

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates 24-28 February 2014

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Outcome/Program: 1.1 Prime Minister and Cabinet

Topic: Indigenous Land Corporation

Senator: Senator the Hon Jan McLucas

Question reference number: 145

Type of Question: Written

Date set by the committee for the return of answer: 11 April 2014

Number of pages: 2

Questions:

When the Indigenous Land Corporation appeared before the Senate Finance and Public Administration Legislation Committee at the Estimates hearing on Friday 28 February 2014, the Department of Prime Minister and Cabinet gave evidence that it had received a copy of a report prepared by 'Aegis Consulting Group', which was reported in the Australian on 22 January 2014.

- a. On what date did the Department of Prime Minister and Cabinet and the Department of Finance receive the Aegis Consulting Group report?
- b. Who provided the Department with the report? Please table any correspondence.
- c. Was the letter accompanying the report addressed to Ministers?
- d. Does the report analyse and refer to any official Indigenous Land Corporation documents, including correspondence between former Ministers Macklin and Wong and the Chair of the Indigenous Land Corporation Board?
 - i. If so, who provided the Aegis Consulting Group with these documents?
 - ii. Will the Government pursue action for a breach of the Commonwealth Authorities and Companies Act 1997 (Cth) or the Crimes Act 1914 (Cth) if those documents were provided to Aegis Consulting Group in contravention of those Acts?
- e. Was the Minister or his office provided with a copy of the report by the Aegis Consulting Group or a third party?
- f. Has the Minister or his office had any discussions with third parties regarding this report? If yes, with whom and on what date?

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g. Does the Department of Prime Minister and Cabinet, the Department of Finance, the Minister for Indigenous Affairs or the Minister for Finance intend to pursue the allegations in the Aegis Consulting Group report that have been reported in the media in relation to possible breaches of the Commonwealth Authorities and Companies Act 1997 (Cth) by members of the Indigenous Land Corporation Board?

Answers:

a., b., c. and e. Mr David Baffsky wrote to the Prime Minister, the Associate Secretary of the Department of the Prime Minister and Cabinet (PM&C) and the Secretary of the Department of Finance on 6 February 2014 attaching a copy of the report. PM&C understands a copy of the report was also provided to the Minister for Indigenous Affairs' office.

d. and d(i). PM&C understands that Mr Baffsky also provided a copy of the report to the Committee on 6 March 2014 for its consideration. PM&C has no further information than that which is provided in the report.

d(ii) and g. The *Commonwealth Authorities and Companies Act 1997* is a matter for the Minister for Finance. The Department of Finance is currently reviewing allegations. Investigation and prosecution of offences in the *Crimes Act 1914* are matters for law enforcement agencies. PM&C is not aware of any criminal investigation into this matter.

f. PM&C has no knowledge of any discussions.