

Senate Standing Committee on Foreign Affairs, Defence and Trade
 QUESTIONS ON NOTICE — Additional Estimates Hearing, 04 March 2020
Australian Signals Directorate

QoN	Senator	Broad topic	Hansard Page	Hansard Reference
1	Wong	Citrix Vulnerability	91	<p>Senator WONG: Congratulations. First, I noticed in your opening statement you refer to the Citrix vulnerability that was also the subject of some questions of Defence. As I understand, you released a public notification. You warned organisations of a critical vulnerability. It says: In the absence of an official patch to the vulnerability ... That is not quite what I understood the evidence to be this morning. I understood that the vendor—that is, whoever produces Citrix—had provided a patch. Is that not right?</p> <p>Ms Noble: At the time we issued the warning or advisory, which was on 25 December 2019, Citrix, the company, didn't have a patch for the vulnerabilities. On 25 December, we were able to provide advice about a workaround for what organisations could do to protect themselves from that vulnerability.</p> <p>....</p> <p>Senator WONG: When you say vulnerable to a malicious actor, is there evidence that the data had been compromised?</p> <p>Ms Noble: No. What we understand at that point is, like many other companies and perhaps government departments, given the global nature of the Citrix vulnerability, we would generally advise people if we see a specific issue that we think might affect them. At that point, we have no further information to understand whether anybody's network has been a victim of that vulnerability or compromised in any way, only that we are seeing an attempt—perhaps someone accessing their network, if you like.</p> <p>Senator WONG: Were there any other networks in the Commonwealth about which</p>

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				similar information was provided? Ms Noble: We might have to take that on notice.
2	Kitching	Five Eyes Partners' Domestic Powers	93 - 95	<p>Senator KITCHING: I want to go to a statement that Mr Pezzullo made in the last round of estimates, where he said: The government is considering potential new powers and functions for ASD for the disruption of cyber crime, where the whole or parts of the relevant cyber network are hosted on Australian telecommunications infrastructure. Congratulations, Ms Noble. It's fantastic that you are heading the agency. That's very similar to the paragraph you've pulled out from your statement regarding July 2018. What is the status of the consideration of the government? Again, the government is considering potential new powers and functions for ASD et cetera for the disruption of cyber crime. The status of that consideration is that it's in a new power in the Intelligence Services Act. Is that correct?</p> <p>...</p> <p>Ms Noble: If it assists you, Senator, I was going to draw your attention to the opening statement that I tabled. In the third to last paragraph, I've actually given an example of where ASD, in collaboration with our UK counterpart, the GCHQ, actually has used our powers to prevent cyber crime offshore.</p> <p>Senator KITCHING: I was going to come to other agencies. GCHQ has the power to do this. Does the NSA?</p> <p>Ms Noble: GCHQ's powers are different from ours. They can actually prevent cyber crime and engage in those sort of activities both onshore, in the UK, and offshore, which is very different to the powers we have. I'm less sure about NSA. Unless Mr Hanmore can help me, I would have to take that on notice.</p> <p>Senator KITCHING: Do any of the five allies have that power?</p> <p>Ms Noble: I'm not sure. I would have to take that on notice.</p>

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				Senator KITCHING: I'm happy for that to be on notice. Thank you.
3	Wong	Citrix Vulnerability Timeline	94	<p>Senator WONG: You might want to take this on notice. What has been put to me is that this is a vulnerability that had previously been known prior to the advice from ASD. Mr Hanmore said days before. Did anyone from Defence other than ASD—I appreciate that they are within your portfolio but they haven't brought a whole-of-government responsibility—actually do anything about that? If not, can you explain why not? ASD isn't responsible for Defence's security. They are responsible for providing advice and information and so forth. They have a whole range of other responsibilities as well, which we're not talking about.</p> <p>Mr Moriarty: Our internal CIO group and security staff engage with ACSC. I will take on notice what happened and—</p> <p>Senator WONG: It isn't just engaged. Given this was known before the advice provided by ACSC, did Defence do anything? Does it have its own processes to deal with this, or do they simply rely on ASD to give them advice. If so, why?</p> <p>Mr Moriarty: I'll take that on notice.</p>
4	Lambie /Fierravanti-Wells	Production of Intelligence on Australian Persons	96	<p>Senator LAMBIE: I want to ask this quickly on notice. ASD is prohibited via legislation from producing intelligence on Australian persons except in rare circumstances. Have any of those rare circumstances occurred in the last 12 months?</p> <p>Ms Noble: Yes.</p> <p>Senator LAMBIE: How many times have those rare circumstances occurred?</p> <p>Ms Noble: I would have to take that on notice.</p> <p>Senator LAMBIE: And without going into national security matters, could you tell me what those rare circumstances were?</p> <p>Ms Noble: In order to give you an example, I would have to talk about classified material.</p> <p>Senator LAMBIE: If you could take that on notice, that would be good. Thank you.</p> <p>Senator FIERRAVANTI-WELLS: In that question, could you also take on notice how</p>

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				<p>what happened this year compares with previous years?</p> <p>Ms Noble: In the context of?</p> <p>Senator FIERRAVANTI-WELLS: Numbers.</p> <p>CHAIR: What numbers.</p> <p>Ms Noble: Okay. No problem.</p>
5	Kitching	USA Cyber Security Authority	Written	<p>The Cyber Security and Infrastructure Security Agency within the US Department of Homeland Security has been undertaking automated scanning of web connected systems for potential network security vulnerabilities in 40 states and 161 local government areas over the past 12 months.</p> <ul style="list-style-type: none"> • Does the Australian Signals Directorate undertake similar scanning of Commonwealth web connected systems? • If not, why not? • Does the Australian Signals Directorate undertake similar scanning of state government web connected systems? • If not, why not? • Does the Australian Signals Directorate undertake similar scanning of critical infrastructure owners' web connected systems? <p>If not, why not?</p>
6	Kitching	Cyber Attacks	Written	<p>The OAIC's latest Notifiable Data Breaches report indicates that there were 230 notifications of malicious cyber attacks that resulted in data breaches in the second half of 2019, an increase of 1 Cyber Attacks/9.8 per cent. Is ACSC concerned with this increase in reported data breaches in Australia?</p>
7	Kitching	Data Security	Written	<p>Does ACSC believe there are problems in Australian organisational culture as it relates to data security?</p>
8	Kitching	Data security – OAIC Powers	Written	<p>Does ACSC believe a lack of enforcement by the OAIC, particularly a lack of pecuniary fines, contributes to the organisational culture in Australia as it relates to data security?</p>
9	Kitching	Data security – OAIC	Written	<p>Does ACSC believe increased enforcement actions by the OAIC would be likely to have</p>

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		Powers Impact		an impact on the organisational culture in Australia as it relates to data security?
10	Kitching	Data Security – ACSC Actions	Written	What is the ACSC doing to reverse the growth of reported data breaches in Australia?
11	Kitching	ASD Security Strategies	Written	Does ASD consider security through obscurity - trying to keep vulnerabilities secret rather than mitigating them - to be an acceptable security strategy for an Australian government department?
12	Kitching	ASD Security Strategies	Written	Is security through obscurity a viable security strategy for a government department once a vulnerability has been disclosed to the media?
13	Kitching	ASD Security Strategies – NIST Recommendation	Written	Does ASD agree with the National Institute of Standards and Technology (NIST) recommendation against security through obscurity since their Guide to General Server Security 2008 which states: "System security should not depend on the secrecy of the implementation or its components"?
14	Kitching	Security Vulnerabilities Disclosure	Written	Does the Commonwealth government currently have a responsible disclosure policy under which security researchers can disclose vulnerabilities in its information security practices in a way that allows these issues to be addressed before these vulnerabilities are publicised?
15	Kitching	ASD Security Practices	Written	Does ASD believe that the input of external security researchers is able to assist in improving the information security practices of the Commonwealth?
16	Kitching	Security Research	Written	<p>With reference to a report on 8 March 2020 by Guardian Australia that Vanessa Teague, a cryptographer from the University of Melbourne resigned her position <i>“after the health department pressured her university to stop her speaking out about the Medicare and PBS history of over 2.5 million Australians being re-identifiable online due to a government bungle.”</i></p> <ul style="list-style-type: none"> • Does ASD encourage government departments and agencies to work with security researchers from the private sector and the education sector in identifying and addressing security vulnerabilities? • Are reports that a government department pressured a security researcher likely to increase or decrease the willingness of security researchers to work with the government?

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				<ul style="list-style-type: none"> • Are such reports likely to increase or decrease the willingness of security researchers to disclose vulnerabilities to the government? • What are ASD's views on the merits of disclosing security breaches and vulnerabilities? • Does ASD believe such disclosure helps build awareness of the need to improve cyber security across Australian organisations?
17	CARR	A4 paper		From which country does the department and its agencies source A4 photo copy paper?
18	Kitching	Executive Management		<ol style="list-style-type: none"> 1. In relation to executive management for the Department and its agencies, can the following be provided for financial year 2019-20 to date: <ol style="list-style-type: none"> a. The total number of executive management positions b. The aggregate total remuneration payable for all executive management positions. c. The change in the number of executive manager positions. d. The change in aggregate total remuneration payable for all executive management positions.
19	Kitching	Ministerial Functions		<ol style="list-style-type: none"> 1. In relation to any functions or official receptions hosted by Ministers or Assistant Ministers in the portfolio, can the following information be provided from the date of the last answer for Supplementary Estimates 2019-20: <ol style="list-style-type: none"> a. List of functions. b. List of all attendees. c. Function venue. d. Itemised list of costs (GST inclusive). e. Details of any food served. f. Details of any wines or champagnes served including brand and vintage. g. Any available photographs of the function. h. Details of any entertainment provided.
20	Kitching	Departmental Functions		<ol style="list-style-type: none"> 1. In relation to expenditure on any functions or official receptions etc hosted by the Department or agencies within the portfolio, can the following information be

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				<p>provided from the date of the last answer for Supplementary Estimates 2019-20:</p> <ol style="list-style-type: none"> List of functions. List of all attendees. Function venue. Itemised list of costs (GST inclusive). Details of any food served. Details of any wines or champagnes served including brand and vintage. Any available photographs of the function. Details of any entertainment provided.
21	Kitching	Executive office upgrades		<ol style="list-style-type: none"> Have any furniture, fixtures or fittings of the Secretary's office, or the offices of any Deputy Secretaries been upgraded from the date of the last answer for Supplementary Estimates 2019-20. If so, can an itemised list of costs please be provided (GST inclusive).
22		Facilities upgrades		<ol style="list-style-type: none"> Were there any upgrades to facility premises at any of the Departments or agencies subsequent to the date of the last answer for Supplementary Estimates 2019-20. This includes but is not limited to: staff room refurbishments, kitchen refurbishments, bathroom refurbishments, the purchase of any new fridges, coffee machines, or other kitchen equipment. If so, can a detailed description of the relevant facilities upgrades be provided together with an itemised list of costs (GST inclusive). If so, can any photographs of the upgraded facilities be provided.
23	Kithingg	Staff travel		<ol style="list-style-type: none"> What is the total cost of staff travel for departmental/agency employees for FY 2019-20 to date.
24	Kitching	Legal Costs		<ol style="list-style-type: none"> What are the total legal costs for the Department/agency for FY 2019-20 to date.
25	Kitching	Secretarial Travel		<ol style="list-style-type: none"> Can an itemised list of the costs of all domestic and international travel undertaken by the Secretary of the Department be provided from the date of the last answer for Supplementary Estimates 2019-20, including:

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				<ul style="list-style-type: none"> a. Flights for the Secretary as well as any accompanying departmental officials, and identify the airline and class of travel. b. Ground transport for the Secretary as well as any accompanying departmental officials. c. Accommodation for the Secretary as well as any accompanying departmental officials, and identify the hotels the party stayed at and the room category in which the party stayed. d. Meals and other incidentals for the Secretary as well as any accompanying departmental officials. Any available menus, receipts for meals at restaurants and the like should also be provided. e. Any available photographs documenting the Secretary's travel should also be provided.
26	Kitching	FOI Requests		<ul style="list-style-type: none"> 1. Please list the number of Freedom of Information Act requests ('FOI requests') received by the Department for financial year 2019-20 to date. 2. For 2019-20 to date, please provide: <ul style="list-style-type: none"> a. The number of FOI requests the Department granted in full; b. The number of FOI requests the Department granted in part; c. The number of FOI requests the Department refused in full; and d. The number of FOI requests the Department refused for practical reasons under the Freedom of Information Act. 3. For 2019-20 to date, please provide: <ul style="list-style-type: none"> a. The number of times the Department failed to make any decision on a FOI request within the 30 day statutory period; and b. The number of times a request to the Department resulted in a practical refusal (i.e. no decision was made on the request). 4. For 2019-20 to date, please provide: <ul style="list-style-type: none"> a. The number of times the Department's FOI decisions have been appealed to

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				the OAIC; and b. The number of times has the OAIC overturned – in whole or in part – the Department’s decision to refuse access to material.
27	Kitching	FOI Staffing		<p>1. Please provide the staffing (both ASL and headcount) of staff at the Department who work exclusively on FOI requests, broken down by APS level (e.g. three EL1s, four APS6s, one SES) for 2019-20 to date.</p> <p>2. Please also list the number of officers who are designated decision makers under the Freedom of Information Act 1982 within the Department.</p> <p>3. In the past 12 months, has the Department seconded additional resources to processing Freedom of Information requests? If so, please detail those resources by APS level.</p> <p>4. Please provide the number of officers who are currently designated decision makers under the Freedom of Information Act 1982 within the Minister’s office.</p>
28	Kitching	FOI Consultation	Written q# 8,9,10	<p>1. Please provide the number of FOI requests currently under consideration by the Department. Please also provide the number of these requests that are currently overdue in response.</p> <p>2. Does the department consult or inform the Minister when it receives Freedom of Information requests? If so:</p> <p>a. How many times has this occurred in the past twelve months; and</p> <p>b. Please outline the process by which the Department consults the Minister.</p> <p>3. Has the Department consulted or informed another Department or agency about any FOI request in the past twelve months. If so, please provide the legal basis on which that consultation occurred (e.g. third party consultation, transfer of request).</p>
29	Kitching	Briefings		1. Has the Department/agency or the Minister’s office provided briefings to independents/minor parties in the Senate or House of Representatives since the date

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				<p>of the last answer for Supplementary Estimates 2019-20. If so, can the following be provided:</p> <ol style="list-style-type: none"> The subject matter of the briefing. The location and date of the briefing. Who proposed the briefing. Attendees of the briefing by level/position
30	Kitching	Acting Minister arrangements		<ol style="list-style-type: none"> Can the Department provide all leave periods of the portfolio Minister since the date of the last answer for Supplementary Estimates 2019-20. Can the Department further provide acting Minister arrangements for each leave period.
31	Kitching	Market Research		<ol style="list-style-type: none"> Does the Department/agency undertake any polling or market research in relation to government policies or proposed policies. If so, can the Department provide an itemised list for financial year 2019-20 to date: <ol style="list-style-type: none"> Subject matter Company Costs Contract date period Can the Department/agency advise what, if any, research was shared with the Minister or their office and the date and format in which this occurred.
32	Kitching	Advertising & Information Campaigns		<ol style="list-style-type: none"> What is the Department/agency's total expenditure on advertising and information campaigns for the financial year 2019-20 to date. What advertising and information campaigns has the Department/agency run in this time. For each campaign, please provide: <ol style="list-style-type: none"> When approval was first sought. The date of approval, including whether the advertising went through the Independent Campaign Committee process. the timeline for each campaign, including any variation to the original proposed

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				<p>timeline.</p> <p>3. Can an itemised list of all Austender Contract Notice numbers for all advertising and information campaign contracts in each period be provided.</p>
33	Kitching	Promotional Merchandise		<p>1. What is the Department/agency's total expenditure on promotional merchandise for the financial year 2019-20 to date.</p> <p>2. Can an itemised list of all Austender Contract Notice numbers for all promotional merchandise contracts in that period please be provided.</p> <p>3. Can photographs or samples of relevant promotional merchandise please be provided.</p>
34	Kitching	Ministerial Overseas Travel		<p>1. Can an itemised list of the costs met by the department or agency for all international travel undertaken by Ministers or Assistant Ministers in the portfolio please be provided from the of date the last answer for the Supplementary Estimates 2019-20, including:</p> <p>a. Flights for the Minister and any accompanying members of the Minister's personal staff or family members, as well as any accompanying departmental officials, together with the airline and class of travel.</p> <p>b. Ground transport for the Minister and any accompanying members of the Minister's personal staff or family members, as well as any accompanying departmental officials.</p> <p>c. Accommodation for the Minister and any accompanying members of the Minister's personal staff or family members, as well as any accompanying departmental officials, and identify the hotels the party stayed at and the room category in which the party stayed.</p> <p>d. Meals and other incidentals for the Minister and any accompanying members of the Minister's personal staff or family members, as well as any accompanying departmental officials. Any available menus, receipts for meals at restaurants and the like should also be provided.</p>

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				e. Any available photographs documenting the Minister's travel should also be provided.
35	Kitching	Commissioned Reports and Reviews		<ol style="list-style-type: none"> 1. Since the date of the last answer for Supplementary Estimates 2019-20, how many Reports or Reviews have been commissioned. Please provide details of each report including: <ol style="list-style-type: none"> a. Date commissioned. b. Date report handed to Government. c. Date of public release. d. Terms of Reference. e. Committee members and/or Reviewers. 2. How much did each report cost/or is estimated to cost. 3. The background and credentials of the Review personnel. 4. The remuneration arrangements applicable to the Review personnel, including fees, disbursements and travel 5. The cost of any travel attached to the conduct of the Review. 6. How many departmental staff were involved in each report and at what level. 7. What is the current status of each report. When is the Government intending to respond to each report if it has not already done so.
36	Kitching	Board Appointments		<ol style="list-style-type: none"> 1. Provide an update of portfolio boards, including board title, terms of appointment, tenure of appointment and members from the date of the last answer for Supplementary Estimates Round 2019-20. 2. What is the gender ratio on each board and across the portfolio 3. What has been the total value of all Board Director fees and disbursements paid. 4. What is the value of all domestic travel by Board Directors. 5. What is the value of all international travel by Board Directors.
37	Kitching	Appointments – Briefs prepared		<ol style="list-style-type: none"> 1. How many times has the Department prepared a brief for statutory authorities, executive agencies, advisory boards, government business enterprises or any other Commonwealth body which includes a reference to a former Liberal or National member of parliament at a state, territory or federal level, since the answer was

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				<p>provided for Supplementary Estimates 2019-20.</p> <p>2. For each brief prepared, can the Department advise:</p> <p>a. The former member.</p> <p>b. The board or entity.</p> <p>c. Whether the request originated from the Minister's office.</p> <p>d. Whether the appointment was made.</p>
38	Kitching	Stationery		<p>1. How much has been spent on ministerial stationery requirements in financial year 2019-20 to date.</p>
39	Kitching	Media Monitoring		<p>1. What is the total cost of media monitoring services, including press clippings, electronic media transcripts etcetera, provided to the each Minister's office for financial year 2019-20 to date.</p> <p>a. Which agency or agencies provided these services.</p> <p>b. Can an itemised list of Austender Contract notice numbers for any media monitoring contracts in each period please be provided</p> <p>c. What is the estimated budget to provide these services for the year FY 2019-20.</p> <p>2. What was the total cost of media monitoring services, including press clippings, electronic media transcripts etcetera, provided to the department/agency for financial year 2019-20 to date.</p> <p>a. Which agency or agencies provided these services.</p> <p>b. Can an itemised list of Austender Contract Notice numbers for any media monitoring contracts in each period please be provided</p> <p>c. What is the estimated budget to provide these services for the year FY 2019-20.</p>
40	Kitching	Communications staff		<p>1. For all departments and agencies, please provide – in relation to all public relations, communications and media staff – the following:</p> <p>2. By Department or agency:</p> <p>a. How many ongoing staff, the classification, the type of work they undertake and their location.</p> <p>b. How many non-ongoing staff, their classification, type of work they undertake</p>

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				<p>and their location.</p> <p>c. How many contractors, their classification, type of work they undertake and their location.</p> <p>d. How many are graphic designers.</p> <p>e. How many are media managers.</p> <p>f. How many organise events.</p> <p>3. Do any departments/agencies have independent media studios.</p> <p>a. If yes, why.</p> <p>b. When was it established.</p> <p>c. What is the set up cost.</p> <p>d. What is the ongoing cost.</p> <p>e. How many staff work there and what are their classifications.</p>
41	Kitching	Departmental staff in Ministers offices		<p>1. Can the Department provide an update on the total number of departmental staff seconded to ministerial offices, including:</p> <p>a. Duration of secondment.</p> <p>b. APS level.</p> <p>2. Can the Department provide an update on the total number of DLOs/CLOs for ministerial offices including APS level.</p>
42	Kitching	CDDA Payments		<p>1. How many claims have been received under the Compensation for Detriment caused by Defective Administration scheme (CDDA) by the Department for financial year 2019-20 to date.</p> <p>2. How many claims were:</p> <p>a. Accepted.</p> <p>b. Rejected.</p> <p>c. Under consideration.</p> <p>3. Of the accepted claims, can the Department provide:</p> <p>a. Details of the claim, subject to relevant privacy considerations</p> <p>b. The date payment was made</p> <p>c. The decision maker.</p>
43	Kitching	Congestion Busting		<p>1. Can the Department/agency provide an update on how it is “congestion</p>

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				<p>busting” in relation to bureaucratic bottlenecks and regulatory bottlenecks.</p> <p>2. Have any additional resources been allocated within the Department to achieve “congestion busting” within the department since an answer was provided for the Supplementary Estimates round 2019-20.</p>
44	Kitching	Recruitment		<p>1. What amount has been expended by the department/agency on external recruitment or executive search services in financial year 2019-20 to date.</p> <p>2. Which services were utilised. Can an itemised list be provided.</p>
45	Kitching	Comcare		<p>1. For financial year 2019-20 to date, can the Department advise whether it has been the subject of any investigations involving Comcare. If yes, please provide details of the circumstances and the status.</p> <p>2. Can the Department advise the number of sanctions it has received from Comcare in the FY2019-20 to date.</p>
46	Kitching	Fair Work Commission		<p>1. For financial year 2019-20 to date, how many references have been made to the Fair Work Commission within the Department or agency.</p>
47	Kitching	Social Media Influencers		<p>1. What was the Department/agency’s total expenditure on social media influencers for financial year 2019-20 to date.</p> <p>2. What advertising or information campaigns did the Department/agency use social media influencers to promote.</p> <p>3. Can a copy of all relevant social media influencer posts please be provided.</p> <p>4. Can an itemised list of all Austender Contract Notice numbers for all relevant social media influencer contracts please be provided.</p>
48	Kitching	Staffing		<p>1. How many full-time equivalent staff are engaged at 1 March 2020. How does this differ from the figures presented in Budget Paper 4 in the 2019-20 Budget.</p> <p>2. How many of these positions are (a) on-going and (b) non-ongoing.</p> <p>3. How many redundancies have occurred in financial year 2019-20 to date. How many were:</p> <p>a. voluntary</p>

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				<p>b. involuntary.</p> <p>4. How many of those redundancies occurred as a result of departmental restructuring. What is the total cost of those redundancies.</p> <p>5. What was the total value in dollar terms of all termination payments paid to exiting staff.</p> <p>6. How much overtime or equivalent has been paid to staff in financial year 2019-20 to date.</p> <p>7. How many section 37 notices under the Public Service Act 1999 have been offered in financial year 2019-20 to date.</p>
49	Kitching	Office of the Merit Protection Commissioner		For financial year 2019-20 to date, how many references have been made to the Office of the Merit Protection Commissioner within the Department or agency.
50	Kitching	Public Interest Disclosure		For financial year 2019-20 to date, how many public interest disclosures have been received.
51	Kitching	Fair Work Ombudsman		For financial year 2019-20 to date, how many references have been made to the Fair Work Ombudsman within the Department or agency.