

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Supplementary Budget Estimates

20-21 November 2013

Question: SBT 31

Topic: Memorandum of Understanding with AFP

Hansard Page: 8, 20 November 2013

Senator DASTYARI asked:

31. Senator DASTYARI: On the MOU between the AFP and ASIC, your evidence here is that that was initiated post an OECD recommendation.

Mr Medcraft: That is correct.

Senator DASTYARI: How long did that process take?

Mr Savundra: I think approximately 12 months, maybe a bit longer than 12 months.

Senator DASTYARI: There was an agreement in the past with the AFP, wasn't there?

Mr Savundra: There was.

Senator DASTYARI: And that expired?

Mr Savundra: It did.

Senator DASTYARI: When did that expire?

Mr Savundra: I am not sure. I will have to take that on notice. But I think it was some considerable period ago—more than five years, I think.

Senator DASTYARI: You can take that on notice. My information is that it expired in 2005. I am just trying to get my head around what happened between 2005 and 2013, where there was no agreement with the AFP. If you want to, take that on notice.

Answer:

31. Between September 2003 and September 2005, there was a Service Agreement between the AFP and ASIC which provided a framework for cooperation between the agencies. This Service Agreement expired in September 2005. Although it was not renewed the agencies continue to adhere, where practicable, to the arrangements in the Service Agreement.

On 9 October 2013, ASIC and the AFP agreed a Memorandum of Understanding on collaborative working arrangements (MOU). The MOU sets out how the AFP and ASIC will communicate and share information. Annexure A to the MOU deals specifically with the investigation of foreign bribery allegations.