

**Senate Standing Committee on Environment, Communications and the Arts
Legislation Committee**

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Budget Estimates, May 2010

Outcome:	1	Question No:	21
Program:	1.1		
Division/Agency:	Supervising Scientist Division		
Topic:	Office of the Supervising Scientist mandate		
Hansard Page ECA:	54 (26/5/10)		

Senator LUDLAM asked:

Senator LUDLAM—I am seeking to know whether the OSS has taken a position or provided advice to government on whether its mandate should be expanded beyond the Kakadu region to encompass oversight of uranium mining throughout Australia.

Senator Wong—That does go to advice to government.

Senator LUDLAM—Is advice to government a public interest immunity ground?

Senator Wong—I am not going to answer that question. If you want me to take it on notice to see if there is any information relevant to whether we can provide, I will.

Senator LUDLAM—There are two questions now. One is whether the department is immune from providing that information to this committee and the second is the substance of the question itself.

Mr Early—Could I ask for clarification from the chair, because my understanding is that the information that you read out at the beginning of estimates talks about officers not being asked questions of policy.

CHAIR—Yes, we do make that statement prior to hearings of estimates. I may not have articulated it but it is encapsulated in the clause that says officers and senators are well aware of the rules of conduct. There is a particular motion before the Senate about claims of public immunity.

Senator LUDLAM—The minister has offered to take those two questions on notice, so we will move on. ...

Answers:

The Government Guidelines for Official Witnesses before Parliamentary Committees and Related Matters - November 1989 indicate that departmental officials are not required to comment on matters of policy.

The Australian Government is currently considering the recommendations of the Report of the Independent Review of the *Environment Protection and Biodiversity Conservation Act 1999* (Hawke Report). The advice of the Office of the Supervising Scientist has been sought regarding the Hawke Report.

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Program:	1.1		
Division/Agency:	Supervising Scientist Division		
Topic:	EPBC review and the SSD		
Hansard Page ECA:	Written Question on Notice		

Senator LUDLAM asked:

1. What advice has the Office of the Supervising Scientist (OSS) provided to the government on the recommendations of the Hawke Review?
2. What internal consideration, costings and resource allocation planning has OSS made in relation to the recommendations of the Review?

Answers:

1. The Australian Government is currently considering the recommendations of the Report of the Independent Review of the *Environment Protection and Biodiversity Conservation Act 1999* (Hawke Report). The advice of the Office of the Supervising Scientist has been sought regarding the Hawke Report.
2. The Government is currently considering the Hawke Report and expects to respond in the second half of 2010. Resource allocation planning will be based on the Government's response once finalised.