

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Inquiry into Public Governance, Performance and Accountability Amendment (Ban Unethical Contractors) Bill 2025

Finance Portfolio

Hearing of 20 February 2026

Department/Agency: Department of Finance

Senator: Barbara Pocock

Question reference number: Hansard QoN 1

Type of question: Hansard Proof, pages 32-33

Date set by the committee for the return of answer: 10 March 2026

Number of pages: 1

Question:

Senator BARBARA POCOCK: Thank you for giving us that on notice. That statement that you refer to confirms compliance with contract terms, relevant Commonwealth legislation, supplier code of conduct, confidentiality, conflicts of interest, significant events, modern slavery, fraud and tax laws. Do any other departments, to your knowledge, require suppliers to complete similar statements?

Mr Markovic: I'm not aware. I would imagine other departments have similar processes, but we have worked internally to put that in place in response to some of these activities.

Senator BARBARA POCOCK: I might turn to you, Department of Finance. Do you have any views on the effectiveness of this requirement, whether other departments should implement such a statement?

Mr Danks: I'm not aware if other departments have it. I'll take it on notice and see if the team knows. I think it's a good development. I think it's something we'll look at and see whether we can provide guidance across the APS to something similar. We do always have obligations and guidance on due diligence of contracts and contract management, and that is to ensure the contracts are being managed according to the terms and conditions. But having an annual reminder, the way Mr Markovic talked about, is a positive step forward, so we'll look at that.

Answer:

The Department of Finance (Finance) is not aware of other entities using annual compliance statements.

Requiring suppliers to periodically confirm compliance with contractual obligations and relevant Commonwealth legislation can reinforce existing contract management activities. Finance will develop guidance, in collaboration with the Department of Education, for government entities on the use of regular compliance statements.

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Finance Portfolio
Hearing of 20 February 2026

Department/Agency: Department of Finance

Senator: Barbara Pocock

Question reference number: Hansard QoN 2

Type of question: Hansard Proof, page 38

Date set by the committee for the return of answer: 10 March 2026

Number of pages: 1

Question:

Senator BARBARA POCOCK: How many of the NOSE events that you have pursued have been on your initiative in response to what you see in a public report?

Mr Danks: I'll have to take that on notice. I don't have that level of detail here today. We did write out to all suppliers on the MAS Panel on 28 January this year to remind them of the timely response. Before the December estimates, there may have been a news article in relation to an AI cheating scandal that we found out in the AFR, which we said to that supplier that wasn't appropriate. They need to tell us in advance. But we'll take on notice about how much has been generated from us as opposed to from supplier.

Answer:

As at 23 February 2026, the Department of Finance (Finance) has undertaken 31 engagements under the Notice of Significant Events (NoSE). Of these, 14 engagements were initiated by Finance to seek further information and/or remind suppliers of their obligation to notify Finance of a Significant Event. The remaining 17 engagements were self-declared by suppliers.