBERT RAY—This is the same Senator McGauran who moved into this seat and the National Party lost it for the first time in 100 years, isn't it? Have I got the right McGauran?

Senator Abetz—Can we see how that is relevant, other than being a smart Alec answer, but anyway—

CHAIR—Order!

Senator Abetz—He may well have learnt his lesson and, as a result, he is trying to do even more work for his constituents in Victoria and to look after state issues as well to ensure that he does not lose his seat again.

Senator ROBERT RAY—I am going to put Benalla in our column at the next state election, if that is the case.

Senator FAULKNER—You are saying that this one is okay?

Senator Abetz—I would have thought so.

Senator FAULKNER—That is fine.

Senator Abetz—I cannot see any difficulty with it.

Senator FAULKNER—I can say to my caucus colleagues—a number of whom contact me on a regular basis about this—when they ask, ‘Is it appropriate to use entitlements to campaign on state and local government issues,’ I can now say to them, ‘Yes, that is fine.’ All I want to do is know. And Mr Gavin understands this. All I want to do is get clarity.

Senator Abetz—You are now putting words into my mouth. We are talking about campaigning on particular issues. This is just of a very general nature in order to petition the Bracks government and alert it to the needs of the area. ‘I have enclosed a survey form,’ et cetera. Given the letter—and that is all we have seen at this stage—I cannot see any difficulty. Things like that, I think, are worthy of consideration in these discussions that we will have relatively shortly.

Senator FAULKNER—You are satisfied, Mr Gavin, as the special adviser, that this is within entitlements? Fair enough, if that is the case; I just want to know.

Mr Gavin—The printing entitlement in fact is not administered by us; it is administered by the Department of the Senate.

Senator ROBERT RAY—Let us correct that: I do not think this letter was printed by the Department of the Senate. I do not think it would have got through there. You can print them in your own office. That is much more likely.

Senator Abetz—His stationery, chances are, would have been printed—

Senator FAULKNER—I think the minister on this occasion is right; that is much more likely.

Senator Abetz—The chances are that is what happened, but in fairness, Senator Faulkner, I do not think you can ask an official. This is the difficulty that we go through—

Senator ROBERT RAY—It is okay. You have ticked it.

Senator Abetz—I think it is okay given that I have only—and I repeat only—seen the letter. I understand the letter has a survey form attached to it, which I have not seen. I just want it on the record that all we have sighted is the letter.

Senator ROBERT RAY—There was some controversy among your colleagues—nothing to do with us—which began as a dispute over who would chair the 80-odd friendship groups that seemed to bubble over into where entitlements were used. Has that been brought to your attention in terms of the use of entitlements, even though it is irrelevant to the initial dispute?

Senator Abetz—Yes. What I think you are referring to is an article in the *West Australian* newspaper. That is how it was drawn to my attention.

Senator FAULKNER—I think it was a crikey.com exclusive.

Senator Abetz—It was reported in the *West Australian* newspaper.

Senator ROBERT RAY—On 26 March.

Senator Abetz—In the *West Australian*?

Senator ROBERT RAY—Yes.

Senator Abetz—As a result of that I have written to Senator Knowles. She has responded and I am about to send her another letter.

Senator ROBERT RAY—I see. So that is still an ongoing matter?

Senator Abetz—Yes, it is.

Dr Watt—We have our IT expert with us, if you want to move back to that question.

Senator ROBERT RAY—No, we will continue with this. My colleague Senator Forshaw is getting briefed to the gills. So you now face a much more damaging session than if it was with me.

Senator Abetz—We are very happy to see Senator Forshaw and not Senator Lundy on an IT matter. We are very happy with that.

Senator FAULKNER—You may not say that at the end of the evening.

Senator ROBERT RAY—It is not too late; it is only a 15-yard walk.

Senator Abetz—Please!

Senator FAULKNER—I suppose we have to deal with Mr Entsch again. Going to the issue of principle before we move to any specific case, is it permissible to use parliamentary entitlements to seek support in terms of money, time or effort for a particular party in an election campaign? Can you, Dr Watt, or Mr Gavin, assist me with that?

Mr Gavin—It depends on the entitlement as to just what it says. But the communications entitlement, which is the one that one would use when posting out anything soliciting anything like that, says that it can be used for parliamentary and electorate but not party business. There is a view that ‘party’ should at least be interpreted as relating to the administration of the party, including fundraising. If I were asked, I would say that it is unsafe to do it.

Senator ROBERT RAY—The opening gambit there would not be what is expected as an attachment to the letter. That would not normally be—

Senator Abetz—Without seeing it, it is a bit difficult.

Senator FAULKNER—I am happy to pass it up. You are getting quite a collection there.

Senator Abetz—It must be boring in opposition to read all of these newsletters.

Senator ROBERT RAY—You would never be able to read \$19 million worth per year, I can tell you. The greatest waste of money in history.

Senator FAULKNER—This is a bit of a no brainer, this one, because in the letter Mr Entsch says:

The purpose of the letter is to seek your support for the campaign ahead of us.

Open and shut, isn’t it?

Senator ROBERT RAY—Have you had a peruse?

Senator Abetz—I have had a peruse. It seems to me that it is a personal help sheet that is asking for help for him as a federal member, not even as the federal Liberal member for

Leichhardt. But I would need to have a close look at it and try to digest it. Once again, I think these sorts of issues are the sort of issues that we ought to be discussing in relation to the discussion paper.

Senator FAULKNER—Senator McLucas has sent this one to you—she sent a letter to you. Do you mind if I have that one back, because I have not got a copy of that one? You have got a copy of this one anyway, Senator Abetz.

Senator Abetz—Yes, so it seems, on the 8th.

Senator FAULKNER—Senator McLucas has kindly passed to me, in my shadow ministerial role, a copy of a letter she sent to you on 25 September. I wondered where that was up to?

Senator Abetz—I am sorry, are you asking me?

Senator FAULKNER—Sure.

Senator Abetz—Sorry, I was still following through on Mr Entsch's situation. Yes, he has been written to and we are just trying to figure out what stage the proceedings are at there.

Senator FAULKNER—I will let you check that.

Senator Abetz—No, it does not identify who, but I dare say it was you, Senator McLucas, who wrote to me about it. As a result, we wrote. But the list does not indicate who alerted me to it.

Senator McLUCAS—I would expect to get a letter back at some stage.

Senator Abetz—Yes.

Senator McLUCAS—How long do you usually take?

Senator Abetz—How long is a bit of string—depending on what the member says and then what further considerations, if necessary, are needed.

Senator ROBERT RAY—When you said that it is just an individual thing, what about that section:

Donations: send to FEC Treasurer, Post Office Box 6919 Cairns, Queensland, 4870.

That is the Liberal Party campaign committee for—

Senator Abetz—Is it?

Senator ROBERT RAY—You are telling me it is not?

Senator Abetz—I do not know. I am not prepared to make assumptions sitting here.

Senator ROBERT RAY—You have made a few other assumptions about other people having to pay this sort of stuff back. This is the most blatant I have ever seen, this one. I have seen ones that I have thought are marginal.

Senator Abetz—I still remember letters going out, I think it was from former Senator Michael Tate, inviting people to Labor Party fundraisers et cetera, with reply paid envelopes—

Senator FAULKNER—Did you raise it with the then minister?

Senator Abetz—I do not think I was even in the parliament.

Senator FAULKNER—It does not matter. You do not have to be a member of parliament.

Senator ROBERT RAY—It is your turn to bat, you see. What you raised in the past or did not raise.

Senator Abetz—That is why I think, quite reasonably, I have agreed to the suggestion of a discussion paper to try to nut out some of these things for the future, because whilst Labor senators are well briefed on certain newsletters et cetera—

Senator ROBERT RAY—As always.

Senator Abetz—I am sure, if we would want to, give us a day or two and we could wheel in a few government senators to point to Labor letters, fundraising letters or whatever. Let us see what we can work out with the discussion paper.

Senator ROBERT RAY—On how many occasions, having written to a member about their printing allowance or postage allowance, has the member had to pay part back because it was outside the guidelines?

Senator Abetz—We can have a look at that. I know a few have made what have been deemed appropriate contributions et cetera.

Senator ROBERT RAY—Yes. I understand that, I think I understand their cases and I think they should have. But not one of them is as blatant as this. That is why I cannot understand why you are soft-peddalling on this one.

Senator Abetz—Can I suggest to you that I think there have been some that have been more blatant. We can go into discussion of degrees of blatantness.

Senator ROBERT RAY—It has got the House of Representatives crest on it:

The purpose of this letter is to seek your support for the campaign ahead of us.

Then:

Between now and polling booth—

you put your name and address. Do you want to be folding, collating pamphlets, answering telephones, part of a computer circle? Do you want to do photocopying, letterboxing, campaign feedback, donations? The whole lot.

Senator FAULKNER—Are there any decent alternatives there?

Senator Abetz—He must have got a good lot of volunteers, because he won the seat.

Senator FAULKNER—That makes it right, does it?

Senator ROBERT RAY—That makes it right? Use taxpayers' money to go out and recruit people for your political campaign makes it right? You have got to be joking. Sure, push the edges out, but this goes straight over the cliff.

Senator Abetz—That is your assessment.

Senator ROBERT RAY—That has been your assessment in the past. I do not know why you are soft-peddalling on one of your colleagues. Unbelievable! If you are allowed to do this, just tell us. I want to know what I can do. If I am allowed to send this stuff out, tell me.

Senator Abetz—Senator Ray, you can get as hysterical as you like. You know the difficulties—

Senator ROBERT RAY—You are just a biased minister towards your own.

CHAIR—Order! Senator Ray.

Senator Abetz—You can get as hysterical as you like, Senator Ray. The simple fact is that there are these terrible grey areas that we have, I think, all recognised, and we have recognised that within about a month or two—

Senator FAULKNER—On Labor's initiative.

Senator Abetz—I think Senator Murray might try to claim some credit as well.

Senator FAULKNER—I doubt it, given I proposed this.

Senator Abetz—But it just goes to show how unbiased I am, given Senator Ray's allegation just then, that I am prepared to have the department develop a discussion paper and sit down and discuss some of these issues so that the greyness can be, if possible, removed and, if not, certain lines drawn.

Senator ROBERT RAY—There is no greyness here. It is a black and white issue. He is out using taxpayers' money to campaign.

CHAIR—Senator Ray—

Senator ROBERT RAY—Well, have a look at it. How else would you interpret it?

Senator Abetz—Let us discuss it in the discussions.

Senator ROBERT RAY—I am speaking on behalf of those who have been required—albeit in a voluntary sense, but under pressure—to repay money themselves. When they see this they are going to wonder what is going on. If this is not enforced, if this is not required for part or full repayment, they are going to say they were conned, they were diddled.

Senator FAULKNER—But what about the use of postage for this, Mr Gavin? I will table what went out with this material, even though Senator Abetz has got a copy of it. I do not think that he has brought the files. Can you provide that to Senator Abetz, please?

CHAIR—What is that?

Senator FAULKNER—It is a photocopy of the reply paid envelope that Mr Entsch is using.

CHAIR—That material circulated—

Senator FAULKNER—Yes. That was his using parliamentary entitlements—there is another issue.

Senator Abetz—That is another issue; I agree with you on that. As I have indicated, the correspondence between Mr Entsch and myself has not finished.

Senator ROBERT RAY—25 September? This is not your fault that it has taken so long, then, is it?

Senator Abetz—I trust not, but I am not sure where—

Senator ROBERT RAY—That would be Mr Entsch's fault, wouldn't it?

Senator FAULKNER—When did you write to him, Minister?

Senator Abetz—I am sorry. We do not have it.

Senator FAULKNER—That is handy.

Senator Abetz—As though I would have a list of all my correspondence! Keep going with your conspiracy theory.

Senator FAULKNER—You have a brief there about it. First of all you did not know about it. Then you did not know who it was from. Now you do not know when you wrote it. Come on!

Senator Abetz—You can run your conspiracy theories as much as you like, but it will not get you anywhere.

Senator ROBERT RAY—It is not a conspiracy theory; it is double standards. That is what it is, not a conspiracy theory. And you are practising them.

Senator Abetz—Senator Ray, I would be most interested in you coming forward with information to me in relation to any Labor MP who, during my time as Special Minister of State, has been required to repay or been asked to repay or make a contribution in relation to things that he or she sent out for their own re-election in their electorate.

Senator FAULKNER—Are you saying there is no-one from the Labor Party?

Senator Abetz—I would be interested to know. I cannot recall any, but—

Senator FAULKNER—What conclusion do you draw from that?

Senator Abetz—I am sure that, when the final advice comes through, my attention will be drawn to other like matters to assist me in coming to a determination.

Senator ROBERT RAY—It is sort of a cryptic thread. I just cannot quite decode it. Is it supposed to bluff us off or something?

Senator Abetz—I beg your pardon?

Senator ROBERT RAY—What is that supposed to mean? Am I supposed to decode that as a threat to inhibit me from asking questions?

Senator Abetz—No, not at all.

Senator ROBERT RAY—I just cannot work out what you are saying.

Senator Abetz—Mr Chairman, Senator Ray made an allegation suggesting that I was a biased minister and then followed up by asserting that there were certain Labor colleagues that had been required to repay or been asked to repay for things similar to this.

Senator ROBERT RAY—I did not say that, but anyway. So you got that wrong as usual.

Senator Abetz—All right. Any member of parliament, then. Collins class submarine! Don't talk to us about—

Senator ROBERT RAY—Any time.

Senator Abetz—The biggest mistake in Australian political history was the Collins class submarine.

Senator ROBERT RAY—Where? On what? Come on!

Senator Abetz—On budget, on time.

Senator ROBERT RAY—It was on budget. Absolutely.

CHAIR—Order! Senator Ray, order!

Senator Abetz—You are the only one who believes it.

CHAIR—Minister, order! Could we please recommence the questioning and forget the debate? Senator Ray, have you finished your line of questioning on that?

Senator ROBERT RAY—Yes, I have.

Senator FAULKNER—I would like to ask if the question of postage as well as printing entitlements has been raised with Mr Entsch.

Senator Abetz—I do not have the letter with me. I assume that when Senator McLucas raised the issue with me she would have raised that. If she did, then I am sure it would have been raised with Mr Entsch. Because we only got to hear about this through Senator McLucas, depending on what Senator McLucas's complaint is or was, that is what is then

passed on under the normal protocol, asking Mr Entsch for an explanation as to how or why et cetera.

Senator ROBERT RAY—So when Senator McLucas says ‘and he is using his parliamentary postage allowance, including postage paid facility’, we can assume that that is the case?

Senator Abetz—In that case I am sure that would have been put to Mr Entsch, as it was.

Senator ROBERT RAY—You are positive that it was put to him, not just omitted?

Senator Abetz—I am confident that it would have been, but I will check my letter to Mr Entsch. If that was not picked up, I would be surprised, quite frankly.

Senator ROBERT RAY—And you will let the committee know?

Senator Abetz—Of course I will.

Senator FAULKNER—And since 25 September 2001, when Senator McLucas sent her letter to you, you have written to Mr Entsch and he has responded to you and that is where the situation is at the moment? You have had time to send a letter and he has had time to send one back? That is terrific.

Senator Abetz—I will follow up where that matter is.

Senator FAULKNER—Take it on notice, please, when you corresponded with Mr Entsch and, if there has been any further correspondence from him or you, what the date was.

Senator Abetz—Yes. I am happy to do that.

Senator FAULKNER—Actually, while we are on Mr Entsch, now that you have raised the subject of him, I read an article—I do not often read articles in the *Cairns Post* but a very diligent member of this parliament brought it to my attention—

Senator Abetz—Which Liberal member would that have been?

Senator McLUCAS—Mr Katter.

Senator Abetz—So you are describing him as a diligent member, Senator McLucas? We had better keep our voices down so that it does not get into *Hansard*.

Senator MACKAY—‘Too late,’ she cried!

Senator FAULKNER—The article is in *Weekend Extra* of the *Cairns Post* on Saturday, 13 April 2002. It is entitled ‘Home in his castle’. It is an interesting enough article. Part of it is in relation to a chopper that Mr Entsch had chartered. It says:

When Warren offers to send a helicopter back for some supplies, two pairs of eyes light up.

They would, wouldn’t they? What are the guidelines for the use of a chartered helicopter under entitlement?

Senator Abetz—Was that under his parliamentary secretary departmental entitlement or under his entitlement as a federal member?

Senator FAULKNER—I would be interested to hear the former.

Senator ROBERT RAY—If it was under the former, he is in big strife, if you read the article.

Senator Abetz—I have not read the article. This is the first time the matter has been raised. If you give us a copy of the article, we will make inquiries and see whether he used his federal member’s entitlement for that or whether he used it under his ministerial entitlement.

Senator FAULKNER—The issue here is this: can a member use their charter entitlement to pick up supplies for a constituent? That is my question. I would just like an answer to that question.

Senator Abetz—I think that could potentially depend on the circumstances.

Senator ROBERT RAY—Really? Where does it say that in the entitlement handbook?

Senator Abetz—Whether it is incidental to the purpose or if it is the purpose. All those things need to be established. For example, if I were to take a charter flight as a member in Tasmania and somebody said, ‘I hear you are flying up. Would you mind bringing me back a box of chocolates or a slab of cheese from King Island?’ I would have thought not many people would complain about that; whereas, if somebody were to ask me to charter a flight to King Island for the sole purpose of picking up some cheese and bringing it back, I would have thought they were two materially different events. Until such time as the full detail is provided, I am not going to venture whether it is definitely in or definitely out.

Senator FAULKNER—At least you have a witness, because he went in the helicopter with an ABC reporter. I am just asking at the moment about the entitlement. Is it competent for a member or senator to use their charter entitlement to pick up supplies for a constituent? That is the question.

Senator Abetz—Yes; and, as I have said to you, without knowing the full facts it is impossible to answer, given the example I have just given. If I go to King Island on specific business and somebody gets to hear about it and then says, ‘Look, if you’re up there, can you bring back a slab of cheese for me?’ I do not think anybody would complain about that. If I chartered the flight solely for bringing cheese back from King Island, then I think people may have some questions to ask.

Senator ROBERT RAY—If you chartered the flight to specifically take delegates to the Western Australian conference, that would definitely be out of order, wouldn’t it?

Senator Abetz—I am not sure that they would necessarily be described as ‘supplies’, although—

Senator FAULKNER—Not six-packs anyway.

Senator Abetz—That is something we can reconsider.

Senator FORSHAW—An appropriate analogy.

Senator ROBERT RAY—Senator Faulkner may point out where it says he took an ABC reporter.

Senator FAULKNER—That is the first paragraph, Senator Ray.

Senator Abetz—Senator Faulkner, to truncate this what I would invite you to do is to please send me a copy of the article and then we will write, as is our practice, to Mr Entsch seeking an explanation. I cannot take it any further than that.

Senator ROBERT RAY—If an ABC reporter was on board, Mr Gavin, that would have to be cost recovery, wouldn’t it?

Mr Gavin—No. That is not right. The Remuneration Tribunal determined this. The rule goes something like this: you can take another senator or member, you can take a spouse or a staff member, and thereby determine the minimum size of the aircraft. If by taking someone else you do not increase the cost to the taxpayer, it is possible, having regard to three possible factors, to certify that one of those had been met and thereby waive cost recovery. One of

them is compassionate reasons. Another is in fact that it was for the same purpose as you had yourself.

Senator ROBERT RAY—I hope the third one is a bit better.

Mr Gavin—There is a fourth one, that you can take a dependant child.

Senator ROBERT RAY—That might be an ABC reporter, but probably not. What is the third one?

Mr Gavin—Why don't I just look up the rule and tell you the third?

Senator ROBERT RAY—We are missing rule 3. That is next.

Mr Gavin—It is public interest.

Senator McLUCAS—Can I ask, maybe, for—

Senator FAULKNER—I think we had better wait, Senator McLucas, until we get the rules.

Senator McLUCAS—All right.

Mr Gavin—I said the third one is public interest.

Senator FAULKNER—Public interest?

Mr Gavin—Yes.

Senator FAULKNER—I did not hear you. Thank you, Mr Gavin.

Mr Gavin—We put out a circular based on a Henry Burmeister advice as to what constituted public interest. It is a fairly amorphous concept; that is what I am saying.

Senator Abetz—That is again one of these areas where—

Senator ROBERT RAY—I do not use the charter allowance, but people do ring me up and say, 'Look, I'm thinking of doing A, B, C and D,' so I just like to be kept abreast of it rather than have them always ringing up the department—or at least narrowing down their queries when they do ring the department. That is why I was interested to go through it to see if an ABC reporter qualified. I still do not know if they do, but anyway.

Mr Gavin—If it is to fulfil the same purpose as the senator or member has, then it would be open to that senator or member to sign it off. But generally my understanding is that it would not be hard to see a good reason for taking a journalist around your electorate with you if you were doing something, and that it could either come under public interest or the first category.

Senator McLUCAS—Can I confirm, as a senator who works in a regional place, that it is very difficult for the broader community to get to understand the issues that are faced in very isolated places. It is often a real part of your role to carry—where it is not extending the cost of the charter operation; that point needs to be well made—journalists with you so that the story can be understood by the broader community. But I do not know that that is the issue that we are discussing here. I think the issue is quite different to that.

Senator Abetz—Send us the article and—

Senator McLUCAS—Rather than send you the article, I wonder if I could just talk it through with you. The story in the Weekend Extra of the *Cairns Post* of that weekend describes a flight from, one would presume, somewhere like Horn Island in the Torres Strait to a station on—

Senator Abetz—But that is our difficulty already, if I can interrupt without meaning to be rude. You have already used the word ‘presume’. I am not willing to comment on something on the basis of you presuming something or possibly something else. The journalist then possibly may get the story wrong, as well.

Senator McLUCAS—Let me remove the word ‘presumed’. It states:

We unfolded ourselves after the two hour flight from Cairns to Horn Island.

Okay?

Senator Abetz—Right.

Senator McLUCAS—So they get to Horn Island. It goes on that they get out of a fixed-wing plane and get into a helicopter. They fly to a station on the east coast of the Cape York Peninsula and stop at one point. That is where Senator Faulkner’s comment becomes relevant, because it seems that what happened then was this:

When Warren offers to send the helicopter back for some supplies, two pairs of eyes light up. Eva would love a few potatoes. The couple haven’t managed to grow any since they moved to Shelburne—

that is the name of the station—

and Roger says wickedly that he’s getting a bit sick of burnt taro. The promise of tobacco, though, obviously is even more exciting.

It would seem that the helicopter goes from Horn Island to Shelburne Station and stops there—if you believe the article; and I have no reason not to. Then the helicopter goes somewhere else, picks up some potatoes and some tobacco and comes back and then takes the party on again. I do not know that that fits within the entitlement. My understanding of entitlement is that it does not. I really think that this committee needs to make a decision about that.

Senator Abetz—There are a lot of bits. I am going to write to Mr Entsch. Let us find out, firstly, whether he paid for it himself and, secondly, whether it was under the Remuneration Tribunal and whether it fitted into his ministerial parliamentary secretary role—I do not know how, but it might have; but I would doubt it, given that.

Senator FORSHAW—He is the minister for potatoes.

Senator Abetz—Let us see what the explanation is and whether the story is right et cetera

Senator McLUCAS—Minister, I wrote to you on 25 September last year on another matter and I have had nothing since—nothing at all. I do not know whether that is the appropriate thing to do—whether I should just keep writing you letters about these things or whether I should bring them to the attention of the committee—because nothing has happened about that other matter—nothing.

Senator Abetz—Something has happened. I can tell you that we have written to Mr Entsch.

Senator McLUCAS—I found that out tonight. You have not written back to me.

Senator Abetz—There has been some time, and I do not know what the reason for that is. I have since been advised that in fact a letter has gone out.

Senator FAULKNER—Do you know when that went? You have just been advised that it has gone. Do you know when?

Senator Abetz—No, I do not. That delay is lengthy and is not good. On another matter, I indicated where no Labor person in fact complained about one of my colleagues. But a certain

story was in the *West Australian* newspaper. Correspondence has gone backwards and forwards. I have written to the senator. The senator has written back. I have now written again. I think we can be told, yet again, that it was some time in March that the article appeared in the media. If there has been a delay in this situation, I am not sure what it is. I can assure you that I will follow it up. I do not like to delay these things. If the fault is in my office or the department or wherever, I will try to hasten it for you.

Senator BRANDIS—Mr Chairman—

Senator McLUCAS—It is not appropriate, surely—

Senator BRANDIS—Point of order, Mr Chairman.

CHAIR—Yes, Senator Brandis.

Senator BRANDIS—Mr Chairman, as I understand it, Senator McLucas has not tabled or produced to the committee the newspaper article from which she has been quoting. Is it not irregular for something to be quoted to a witness to which other members of the committee do not have access? I see that she is now doing so. Might I ask that it be tabled?

Senator FORSHAW—Are you trying to run the rules of debate again, Senator Brandis? You did not score too well last time—those rules of debate that did not apply last Tuesday.

Senator FAULKNER—It is actually my newspaper article that is being referred to.

Senator McLUCAS—Just going back to the issue, is it appropriate for a helicopter or a vehicle of any sort to be used to go and pick up supplies for a constituent?

Senator Abetz—You say ‘a vehicle of any sort’. We are entitled to vehicles and we are entitled to use them for private purposes.

Senator McLUCAS—A charter vehicle.

Senator Abetz—Did you say a charter vehicle?

Senator McLUCAS—No, I did not. I accept that.

Senator Abetz—That is where the terminology that we use has to be so exact before a considered answer is given.

Senator McLUCAS—Is a charter vehicle allowed to be used to go and pick up potatoes and tobacco for a constituent?

Senator Abetz—I might be corrected by Mr Gavin on this, but if I charter a vehicle in my electorate and on the way home I get that phone call, ‘Can you please pick up some spuds on the way home?’ I do not think anybody would complain about that. If you make a trip for a commercial purpose, to deliver somebody’s spuds from a farm to a shop, that may well be materially different. Until we know all the facts, it is very much a hypothetical discussion and debate. We now know there is an issue. Once I have that article, I will write to Mr Entsch and then all will be revealed, no doubt.

Senator McLUCAS—Can a chartered helicopter travel to do whatever at public expense, without the member or senator being present on board?

Senator Abetz—There is another issue. Once again, unfortunately none of these things are clear. Mr Gavin reminds me of a situation when I went to the west coast of Tasmania. I flew in and could not land at Queenstown, so we landed in Strahan and drove to Queenstown. The cloud had lifted by the time the function was over, so the plane had flown from Strahan to Queenstown without me in it, for the purposes of repositioning. So once again you have a situation where a plane can be flown without the member or senator in it without it being in

breach. So let us find out the details. We now know that there is a media story. I am going to send that article to Mr Entsch and ask him for an explanation. I really do not want to get into the potential hypotheticals.

Senator McLUCAS—All right. So I will write you another letter.

Senator Abetz—You can, but I am aware of this now, by virtue of this committee hearing. If the secretariat would be so kind as to give us a copy of that media article, it will be followed up in the usual course.

Senator FORSHAW—Last year prior to the election, the government—I understand it was you, Minister—wrote to all of the electorate offices advising of the IT upgrade which, so we recall, involved a mobile phone, laptop, PalmPilot, scanner, colour printer, Front Page and Adobe Acrobat 5. I raised some concerns about computers earlier in the week with the Joint House Department. There have been a lot of concerns expressed to us by our staff members about a range of problems that they have encountered. I would just like to run through some of those.

Senator Abetz—I understand that after the upgrade a survey of client satisfaction was done. Were these comments passed on at that stage or have they emerged later on? They may well have emerged later on. It would be helpful for us to know.

Senator FORSHAW—Let us go through the questions. I am sure the officers can comment in response. Firstly, were all of the offices notified of the IT upgrade at the same time?

Senator Abetz—No.

Senator FORSHAW—They were not? Can you tell us when they were notified, how they were notified and whether it was all done concurrently?

Mr Staun—I am sorry. I do not have that detail with me. I expect it was all around the same time. The roll-out of course took place over a six-month period, so there would have been follow-up and immediate notification—‘it is coming up next month or next week’—that sort of thing.

Senator FORSHAW—Are you sure that all electorate offices were—

Mr Staun—I cannot see any particular reason why they would not. There would have been a general announcement in the first place and that would have been followed up with individual announcements to the office with details of timing and so on.

Senator FORSHAW—Are you aware as to whether any senators had to actually follow up because they had not received the letter?

Mr Staun—No, I am not.

Senator Abetz—As I understand it, Senator Forshaw, there was a circular that went out at the same time to all offices. Then there was a program of roll-out. As I understand it, the contractor doing the roll-out in fact contacted each individual electorate office to try to make a time that would be of convenience.

Senator FORSHAW—I think you have indicated, Mr Staun, that you do not have the specific detail here and that you will come back to us.

Mr Staun—I can certainly confirm whether that was the case or whether there were some issues with individuals.

Senator FORSHAW—Can you provide us with a breakdown of the total cost of the upgrade?

Mr Staun—I can, but not tonight. The total cost was approximately \$6 million. It came in slightly under budget and was delivered on time.

Senator FORSHAW—You can take this on notice. Can you give us the total cost, particularly the cost of the laptops? You can give us a break-up of each of the costs associated with each of the pieces of equipment that were provided.

Mr Staun—We can certainly do that.

Senator FORSHAW—With respect to all of the equipment, what choices were given to electorate offices?

Mr Staun—In terms of the equipment itself?

Senator FORSHAW—Yes.

Mr Staun—I do not know specifically. I would have thought, extremely limited.

Senator FORSHAW—Is it not true that some offices had to forfeit a PC in order to avail themselves of the laptop that was supplied?

Mr Staun—That would be a matter of entitlement.

Ms Clarke—It was to replace one PC. So the entitlement number of computers did not change but you could go from a stand-alone PC to a laptop if you wanted to get something from the roll-out.

Senator Abetz—So just to get that clear: that was not only some; it applied to all. Is that right?

Ms Clarke—Yes, everyone.

Senator Abetz—So it was not that some MPs had to forfeit; it was all who wanted to avail themselves.

Ms Clarke—If they wanted the laptop, they had to—

Senator Abetz—Yes. So the one rule applied to all.

Ms Clarke—Yes.

Senator FORSHAW—Is it true that the equipment was provided on the basis, essentially, of take it or leave it—that you had to take everything whether you wanted it or not? For instance, you had to take the PalmPilot, you had to take the mobile phone?

Senator Abetz—No.

Senator FORSHAW—That is why I asked you earlier about what choices were given to electorate offices.

Mr Staun—When I say ‘limited choice’, certainly a particular standard type of PC, a standard type of laptop, standard PalmPilot, were all provided to the individual offices. No, you did not have to take it, I guess, in terms of the PalmPilot particularly, but it was available and my understanding is that they were all—if not, the great majority—taken up.

Senator FORSHAW—So you did not actually have to take the PalmPilot. What about the mobile phone?

Senator Abetz—I would not have thought the department or the contractor would foist upon an electorate office equipment that the office did not want.

Senator FORSHAW—I do not want to debate that with you, Minister, but it was not clear, I can tell you, as to what the full arrangements were.

Senator Abetz—That is unfortunate if that was the case.

Senator FORSHAW—Particularly in terms of dealing with the people who were installing and arranging it. Is it true that some of the PalmPilots have been returned because they cannot be connected to Parliament House computers?

Mr Staun—That is quite possible. They may have been returned. There is an issue with support of PalmPilots. They are not supported by DPRS. Certainly, we have no expertise in it. We have provided training courses and a help desk through the PalmPilot organisation in Sydney has been provided, but it is problematic, and I accept that. Dealing with and supporting PalmPilots is problematic.

Senator FORSHAW—I stated this the other day when this issue was briefly discussed with Joint House: I personally remember when we received the PalmPilot and a particular person came out to show me how to operate it. Conceding that I am not an expert in this area by any means, I have to say that the level of information was very, very limited. I think that has been the experience of a number of others. In fact, we ended up with more questions than answers in the end.

Mr Staun—I agree. If it is any comfort, I also use a PalmPilot and I have extreme difficulty synchronising it with my own PC. Even at this moment, I cannot—and I am supposed to run the IT area—get it uploaded every day with my mail. Even around the industry, PalmPilot support is a real issue.

Senator FORSHAW—Mine has not been synchronised for about two weeks, to be honest.

Mr Staun—I sympathise with you. Certainly, in terms of support from DPRS, they are not interested in supporting them. It is problematic because more and more as we move into this territory, quite clearly, having a PalmPilot, having it linked to your PC in Parliament House and your PC in the electorate office, is simply the way to go. That is the reason why we are actively working with DPRS to simplify the relationship between us and ensure good support for senators and members.

Senator FORSHAW—What did you say a moment ago? DPRS are not—

Mr Staun—No, they would not support the PalmPilot.

Senator FORSHAW—When you say ‘support’—

Mr Staun—To try to fix problems with it, provide a help desk et cetera.

Senator FORSHAW—Why is that?

Mr Staun—The quote was that it was, I think, ‘leading-edge technology which was not supportable at this stage’. I do not personally believe that. I think that PalmPilots are reasonably common these days but, nonetheless, I very much accept that they are very difficult to support. They are an unusual technology and they are still not bedded down.

Senator FORSHAW—How many complaints have been received about the PalmPilots?

Mr Staun—I could not say that. I do not know.

Senator FORSHAW—I am sure that internally here, I would imagine, the help desk would keep data on the number of complaints or the number of issues that they have to deal with. What about in terms of the electorate offices? Is CSC, which I think has the overall responsibility here, required to keep records of complaints and so on and supply them to you?

Mr Staun—Yes. Clearly, if somebody rang up about a complaint with a PalmPilot, they will be told, ‘Well, this is not something that is supported out of that help desk.’ Whether, therefore, that is recorded as a help desk call, I suspect not, but I can certainly explore that for you.

Senator FORSHAW—I might say that there is also the problem of whether or not people would bother, particularly—

Mr Staun—I accept that.

Senator FORSHAW—with the PalmPilots.

Mr Staun—With continuing problems, people tend not to bother chasing up help desks. That is across the whole of the IT industry.

Senator FORSHAW—Is it true that the laptops that were supplied can only function at the electorate office? So if an MP, a senator or staff member is in Canberra, there is actually no functioning docking station that they can link up with?

Mr Staun—That is correct. They are not supported within Parliament House. I accept *prima facie* that that defeats the purpose of having one in the first place. This is why we are working very closely with DPRS on the one-office arrangement, which is intended within the next 18 months to deliver that functionality.

Senator FORSHAW—Within the next 18 months?

Mr Staun—I believe that is the timeframe.

Senator FORSHAW—We have also been informed of complaints regarding passwords, particularly concerns that staff now have to up to three separate passwords and that they run into problems where the password on their laptop expires when they are in Canberra and then they have to get back on to CSC to reaccess the laptop and so on. Is that an issue that has been raised with you?

Mr Staun—Not with me personally, but I know that it is an issue. Again, to the extent that we can integrate with the Department of the Parliamentary Reporting Staff, that will reduce the need for multiple passwords. I suspect, though, that senators and members who have multiple applications on their PCs will always be confronted with this issue. It is problematic around the industry.

Senator FORSHAW—Why are the laptops not transferable between members’ staff and their electorate office?

Mr Staun—They are supported by two different organisations. The laptops are provided by CSC and then you have the Department of the Parliamentary Reporting Staff who run another operating system within Parliament House. They can be made to talk to each other and we can ensure that they can dock so that the systems talk together. It is a major project to do that, with a total cost in the order of some \$6 million.

Senator FAULKNER—How are we going with my letter on the use of mobile phones? I wrote to you on 8 April.

Senator Abetz—I am giving that active consideration.

Senator FAULKNER—It is in excess of a month and a half now. It is an urgent matter. I rarely write to you about these entitlement issues. When can I expect a response?

Senator Abetz—Shortly.

Senator FAULKNER—Can you give me a timeframe?

Senator Abetz—I am not going to put myself into a timeframe on that, but it is being considered.

Senator FAULKNER—Is there any proposal for DOFA to issue guidelines about the use of mobile phones?

Senator Abetz—That is a separate question to that which you just—

Senator FAULKNER—I asked you how you were going in response to my letter of 8 April.

Senator Abetz—Which was about mobile phones for opposition staff members?

Senator FAULKNER—Yes.

Senator Abetz—I thought that is what it was.

Senator FAULKNER—I am now asking what guidance or guidelines have been issued in relation to mobile phones.

Senator Abetz—Right. A separate issue. I was just making sure that the letter that you were referring to was what I thought it was about, because that was the basis on which I answered. I was not sure if you had written about something else.

Senator FAULKNER—You would think you were asking some sort of curly question that was impossible to answer.

Senator Abetz—There was some confusion behind me that confused me as well. But I think we are ready to go again.

Senator FAULKNER—Right. What is the answer? You are not going to ask me what the question is, surely, after that long powwow.

Senator Abetz—Who is going to answer the mobile phones?

Ms Mason—The mobiles are supplied to assist senators and members in running an office.

Senator FAULKNER—Is DOFA going to issue guidelines? Have you issued guidelines or are you going to issue guidelines?

Ms Clarke—We have not issued guidelines. We are investigating doing that exactly.

Senator FAULKNER—Right. So you are investigating whether you should issue them or not?

Ms Clarke—We think we should and we are just starting to put together some guidelines for consideration.

Senator FAULKNER—So we can walk away from here knowing that at some point, hopefully in the not too far distant future, there will be guidelines on the use of mobile phones.

Ms Clarke—That is correct.

Senator FAULKNER—Can anyone say who can actually use the mobile phone?

Ms Mason—The general guidance that I mentioned earlier applies. It is for use in running an office. Ms Clarke has mentioned that where we see the need for more detailed guidelines—and those are currently in development—

Senator FAULKNER—It is currently available effectively for use by anyone in the electorate office—any staff in the electorate office?

Ms Clarke—It is in the electorate office and it can be by staff.

Senator FAULKNER—Is it for staff in the electorate office?

Ms Clarke—The entitlement belongs to the senator or member, but it is for use in the electorate office. So staff can use it.

Senator FAULKNER—There is no limit on its use?

Ms Clarke—There is no limit on its use, but the guidelines that we will be putting out will, of course, refer back to the need to—

Senator FAULKNER—There cannot be any limit, because there are no guidelines, can there, really.

Ms Clarke—No, but in developing it we will be talking about using it for—

Senator FAULKNER—No-one has to take responsibility for monitoring the use of the mobile phone in the electorate office?

Ms Mason—It is for use for parliamentary or electorate business and it is for use in running an office. So that is the broad guidance and, as Ms Clarke has mentioned, we are seeking to provide some more detailed guidance.

Senator FAULKNER—The issue here is—and I have raised it with the minister—whether it can be transferred from the electorate office to a personal staffer at the request of the member or senator. You have got a situation in a range of electorate offices where it could be used by, say, a shadow ministerial staffer. It is not of great use in an electorate office but would be very, very helpful for a shadow ministerial staffer. You understand how that could occur, surely, Ms Mason?

Ms Mason—I can understand how the need for a phone for that purpose would occur.

Senator FAULKNER—So that is an issue. Can anyone supply an answer to it?

Ms Mason—I think all we can offer in the absence of detailed guidance is that, if it meets the test of assisting in parliamentary electorate business and in running the office, then that would be a legitimate use.

Senator FAULKNER—Can that electorate office staff phone be used in Canberra?

Ms Mason—I would have thought if it meets that test, yes.

Senator FAULKNER—It could be used anywhere in Australia?

Ms Mason—The nature of mobile phones tends to be that they would not only be used in the electorate office.

Senator FAULKNER—Canberra is not the electorate office.

Ms Mason—So the answer to your question is yes. I would have thought it may be used in a location which is other than the electorate office itself, provided its purpose is for parliamentary or electorate business.

Senator FAULKNER—I think we need some guidelines on this quickly. They ought to be sensible and they ought to be realistic.

Senator Abetz—As I understand it—correct me if I am wrong—the entitlement for a mobile phone arises from the Parliamentary Entitlements Act, which means that it can be used for parliamentary and electorate purposes. Is that right? And we come back to our discussion paper: what is parliamentary and what is electorate?

Senator FAULKNER—In this case—

Senator Abetz—That is the difficulty.

Senator FAULKNER—The specific issue, which I would like to get clarified urgently, is whether the electorate office phone can be used by a personal staffer.

Ms Clarke—The entitlement, as originally applied—brought forward—was for use in the electorate office, and that is the expectation, that it would be used by the electorate staff for electorate purposes.

Senator FAULKNER—Do you use it in an electorate office?

Ms Clarke—As Ms Mason has made plain, often you are not in the electorate office, you would be out and about, but—

Senator FAULKNER—For a shadow minister, they might spend more time in Canberra and out and about than they would spend in their electorate office and they may have one personal staffer, so it would be of great benefit, obviously, if they could use the phone. There may be a phone sitting in the electorate office not being utilised. I am not willing to say to my colleagues who have asked me, ‘Yes, go ahead and use it willy—nilly.’ Hence I sought some guidance from Senator Abetz. It seems sensible—I would say that it is reasonable—for such a person to use the phone. I just want to be clear whether they can or they cannot.

Ms Mason—The entitlement does relate to operating the electorate office. Perhaps my colleague Mr Gavin can elaborate on this issue.

Mr Gavin—I think the reason that there has been a delay in responding is that, while what you say sounds good commonsense, in fact the head of power for provision of the entitlement says something like—it is item 7 in the PE Act schedule—‘an office in the electorate and the facilities and equipment necessary to operate the office’. When it comes to a mobile, obviously you can use it, in fact, anywhere in the world, if it is to operate your office. But it is fairly restricted in terms of the legislation in giving it to a staff member other than, say, an electorate staff member. I think that is the reason it has taken a little while to come back to you.

Senator FAULKNER—I asked the minister to change the guidelines, but now I know there are not any guidelines—

Mr Gavin—It is not the guidelines that is the problem.

Senator FAULKNER—There are not any guidelines, are there?

Mr Gavin—I am trying to say that it is the act.

Senator FORSHAW—When the mobile phones were supplied, what was provided to the electorate officers to indicate to the member, senator and staff just how they could be used and where? Was there anything? We got the letter from Senator Abetz telling us that all this equipment is available and then it all started to appear, but in respect of the mobile, what was provided? All of the other equipment basically stays in your office, except for the laptop, which we know about, and also possibly the PalmPilot, if it is working. But other than that, with the phone, what was provided? What information was given? I cannot recall any.

Ms Clarke—There was nothing that came out and just notified senators and members of what they were getting and that it was for electorate purposes.

Senator FORSHAW—You give a person a mobile phone but you do not explain to them how and where they should be used. You have been saying tonight—and others have said—it is for use in the electorate office, which on a narrow interpretation is physically within the office. Now you are saying it is—

Senator FAULKNER—It makes sense to me that the member or senator ought to have the discretion to be able to say, ‘Use this telephone where it is needed most.’ That seems to be eminently sensible. There are no guidelines at all. You can see why people want to have some guidelines. Basically, this is just hopelessly unsatisfactory. There is no partisan politics in this at all.

Senator Abetz—I fully agree.

Senator FAULKNER—It is just hopeless. I really hope someone can fix this up quickly.

Ms Mason—The equipment is supplied to support senators and members in operating their office. That does not necessarily mean that the mobile phone can be used only in the electorate office.

Senator FAULKNER—No, but if the minister provides some guidance here it is not going to be controversial in any sense; it is not going to be considered a decision that will cause concerns at all. I think most people would think it is sensible if it is doable.

Senator Abetz—I think that is the point that Mr Gavin was making—is it doable?

Senator FAULKNER—You have got to bring some good sense to bear to this. I just hope it is done quickly.

Senator FORSHAW—The problem could well be that you provide a mobile phone and by its very nature, as you said, it can be used anywhere around Australia or around the world, but if you do not elaborate on where and when it should be and how it should be used, people can find themselves in difficulties quite innocently.

Ms Mason—I agreed with you that we see the need for more detailed guidelines. But, as I think has been evident from our discussion, we will not be able to provide any guidelines that would be inconsistent with the act.

Senator FAULKNER—Time and again I have had colleagues raise with me this problem—that is, most shadow ministerial staff, the vast majority, do not have mobile phones. That is the first point. The colleagues who have raised this with me believe the need in relation to their personal staff is greater than their electorate staff. That is their view. It seems to me to be reasonable, given the resources limitations they have and the circumstances that apply. In other words, the need for the personal staff to have the mobile phone is greater than the need for the electorate staff. Surely the minister can allow a well-meaning member or senator some discretion in relation to this. That is what I hope will happen. I hope it will happen soon. But, anyway—

Senator Abetz—As I understand the situation, no, I do not have that discretion. It has got to fit within the legislative framework of, what, parliamentary and electorate; is that right?

Senator FAULKNER—Anyway, I hope I can get a quick response and I hope it will be a positive response.

Senator Abetz—For the purpose of running an office, I can then not step out of that legislation parameter, albeit that it might make very good commonsense, et cetera. I would not disagree with you on that.

Senator FAULKNER—I would imagine that there would be the capacity, without amendment to an act of parliament, for this entitlement to be administered in a way that would mean that those who have personal staff as well as those who are entirely dependent on electorate office staff would be able to get maximum benefit from the entitlement. I would be amazed if there is not a capacity to do that.

Senator Abetz—If it is that easy to imagine, let us know the methodology that you would suggest and I would be more than happy to have the department—

Senator FAULKNER—I have had all of the experience—

Senator Abetz—I happen to agree with you in principle, but we have got to make sure that it is within the legislative framework. If you can provide us with a methodology to do that which you say is so simple, give it your best shot and I would hope the department would have a look at it.

Senator FAULKNER—I am sure the expertise in the department would be able to see that outcome realised. I would be disappointed if it could not be done. I suspect the expertise is there. If the government, the opposition, the minor parties and the Independents are all comfortable with what we are trying to achieve here, I suspect that with goodwill and all of the professionalism that departmental officers can bring to bear on this we can get an outcome. I really hope that is the case. I believe it would be the case. I will leave it with you to do.

CHAIR—I am waiting for final questions—

Senator FORSHAW—I will just make the point that when a new piece of equipment—albeit we all know what mobile phones are—is being provided, such as in this case, I would have thought it was eminently responsible and sensible to provide some guidance. As I said, with respect to all of the other equipment, like changing PCs in electorate offices, it is standard that people understand because they have been used to using it for a while. With all of the other facilities that staffers or members use, they understand—or hopefully should understand—what the entitlements are in terms of when they can and cannot use them. It is provided in respect of cars or motor vehicles. But with mobile phones this was a first, as I understand it?

Dr Watt—I think there is some guidance in the senators and members handbook. It may need improving, but I think there is something. But we will work on it.

Senator FAULKNER—Is the government members secretariat still under the authority of the Chief Whip?

Senator Abetz—It is.

Senator FAULKNER—I will follow that up in the supplementary estimates round. Could I ask you to take on notice, please, in relation to the government members secretariat, what are the levels of the various positions in the GMS? I am happy for that to be gone through by name of the position rather than the incumbent. How many staff are on AWAs? How many of those staff have had a salary increase since 1 July 1999, which is the date of the last increase, I might add, according to the framework the opposition was working within? I would like to have the percentage increase as well, please. What is the budget for the GMS? Who is responsible for the management of the budget of the GMS? Who is responsible for administering the office? Who are the staff responsible to on a day-to-day basis? I assume that is the Chief Whip. That may not be the answer. I am asking for that information on a day-to-day basis. Can you take all of those questions on notice? Otherwise we will have an extremely long trawl through here tonight. I think this will save some time.

Senator Abetz—I think they have been.

Senator FAULKNER—There are a couple of other questions about that that I would like an answer to at the table, if I could, just to conclude the evening's entertainment.

Senator Abetz—I think I was promised a brawl. We have had one, have we? That is very nice.

Senator FAULKNER—Can I ask how many members of the GMS worked in Melbourne during the election campaign period? I just want the numbers.

CHAIR—Do you have any further questions, Senator Faulkner.

Senator Abetz—I have been advised that we will have to take that on notice.

Senator FAULKNER—Why is that?

Senator Abetz—Because we do not know.

Senator FAULKNER—I am surprised to hear that, with the amount of work that has been done in answer to my questions on notice of 19 February. We do not have that information?

Ms Whisker—I have not written that information down and I cannot recollect anything.

Senator FAULKNER—Can anyone tell me if the GMS transferred to Melbourne for the period of the federal election campaign?

Senator Abetz—I think certain staff did, but allow me to check the details of that for you.

Senator FAULKNER—Do you know how long the staff were in Melbourne?

Senator Abetz—No, I do not know the exact length. I dare say it would have varied with each staff member. We would have to look at the records.

Senator FAULKNER—Do you know if they were paid travel allowance?

Senator Abetz—I would be surprised if they would not have been paid travel allowance, because they were working within the entitlement.

Senator FAULKNER—That is not agreed. I can assure you of that.

Senator Abetz—If it is not agreed, have you thought about the consequences for your own staff who you said did not claim travel allowance because they were working for, what, party political purposes? Is that why they did not claim travel allowance?

Senator FAULKNER—Let us find out—

Senator Abetz—Because then it begs the question about any airfares, and any salaries they drew during that time as well.

Senator FAULKNER—That is right.

Senator Abetz—Which has got some pretty horrid consequences, I would have thought, for Labor if we were to pursue this line.

Senator FAULKNER—Really? I would have thought the fact that well over half a million dollars that was paid by the taxpayer for the benefit of those government ministerial staffers who were working in Melbourne at the campaign headquarters during the period of the federal election campaign had very serious consequences for the government. That is my view. But I would like to know in relation to the figures—

Senator Abetz—If that is your view, in relation to your own, Senator Faulkner, on what basis did they draw a salary?

Senator FAULKNER—In relation to the figures you gave today—

Senator Abetz—Or airline tickets.

Senator FAULKNER—Are you now able to say to me—and answer the question I asked before the break—whether any repayments were involved in relation to adjustments to those figures? I am not sure if this is your bailiwick.

Senator Abetz—We have not checked up any further, but we have taken it on notice, I understand.

Senator FAULKNER—I had hoped—and I thought there was some indication—that that may have been able to be provided before we break tonight?

Senator Abetz—Any repayments that may have been made?

Senator FAULKNER—I am particularly interested, obviously, in the figure of \$623,870.90 in relation to travel allowance paid to government ministerial staffers compared with the one-tenth of that amount that was paid to—

Senator Abetz—We have five times as many staff for a start.

Senator FAULKNER—This is an election campaign.

Senator Abetz—The Labor Party has made an admission, it would appear—although I trust it is not an admission and I will not take it as such. Anybody hearing that the Labor Party deliberately did not claim travel allowance because their people were engaged in party political activity would then wonder who paid the airfares to get to Melbourne and return and who paid their salaries whilst they were doing all of this party political activity, whereas we say that our side of politics was all within entitlement. That is why they got their wages, their airfares and their travel allowance. You are trying to claim, as I understand it, Senator Faulkner, which is quite bizarre—did they all take leave without pay? Did they all pay their airfares privately and also forgo their travel allowance? That is what they should have done if they were engaged in party political activity. I would be interested to know if they forwent their wages, which I am sure would be a lot greater bill than any travel allowance.

Senator FAULKNER—If the government is now claiming—defining—working at the Liberal Party headquarters during an election campaign as official business and in no part party business, the problem that you have, Minister, is that you may as well throw out the rule book. If you have had this benefit of probably somewhere in excess of half a million dollars, you might consider the principles that ought to apply here. If this is now considered by the Liberal Party to be legitimate official business, which is what you are saying, I suspect that you will be reimbursing the Labor Party for the costs of the same campaign work? You know what a scandal and rort this is—

Senator Abetz—If it is a scam and a rort, none of the Labor staff should have taken any salary or used any airlines—

Senator FAULKNER—Because you did indicate to me that you would respond in relation to the repayments issue. I ask again: has an officer been able to provide any information in relation to what extent repayments, if any, have been taken into account in the calculation of that figure in relation to government ministerial staffers of \$623,870.90? Has that work been done over the past few hours?

Senator Abetz—No, it has not.

Dr Watt—We had not appreciated that you had an expectation of getting that tonight.

Senator BRANDIS—Isn't the figure of half a million dollars approximately the same amount of money that the Labor Party steals from the taxpayer every two months through the Centenary House rort?

Senator Abetz—That is exactly right, Senator Brandis.

Senator BRANDIS—It is \$3.2 million a year.

Senator FAULKNER—Let us have a royal commission into this just like you had into Centenary House.

CHAIR—Order, Senator Faulkner.

Senator FAULKNER—I really would like that.

Senator Abetz—Are you trying to justify the position of the Labor Party in relation to Centenary House?

Senator FAULKNER—I really would like that. I would like a royal commission into this, just like we had a royal commission into Centenary House.

CHAIR—Order! Are there any further questions?

Senator FAULKNER—No.

CHAIR—There being no further questions—

Senator Abetz—Mr Chairman, if I may, this is an important issue that I want to get absolutely clear.

Senator FAULKNER—Hang on. Are we now having editorialising, are we?

CHAIR—Order!

Senator BRANDIS—I will ask a question, Mr Chairman. Senator Abetz, what were you about to say?

Senator FAULKNER—Close the meeting.

CHAIR—I was about to do that, Senator Faulkner.

Senator FAULKNER—Either close the meeting or we will go on for another hour. It is up to you. But we are not going to have—

Senator BRANDIS—Senator Faulkner is threatening the chair. That is out of order.

Senator FAULKNER—You will not answer the questions that are being properly asked. It is not proper for you—

CHAIR—I have listened to you.

Senator FAULKNER—I am taking a point of order.

CHAIR—Okay. Please go ahead.

Senator FAULKNER—My point of order is this: it is not proper for the minister to start editorialising because he is so embarrassed about what has occurred in relation to the rort—

Senator Abetz—Hypocrisy, thy name is Faulkner.

Senator FAULKNER—of travel allowance in relation to the Melbourne campaign headquarters for the government. I do not mind, because I am ready, willing and able now to go through that issue in greater detail. So if you are going to allow the minister to editorialise—

CHAIR—Senator Faulkner—

Senator FAULKNER—not in response to a question, when you had effectively closed this meeting, I will go along with it and I will ask questions for the next 50 minutes on this very matter. I am prepared to do so.

CHAIR—On the point of order, Senator Brandis?

Senator BRANDIS—My point of order—

Senator FAULKNER—Will you rule on my point of order?

Senator BRANDIS—In speaking to Senator Faulkner's point of order, the minister is not editorialising; he is answering a question that I asked him.

CHAIR—Are you still answering Senator Brandis's question, Minister?

Senator Abetz—Yes, I am.

Senator FAULKNER—You asked for it.

CHAIR—Senator, please.

Senator BRANDIS—I am taking a point of order.

Senator FORSHAW—But he has not ruled on the last one yet.

CHAIR—Senator Forshaw, on Senator Faulkner's point of order.

Senator FORSHAW—I thought you asked the minister. I thought you had effectively ignored the point of order—

CHAIR—I am listening. I just cannot hear you. Sorry, go ahead.

Senator FORSHAW—I think it would be worth while—which we cannot do tonight—to check the *Hansard*, because my recollection is very clear that the minister had responded and he then took the opportunity to start to editorialise.

CHAIR—Thank you.

Senator FAULKNER—We can reopen that in the hearings at a later stage.

CHAIR—I do not think there is a point of order. Now I will ask: are there any further questions? There being no further questions, that completes the examination of the Finance and Administration portfolio and the examination of budget estimates for 2002-03.

Senator Abetz—I thought there was a further question.

CHAIR—I did not think there was. I did not recognise any further questions.

Senator FAULKNER—Is this winding up? Let us go.

CHAIR—That is the examination of budget estimates for 2002-03 by this committee. I remind you that the committee has set 10 July 2002 as the date for the submission of written answers to questions taken on notice.

Senator FAULKNER—The chairman has got a lot more decency than you, even if he comes from the same political party. Walk out like a mangy dog.

CHAIR—I thank the minister and officers for their attendance, and the secretariat, Hansard and Sound and Vision for their services.

Committee adjourned at 10.10 p.m.