

Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Industry, Innovation and Science Portfolio
2016-17 Supplementary Budget Estimates
20 October 2016

DEPARTMENT: DEPARTMENT OF INDUSTRY, INNOVATION AND SCIENCE

TOPIC: Statement of Ministerial Standards

REFERENCE: Written Question – Senator Waters

QUESTION No.: SI-29

Senator WATERS: Are your departmental staff aware of the Statement of Ministerial Standards?

Ms Beauchamp: I might have read it at some stage.

Senator WATERS: So you would be aware then that if a former minister is seeking a meeting within the 18- month cooling-off period it is not in accordance with the standards. Is there any process that departmental staff would use to raise a meeting request from a more former minister in that 18 month cooling-off period, to advise the current minister of the risks of proceeding with such a meeting?

Ms Weston: I am not sure that the standing requirements require that. Is that the case?

Senator WATERS: They require an 18-month cooling-off period—

Ms Weston: I understand that, but you are asking—

Senator WATERS: I am wondering how that gets operationalised in practice. Does anybody tell the present minister?

Ms Weston: We are happy to take that on notice.

Senator WATERS: So it does not sound like there is any departmental process that you are immediately aware of, but you will have a look into it?

Ms Weston: I will take it on notice.

Senator WATERS: Also, if you could let me know if that would normally be something that the department would do or would it be left to the minister's staff? It seems to be different in every instance. So I am interested in if there is a procedure and who would be the people who would normally follow it.

Ms Beauchamp: On the issue I raised before in terms of previous minister Macfarlane, in his capacity as chair of the innovative CRC, of course we would have to meet as part of the administration of the CRC program. I think you are talking about using the role as minister, in terms of related functions.

Senator WATERS: Yes. The ministerial statements relate to meetings on matters on which that person had official dealings when they were a minister. So I would say, yes, I am less concerned about the CRC meetings.

Ms Beauchamp: Okay.

Senator WATERS: Would the department usually seek advice from the Department of Prime Minister and Cabinet in a situation where a former minister, in that 18-month period, sought a meeting with the current minister?

Ms Beauchamp: Certainly the executive would be told from junior officers and, certainly, SES similarly would raise it with the executive. I think that would be a judgement call as to whether we would have to raise it any further.

Senator WATERS: You will have to forgive my lack of knowledge with Public Service echelons. Can you say that for me again?

Ms Beauchamp: If a previous minister contacted a junior officer in the department and wanted to meet, then, of course, the junior officer would raise it with their Senior Executive Service member. Similarly, the Senior Executive Service would also raise it with the deputies and myself, and a adjustment would be made as to whether 1) to meet, and on what basis and 2) whether we would

need further advice from the Department of the Prime Minister and Cabinet.

Senator WATERS: So you would assess whether you needed to seek the advice, depending on the nature of the question. Have you ever previously sought advice from the Department of the Prime Minister and Cabinet on the application of the Statement of Ministerial Standards?

Ms Beauchamp: I have not personally, but I cannot speak for the whole of the executive.

Senator WATERS: Could you take that on notice—or are you able to answer that now?

Ms Weston: I just recall when it came in. My memory is not good enough here, but I do recall there being a lot of questions about whether or not it was to PM&C. I am not sure.

Senator WATERS: If you could let me know on notice. Likewise, I am interested in whether advice has been sought on the application of that statement in the context of a particular meeting request.

So, whether it is in the general, or whether it was specifically related to a particular request.

ANSWER

Question: How do the Statement of Ministerial Standards get operationalised in practice? Does anyone tell the present Minister?

Answer: It is not the responsibility of officials in this Department to advise the current Minister, rather the responsibility of the Department of the Prime Minister and Cabinet.

Question: Are there Departmental processes in place for applying the Statement of Ministerial Standards?

Answer: Yes.

Question: Have you ever previously sought advice from the Department of Prime Minister and Cabinet on the application of the Statement of Ministerial Standards, or in the context of a particular meeting request?

Answer: The Department seeks clarification on the application of Statement of Ministerial Standards as required.