



19/244

Dr Sean Turner
Committee Secretary
Senate Standing Committee on Legal and Constitutional Affairs
PO Box 6100
CANBERRA ACT 2600

Dear Dr Turner

Clarification to Proof Hansard

I write to you concerning evidence provided to the Senate Standing Committee on Legal and Constitutional Affairs during the Budget Estimates hearings on 4 and 9 April 2019.

Evidence relating to the Commonwealth Integrity Commission proposal

I would like to correct evidence provided on the staffing for the Commonwealth Integrity Commission (CIC). On page 135 of the proof Hansard, in response to questions asked by Senator Larissa Waters, I stated:

Ms Chidgey: The figures over the forward estimates for the Commonwealth Integrity Commission are exclusive of ACLEI. ACLEI has around 50 staff. The figures for staffing level, without including those ACLEI staff, for 2020-2021 are 88—without ACLEI. Then, if you include ACLEI in that, it would be another 50 on top of that, which I think is 138 or 140. Then, the following year, for the CIC—again, exclusive of ACLEI staff—for 2021-22 it is 127.5 ASL, and the same for 2022-23. Again, once ACLEI staff are also included in that, that brings the staffing levels to 177.5 for 2021-22 and 2022-23.

Noting that the CIC's staffing profile will incorporate the profile already allocated to ACLEI in the forward estimates, I provided staffing figures based on an assumption that ACLEI's ASL (average staffing level) would be around 50. However, as the result of a terminating measure, ACLEI's ASL allocation from 2020-21 is 45.

The correct figures for CIC staffing levels over the forward estimates are therefore as follows:

Staffing	2019-20*	2020-21	2021-22	2022-23
<i>CIC ASL</i>	39.1	76.1	116.5	116
<i>CIC contractors</i>	0	12	11	11
<i>ACLEI ASL</i>	53.9	45	45	45
Total staffing	93	133.1	172.5	172.5

* The figures for 2019-20 are made up of the full year ASL for ACLEI (54), and the part-year figure for the CIC (39).

Evidence relating to the Foreign Influence Transparency Scheme

I would also like to provide further information to clarify evidence provided about the Foreign Influence Transparency Scheme (the scheme).

Letters sent upon commencement of scheme

The department was asked questions on 4 and 9 April 2019 relating to outreach activities undertaken in support of the scheme. In his evidence on 4 April, Mr Chris Moraitis, Secretary of the department, indicated that the department had ‘written to about 700 bodies’ about the commencement of the scheme (see page 131 of the proof Hansard from 4 April 2019).

I would like to clarify details of the letters. When the scheme commenced on 10 December 2018, the department prepared and sent letters to a number of stakeholders to advise them of the commencement of the scheme. Mr Moraitis and I wrote to 561 stakeholders. The Attorney-General’s Chief of Staff wrote to 226 serving Members of Parliament. In total, letters were sent to 787 individuals and entities.

Engagement with Confucius Institutes

On page 132 of the proof Hansard from 4 April 2019, in response to a question asked by Senator Patrick about Confucius Institutes, Ms Lucinda Atkinson, Assistant Secretary of the Institutional Integrity Branch, stated:

Ms Atkinson: We’re aware of the media reporting around the issue, but we’ve not yet directly engaged with the institutes themselves.

Ms Atkinson’s answer went to the issue of whether the department had received responses from any of the Confucius Institutes in relation to the letters sent to them when the scheme commenced. As noted in evidence, the letters that were sent to universities and Confucius Institutes were of a general nature informing them of the commencement of the scheme and did not specifically request a response. Representatives from one Confucius Institute attended a community outreach session held by the department in Melbourne in March this year. Additionally, following media reporting which indicated that another Confucius Institute had stated it did not receive a letter from the department, the department took steps to re-send that letter and received confirmation from that Institute that the letter had been received.

Registration of Sanlaan Pty Ltd

Further, I note that at the department’s Budget Estimates hearing on 9 April 2019 there were a number of questions raised which related directly to the potential registration obligations that may apply to Mr Santo Santoro.

At the hearing, Mr Moraitis noted that Mr Santoro was registered under the scheme in relation to one foreign principal. This was consistent with the information available on the scheme’s public register at the time. However, Mr Santoro (through his company, Sanlaan Pty Ltd) had previously lodged information to register activities he undertakes in relation to an additional five foreign principals. Following a review of the information provided, these additional registrations were published by the department on the public register on 9 April 2019.

I have attached for the information of the Committee a statement relating to these matters published by the department on 9 April 2019 in response to media articles on this issue.

Yours sincerely

Sarah Chidgey
12 April 2019



Media Release

Tuesday, 9th April 2019

STATEMENT REGARDING REGISTRATIONS UNDER THE FOREIGN INFLUENCE TRANSPARENCY SCHEME

The Department is aware of media reporting in relation to the registration of Sanlaan Pty Ltd (also known as Santoro Consulting) under the Foreign Influence Transparency Scheme.

The department can confirm that an initial registration was lodged by Sanlaan on 18 March 2019 in relation to general political lobbying on behalf of the Port of Brisbane. Following a review of the registration information provided as part of the registration, these activities were published by the department on the public register on 25 March 2019.

Sanlaan lodged registrations in relation to additional activities being undertaken on behalf of the Port of Brisbane and five other foreign principals on 27 March 2019. Following a review of the registration information provided, these activities were published by the department on the public register on 9 April.

All registrations were published within the statutory timeframe.

For further information about the scheme, please refer to the department's website at www.ag.gov.au/transparency/. Media enquiries should be directed to media@ag.gov.au.