

**Senate Economics Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

**Treasury Portfolio**

Budget Estimates

2014 - 2015

**Department/Agency: ATO**

**Question: BET 428-431**

**Topic: Non-Australian Citizens Employed by the Department/Agency**

**Reference: written - 17 June 2015**

**Senator: Ludwig, Joe**

**Question:**

428. What is the Department/Agency's policy with regard to hiring non-Australian citizens?
429. Does the agency have a Culturally and Linguistically Diverse (CALD) policy? If yes, please provide a summary.
430. How does the Department/Agency determine whether a person is a non-Australian citizen?
431. How many staff who were not Australian Citizens have been hired by the Department/Agency since the Federal Election in September, 2013? Please break the numbers down by:
  - a) Levels at which they are employed
  - b) Immigration Status (Visa)
  - c) Cultural Background
  - d) Linguistic Background
  - e) How many were hired to satisfy CALD targets?

**Answer:**

428. Engagements to the Australian Taxation Office (ATO) must be Australian citizens unless the essential skills, knowledge or qualifications for the vacant position are so specialised they cannot be provided by any applicants who are Australian citizens. These situations are rare.

The delegates for engaging non-citizens are Second Commissioners and National Program Managers and the delegation cannot be exercised without first obtaining written approval from the Deputy Commissioner ATO People. The Deputy Commissioner ATO People will also decide whether to waive the citizenship requirement or specify the period within which the citizenship must be gained.

429. Culturally and Linguistically Diverse has been included as one of six key priority groups in the ATO's Diversity and Inclusion Plan 2015-17.

The plan recognises the need to maintain a diverse and inclusive work environment that recognises individual and cultural differences

The ATO also supports culturally and linguistically diverse Australians via our Multicultural Plan 2013-15 which articulates our ongoing commitments to help people understand their rights and responsibilities and to make it as easy as possible for them to comply with their obligations.

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430. The ATO requires one of the following documents to prove a person is an Australian Citizen. If they are unable to provide this documentation they would be deemed to be a non-Australian citizen:

- a full Australian Birth Certificate.
- an Australian Passport that had two years validity or more, and was issued after 20 August 1986, but was not cancelled;
- an Australian Citizenship Certificate (including an extract from the register of citizenship by descent or extract from the register of Australian births abroad).

If they are born in Australia on or after 20 August 1986 they must provide a certified copy of one of the following documents:-

- A current Australian passport (that was issued on or after 1 January 2000 and is valid for a period of at least two years from the date of issue)
- evidence of one parent's Australian citizenship or permanent residency at the time of birth. This evidence can be any one of the following:
  - one parent's Australian birth certificate
  - one parent's Australian passport that that was issued prior to their birth
  - one parent's certificate of Australian citizenship issued prior to their birth
  - proof of one parent's permanent residency at the time of their birth.

If they are unable to provide any of the above documents they must apply to the Department of Immigration and Border Protection for a Certificate of Evidence of Australian citizenship.

431. Since 9 September 2013, one non-ongoing staff member has been employed.

- a) APS 3
- b) Not known
- c) Not known
- d) Not known
- e) Nil