

# Senate Finance and Public Administration Legislation Committee

## ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates 26 May-6 June 2014

Prime Minister and Cabinet Portfolio

**Department/Agency:** Department of the Prime Minister and Cabinet

**Outcome/Program:** 1.1 Prime Minister and Cabinet

**Topic:** Lobbying Code of Conduct – removal of individuals from the register

**Senator:** Senator Cory Bernardi

**Question reference number:** 122

**Type of Question:** FPA, Tuesday 27 May 2014, page 124

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

**Number of pages:** 1

**Question:**

CHAIR: Let me spill the beans here. Let me just come clean with you because I need to get to the bottom of this for my own thing. There is a lobbyist called CPR, Communications and Public Relations Pty Ltd. They are on the Australian Government Lobbyists Register. The managing director is David Forman, William Forwood is a senior adviser and so on. Evelyn Ek is a senior adviser. They are the people disclosed on the lobbyist register of all persons or employees who conduct lobbying activities—there are 10 of them; I have mentioned three. Imagine my surprise when I see that Evelyn Ek, who is a senior adviser, is a former government representative, meaning she was a policy adviser to Senator Xenophon, which I do not think contravenes the code of conduct, but she was also a press secretary to Minister Wong in the Finance portfolio. It says her cessation date was October 2013. That is what it says here on this lobbying register. I am interested in whether that, prima facie, is a breach of the lobbyist code of conduct.

...

CHAIR: It is the lobbying code of conduct. I have drawn this to your attention, Deputy Secretary, and I would ask that you address it in as prompt a manner as possible and alleviate my concerns and those I am sure of these many clients and take the appropriate action and advise me as quickly as possible of what that action is.

Ms Kelly: We will do that, but clause 10.3 of the lobbying code says that the secretary may remove a lobbyist or a person who is an employee of a lobbyist if in the opinion of the secretary the conduct of the lobbyist or of the employee has contravened the terms of the code, so it is possible for any individual to be removed rather than an entire firm. They would be matters that would flow from an investigation of the issues that you have raised, which we will now undertake.

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**Answer:**

Under clause 7.2 of the Code, former Government representatives are barred from engaging in lobbying activities, for a period of 12 months after they cease their employment, relating to any matter that they had official dealings with in their last 12 months of employment as a government representative.

The Department received written assurance on 2 June 2014 from CPR Communications & Public Relations Pty Ltd that Ms Ek is aware of and has fully complied with her obligations under the Lobbying Code of Conduct, specifically, relating to official dealings in her last 12 months' employment as a media adviser.