

**Senate Finance and Public Administration Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**BUDGET ESTIMATES 2011-2012**

**Finance and Deregulation Portfolio**

**Department/Agency: Department of Finance and Deregulation**

**Outcome/Program: 1/1.1**

**Topic: Exemptions from RIS requirements**

**Senator: Ryan**

**Question reference number: F7**

**Type of question: Hansard F&PA Page 83, 25 May 2011**

**Date set by the committee for the return of answer: Friday, 8 July 2011**

**Number of pages: 2**

**Question:**

**Senator RYAN:** I would like to explore, if I could, the issue of exceptional circumstances for the purposes of an exemption from RIS requirements. Is that a power that can only be exercised by the Prime Minister declaring exceptional circumstances?

**Mr McNamara:** Yes.

**Senator RYAN:** Are there any criteria that you are aware of? I appreciate that the Department of the Prime Minister and Cabinet might have some, but are there any in the department of finance for the exercise of that?

**Mr McNamara:** No.

**Senator RYAN:** Are you provided with written reasons for the exercise of exceptional circumstances exemptions by the Prime Minister?

**Mr Tune:** The Prime Minister would write to the portfolio of the minister who has requested an exemption.

**Senator RYAN:** Are they published?

**Mr Tune:** No, they are not.

**Senator Wong:** The fact of.

**Senator RYAN:** But the reasons themselves are not?

**Mr Tune:** No.

**Senator RYAN:** Have they been asked for before? Is there a reason why they would not be supplied if I put those questions on notice?

**Senator Wong:** There may be a reason. If you wish to put them on notice, that is your right.

**Senator RYAN:** The point I am making is that there is no cabinet type blanket exemption with respect to these that I am unaware of.

**Senator Wong:** They may be cabinet in confidence.

**Senator RYAN:** I appreciate that.

**Senator Wong:** I suggest that rather than dealing in the abstract and in the hypothetical that if you want to put that on notice then we will take it.

**Answer:**

“Exceptional circumstances” exemptions are granted by the Prime Minister in response to correspondence between the relevant Minister and the Prime Minister. Consequently, line agencies should be approached for this information.