

**Senate Finance and Public Administration Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Additional Estimates 13-16 Feb 2012

Prime Minister and Cabinet Portfolio

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

**Outcome/Program:** 1.1.1 Domestic Policy

**Topic:** Poker machine reform - Wilkie agreement - Constitutional advice

**Senator:** Senator Abetz

**Question reference number:** 19

**Type of Question:** FPA, P72, 13 February

**Date set by the committee for the return of answer:** 30 March 2012

**Number of pages:** 1

**Question:**

Mr Ronalds: My understanding is that the government has made public legal advice in relation to the constitutionality issues. Is that what you are referring to?

Senator ABETZ: I do not know. What I am referring to is the legal advice that the Prime Minister signed off on in paragraph 7.3. It is not for me to define that; it is for the Prime Minister to define that, and, I suspect, Prime Minister and Cabinet as well.

Senator Chris Evans: The officer was trying to be helpful. We will take it on notice if you prefer.

Mr Ronalds: We are happy to take it on notice.

**Answer:**

On 1 February 2011, the Government released legal advice from the Australian Government Solicitor on the Commonwealth's Constitutional power to legislate for gambling reform. The announcement by the Minister for Families, Community Services and Indigenous Affairs, the Hon Jenny Macklin MP, and the Assistant Treasurer, the Hon Bill Shorten MP, specified that the Prime Minister and Mr Wilkie had agreed to commission this advice.

The legal advice is available on the FAHCSIA website at

[http://www.jennymacklin.fahcsia.gov.au/mediareleases/2011/Documents/Legal\\_advice.pdf](http://www.jennymacklin.fahcsia.gov.au/mediareleases/2011/Documents/Legal_advice.pdf).