

Appendix 3—Compliance with legislative requirements

This appendix provides the department's 2013–14 reports against particular legislated requirements.

It also includes a signed statement by the Clerk certifying that the department complies with the Commonwealth Fraud Control Guidelines.

Schedule 2, Part 4 of the *Work Health and Safety Act 2011*

Please refer to 'Work health and safety' in the 'Management and accountability' chapter (page 64).

Section 8 of the *Freedom of Information Act 1982*

The department is not subject to the provisions of the *Freedom of Information Act 1982*. However, the department's policy is to comply with the intent of the Act to the extent practicable, having regard to the legal issues which may arise in the absence of the protections afforded by the Act.

Two requests made as 'FOI requests' were received by the department during the year. One related to information that was publically available and the other to a document that did not exist.

Section 311A of the *Commonwealth Electoral Act 1918*

In 2013–14, the department paid a total of \$59,821 for advertising. Of the total, \$44,765 was in relation to Senate and joint committee activities, delivered through Adcorp Australia, the government contractor. The balance was for other minor advertising services, including public notices and recruitment.

No market research, polling, direct mail or creative advertising organisations were engaged during the year. No advertising campaigns were conducted during the year.

Paragraph 11.1(ba) of the *Legal Services Directions 2005*

In 2013–14, the department expended \$60,479 on legal services. This amount does not include \$149,268 for the provision of independent legal advice supporting the work of the three legislative scrutiny committees and the Joint Select Committee for Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples. There was no expenditure on counsel during the year.

In accordance with the Legal Services Directions 2005, the Clerk of the Senate certified to the Office of Legal Services Coordination the department's compliance with certain matters under paragraph 11.2 of the directions.

Fraud Control Certification



CLERK OF THE SENATE

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FRAUD CONTROL CERTIFICATION

In accordance with the Commonwealth Fraud Control Guidelines, issued by the Minister for Home Affairs pursuant to Regulation 16A of the *Financial Management and Accountability Regulations 1997*, I, Rosemary Laing, Clerk of the Senate, hereby certify that the Department of the Senate has:

- prepared current fraud risk assessments and a fraud control plan;
- appropriate fraud prevention, detection, investigation, reporting and data collection procedures and processes; and
- taken all reasonable measures to minimise incidences of fraud and to investigate and recover the proceeds of fraud.

(Rosemary Laing)

26 September 2014