

Senate Community Affairs Legislation Committee

BUDGET ESTIMATES – 5-6 JUNE 2014 ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: Conditions of Government Contracts and Agreements

Question reference number: HS 104

Senator: Ludwig

Type of question: Written

Date set by the committee for the return of answer: 25 July 2014

Number of pages: 2

Question:

Since 7 September 2013:

- a) Do any contracts managed by the Department/Agency contain any limitations or restrictions on advocacy or criticising Government policy? If so, please name each contract. When was it formed or created?
- b) What are the specific clauses and/or sections which state this, or in effect, create a limitation or restriction?
- c) Do any agreements managed by the Department/Agency contain any limitations on restrictions on advocacy or criticisms of Government policy? If so, please name each agreement. When was it formed or created?
- d) What are the specific clauses and/or sections which state this, or in effect, create a limitation or restriction?
- e) For each of the contracts and agreements, are there any particular reason, such as genuine commercial in confidence information, for this restriction?
- f) Have any changes to financial or resource support to services which advocate on behalf of groups or individuals in Australian society been made? If so, which groups? What was the change?
- g) Has any consultation occurred between the Department/Agency and any individuals and/or community groups about these changes? If so, what consultation process was used? Was it public? If not, why not? Are public submissions available on a website?
- h) If no consultation has occurred, why not?
- i) Did the Minister/Parliamentary Secretary meet with any stakeholders about changes to advocacy in their contracts and/or agreements? If so, when? Who did he/she meet with?

Answer:

- a) – e) The Department of Human Services (the department) utilises standard Commonwealth terms and conditions issued by the Department of Finance for the majority of its contracts and agreements. The department generates other specialised contracts through its legal area. Neither of these types of contracts or agreements contain any clauses and/or sections that limit or restrict advocacy or criticism of Government policy. The department also has a small number of contracts initiated by third parties (such as suppliers) that would similarly not have any clauses limiting or restricting those suppliers. To undertake a complete review of all contracts and agreements managed by the department to verify this would be an unreasonable diversion of resources.
- f) No.
- g) Not applicable.
- h) Not applicable.
- i) Not applicable.