

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

Finance Portfolio
20 October 2015

Department/Agency: Department of Finance

Outcome/Program: 2/2.1

Topic: Act of Grace / Waiver of debt

Senator: Wong

Question reference number: F72

Type of question: Written

Date set by the committee for the return of answer: Friday, 4 December 2015

Number of pages: 2

Question:

1. What is the average duration for an act of grace request to be completed?
2. What is the average duration for a waiver-of-debt request to be completed?
3. Who is the final arbiter of an act of grace request?
4. Who is the final arbiter of a waiver-of-debt request?
5. What is the shortest time, in the last financial year, that an act of grace request was completed?
6. What is the shortest time, in the last financial year, that a waiver-of-debt request was completed?
7. What is the longest time, in the last financial year, that an act of grace request was completed?
8. What is the longest time, in the last financial year, that an waiver-of-debt request was completed?

Answer:

1. The average duration for an act of grace request received and completed in financial year 2014-15 was 34 days.
2. The average duration for a waiver of debt request received and completed in financial year 2014-15 was 28 days.
3. On 30 June 2014, Senator the Hon Mathias Cormann, Minister for Finance, delegated the decision making powers for act of grace requests for amounts up to \$100,000 to the Secretary of the Department of Finance (Finance). The Secretary has delegated her power for act of grace payments for amounts below \$50,000 to senior Finance officers. According to legal advice, officers with a delegated power within Finance are able to decline an act of grace payment or a waiver of debt of any amount.

On 15 October 2015, Minister Cormann authorised the Hon Dr Peter Hendy MP, Assistant Minister for Productivity, to make decisions in relation to act of grace requests under subsection 65(1) of the *Public Governance, Performance and Accountability Act 2013*. Previous to Dr Hendy's authorisation, the Hon Michael McCormack MP, the then Parliamentary Secretary to the Minister for Finance, had portfolio responsibility for act of grace decisions from September 2013.

4. Please refer to the above as the delegation and authorisation arrangements are applicable in respect to waiver of debt requests.
5. One day.
6. One day.
7. In respect to act of grace requests received in financial year 2014-15, the longest time taken to close a request was 258 days.
8. In respect to waiver of debt requests received in financial year 2014-15, the longest time taken to close a request was 278 days.