

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates Hearing 21-24 May 2012

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Outcome/Program: 1.1.1 Domestic Policy

Topic: Senator Bob Carr's appointment as Foreign Affairs Minister

Senator: Senator Kroger

Question reference number: 115

Type of Question: Written

Date set by the committee for the return of answer: 6 July 2012

Number of pages: 2

Question:

1. Official Secretary to the Governor-General Stephen Brady advised in estimates that there had been an "unsatisfactory oversight" with changes involving the position of Foreign Affairs Minister not being gazetted until April 10. Mr Brady said he did not believe there were legal consequences to this. Are ministerial changes legally required to be gazetted? If not, why is this process required? Is the process under review?
2. When did Kevin Rudd's appointment as Foreign Affairs Minister officially end?
3. The Governor-General's gazette lists February 26 as the date on which Kevin Rudd's appointment as Foreign Affairs Minister was terminated. On the parliamentary website under Mr Rudd's profile, the termination date is listed as March 5. Why are these dates different? Which date is the accurate one?
4. When did Kevin Rudd cease to receive the entitlements associated with the position of Foreign Affairs Minister?

Answer:

- 1 There is no requirement to publish ministerial changes in the Gazette. The question whether ministerial changes will be gazetted in future is a matter for the Official Secretary to the Governor-General.
- 2 and 3 Mr Rudd's appointment as Minister for Foreign Affairs was terminated on 26 February 2012. The Parliamentary website now records that Mr Rudd served as Minister for Foreign Affairs from 14 September 2010 to 26 February 2012.
- 4 The Department of the Prime Minister and Cabinet is not responsible for the administration of entitlements for ministers. However, the Department of Finance

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and Deregulation has advised that, in accordance with subsection 7(3) of the *Parliamentary Entitlements Act 1990*, which provides that a person is only entitled to a benefit as a Minister while that person is a Minister, Mr Rudd's ministerial entitlements ceased at the end of 26 February 2012.