



**Australian Government**  
**Attorney-General's Department**  
**Strategy and Delivery Division**

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21 July 2014

Ms Sophie Dunstone  
Committee Secretary  
Senate Standing Committee on  
Legal and Constitutional Affairs  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Dear Ms Dunstone,

**Clarifications and corrections to *Hansard* – May 2014 Budget Estimates hearings**

I write to you concerning evidence provided by officers from the Attorney-General's portfolio to the Senate Standing Committee on Legal and Constitutional Affairs at the Budget Estimates hearings on 26 and 28-29 May 2014.

Officers from the portfolio who provided evidence to the Committee have identified a number of corrections to the *Hansard* of 26 and 28-29 May 2014. I have set out those corrections at **Attachment A**. Corrections from the department are set out first, followed by corrections from portfolio agencies in alphabetical order.

In addition to these corrections, officers from the portfolio would like to make a number of clarifications to the evidence provided. Those clarifications are set out at **Attachment B**.

Yours sincerely

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## Clarifications to evidence

### Evidence of Ms Ingram, Chief Executive and Inspector General in Bankruptcy, Australian Financial Security Authority

1. In an exchange with Senator Wright regarding the reduction in the number of people filing for debtors' petitions in April 2014, in comparison to the same period in the previous year, Ms Ingram stated, "It is a difference of about three a day at the moment" (page 26 of the transcript).

The Australian Financial Security Authority (AFSA) would like to clarify that the approximate three per business day decrease stated related to the period between 1 April 2014 and 14 April 2014 only, and was in comparison to the average number of debtor's petitions received each business day in the March quarter 2014. Insolvency statistics fluctuate and may be seasonal and volatile in response to economic conditions. The official statistics showing the number of bankruptcies by debtor's petition by month for the June quarter 2014 will be available from the AFSA website on 9 July 2014.

2. In an exchange with the Committee Chair regarding the range of fees charged by debt agreement administrators, Ms Ingram stated, "they can charge a percentage of the revenue or income of a debt agreement with a debtor" (page 27 of the transcript).

AFSA wishes to clarify that debt agreement administrators can charge a percentage of the payments being made under the agreement to creditors.

### Evidence of Mr Paul Williams, Executive Director, Corporate Services, Australian Crime Commission

1. In an exchange with Senator Singh, Mr Williams stated, "We have achieved a couple of very good outcomes in terms of leases, but the figure also refers to the declining cost of fit-out as we move into new premises over time. So the cost of fit-out will reduce as we have established ourselves in new locations." (page 11 of the transcript)

Mr Williams wishes to clarify that the Australian Crime Commission has achieved a couple of very good outcomes in terms of leases, but the figure refers to the declining value of fit-out after it is depreciated each year. With no appropriation funding available to refit existing premises the asset value of fit-out is declining.

### Evidence of Prof John McMillan, Australian Information Commissioner, Office of the Australian Information Commissioner

1. In an exchange with Senator Rhiannon on page 35, 29 May 2014 regarding numbers of full time equivalent staff, Prof McMillan incorrectly referred to a new office of the information commissioner.

The Office of the Australian Information Commissioner wishes to clarify that it meant to refer to the new office of the privacy commissioner.