

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Supplementary Budget Estimates 2016 - 2017

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet
Outcome/Program: Outcome 1: Prime Minister and Cabinet
Topic: Lobbyist Register

Senator: McAllister, Jenny

Question reference number: 12

Type of question: FPA Monday 17 October 2016, pages 50-52

Date set by the committee for the return of answer: 2 December 2016

Number of pages: 2

Question:

Senator McALLISTER: In the same vein I would like to ask some questions about Mr Bob Baldwin. He was a member of parliament prior to the 2016 federal election. Up until 21 September 2015 he was the Parliamentary Secretary to the Minister for the Environment. I am aware that Mr Baldwin has established a lobbying company and that he is registered with the federal lobbyist register.

Ms Kelly: I can check that, Senator, but I do not know offhand whether that is the case. There are a lot of people on the lobbyist register.

...

Ms Kelly: I can now confirm that Mr Baldwin is a registered lobbyist.

...

Senator McALLISTER: Is it appropriate for the department to accept Mr Baldwin's application to register as a lobbyist, given he is still subject to the 18-month post ministerial lobbying ban?

Ms Kelly: I don't have the detail of that application for registration or how it was dealt with, so I will have to take that on notice.

Senator McALLISTER: Has the department given any consideration to whether or not that is consistent with clause 2.24 of the ministerial code of conduct?

Ms Kelly: I will have to take that on notice and make inquiries.

...

Senator McALLISTER: I was asking you whether or not the department has examined whether Mr Baldwin is in compliance with clause 2.24 of the ministerial code of conduct or not.

Ms Kelly: Again, I will have to take that on notice. Not to my recollection, but I will take that on notice and be sure to come back to you accurately.

Senator McALLISTER: Have you been asked by the Prime Minister for advice on that question?

Ms Kelly: Not to my recollection, but I will confirm that on notice.

Answer:

Clause 7.1 of the Australian Government Lobbying Code of Conduct provides that:

Persons who, after 6 December 2007, retire from office as a Minister or a Parliamentary Secretary, shall not, for a period of 18 months after they cease to hold office, engage in lobbying activities relating to any matter that they had official dealings with in their last 18 months in office.

Clause 2.24 of the Statement of Ministerial Standards relates to post-ministerial employment and states:

Ministers are required to undertake that, for an eighteen month period after ceasing to be a Minister, they will not lobby, advocate or have business meetings with members of the government, parliament, public service or defence force on any matters on which they have had official dealings as Minister in their last eighteen months in office. Ministers are also required to undertake that, on leaving office, they will not take personal advantage of information to which they have had access as a Minister, where that information is not generally available to the public.

The Department of the Prime Minister and Cabinet (PM&C) registered Mr Baldwin's application as a lobbyist following written confirmation from Mr Baldwin on 8 September 2016 that he had read, understood and will comply with, all requirements of the Lobbying Code of Conduct, with particular reference to clause 7.1.

PM&C has not had reason to consider the application of clause 2.24 of the Statement of Ministerial Standards in relation to Mr Baldwin.