

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
ADDITIONAL ESTIMATES 2015-16

Finance Portfolio
9 February 2016

Department/Agency: All

Outcome/Program: 2/2.1

Topic: Conditions of Government Contracts and Agreements

Senator: Ludwig

Question reference number: F92

Type of question: Written

Date set by the committee for the return of answer: Friday, 1 April 2016

Number of pages: 2

Question:

1. Do any contracts managed by the Department/Agency contain any limitations or restrictions on advocacy or criticising Government policy? If so, please name each contact. When was it formed or created?
2. What are the specific clauses and/or sections which state this, or in effect, create a limitation or restriction?
3. 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?
4. What are the specific clauses and/or sections which state this, or in effect, create a limitation or restriction?
5. For each of the contracts and agreements, are there any particular reasons, such as genuine commercial in confidence information, for this restriction?
6. 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?
7. 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?
8. If no consultation has occurred, why not?
9. 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:

Department/ Agency	Response
Finance	To attempt to provide the level of detail sought would involve an unreasonable diversion of departmental resources.
Australian Electoral Commission	<ol style="list-style-type: none"> 1. Yes. All standard Australian Electoral Commission (AEC) contracts contain a provision requiring contractors to respect the AEC’s political neutrality. 2. A standard political neutrality contract clause is copied below. <ol style="list-style-type: none"> 1.1 The Contractor must: <ol style="list-style-type: none"> a) respect the strict political neutrality of the AEC; and b) not associate the AEC in any way with any political activity that they undertake. 1.2 Where the Contractor provides Personnel to provide any of the Services, the AEC in its absolute discretion may: <ol style="list-style-type: none"> a) by Notice require the Contractor to ensure that those Personnel sign a declaration of political neutrality in such a form as may be required by the AEC to ensure that such personnel are aware of this requirement; and b) remove such Personnel who do not sign that declaration of political neutrality from provision of the Services, in accordance with this Contract. 3. No. 4. N/A. 5. The AEC must assure itself, to the best of its ability, of the political neutrality of all persons, including contractors and subcontractors. 6. No. 7. N/A. 8. N/A. 9. No.
Commonwealth Superannuation Corporation	<ol style="list-style-type: none"> 1. No. 2.- 9. N/A.
Future Fund Management Agency	<ol style="list-style-type: none"> 1. No. 2.– 9. N/A.