

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27 May 2004

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(110) Output: Aboriginal and Torres Strait Islander Services

Senator O'Brien (L&C 31) asked:

In relation to the ATSIC review, what was the total appropriation at the beginning?

Answer:

There was no specific appropriation for the ATSIC Review.

An internal budget estimate of \$1.2m was initially calculated as being the potential cost of the Review.

The Review incurred actual costs against that budget as follows:

2002-03 \$ 611,156

2003-04 \$ 820,758

The total expenditure on the Review to date is \$1,431,914 which is \$37,395 higher than the figure quoted at Senate Estimates due to a GST adjustment in the May BAS.

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(111) Output: Aboriginal and Torres Strait Islander Services

Senator O'Brien (L&C 32) asked:

How many staff work in the policy section of ATSI now?

Answer:

ATSI does not maintain records identifying policy staff from any other staff in the organisation as most staff work on a range of policy and other general program administrative tasks.

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(112) Output: Aboriginal and Torres Strait Islander Services

Senator O'Brien (L&C 33) asked:

What was expended on the policy functions by ATSIS in this financial year?

Answer:

Policy functions encompass all outputs within ATSIS and expenditure is not separately identified in the delivery of outcomes.

It is estimated that the State Office Network of ATSIS devotes 90% of their time to the policy and advocacy support functions for ATSIC and ATSIS. The total staff employed in these offices is 61.

The Regional Office Network of ATSIS has a specific allocation of 3 staff supporting each of the Regional Councils in a Policy & Advocacy Support role. This is a total of 105 staff across the Regional Network. In addition, a significant proportion of time of the Regional and Deputy Regional Managers (up to 60%) is also expended upon the support of the Policy and Advocacy functions within the Regional Network. The estimated expenditure for the State and Regional Network is \$13.4m which includes salary and operational costs.

National Office also has a proportion of staff devoted to the development of Indigenous Affairs policy. These costs are integrated within all program and output areas. The National Office estimate of overall costs for policy functions by Group are 30% for the Co-Ordination and Policy Review Group, 28% for the Social and Physical Wellbeing Group, 38% for the Economic and Social Participation Group and 30% for the Land and Development Group. The National Office estimated expenditure is \$7.7m which includes salary and operational costs.

Indirect costs such as office accommodation and staff housing overheads are not included in the provided estimates of expenditure.

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(113) Output: Aboriginal and Torres Strait Islander Services

Senator O'Brien (L&C 35) asked:

How much money is there for the transfer of the 105 regional council staff to DIMIA?

Answer:

As stated by Mr Gibbons, the staff that support the regional councils are ATSI staff who will translate to DIMIA as part of the MOG changes.

There is no specific budget allocation for this purpose, however an indicative estimate of the costs associated with this function, based on 3 staff per regional council, is \$6,991,845 covering costs of salary, super and administrative overheads.

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(114) Output: Aboriginal and Torres Strait Islander Services

Senator O'Brien (L&C 36) asked:

Can you provide a list of the proposed locations of Indigenous coordination centres?

Answer:

The Indigenous Co-Ordination Centres will be established in the current ATSI Regional Offices in the following locations:

- Bourke
- Queanbeyan
- Wagga Wagga
- Tamworth
- Coffs Harbour
- Roma
- Rockhampton
- Townsville
- Mt Isa
- Cairns
- Nhulunbuy
- Katherine
- Tennant Creek
- Alice Springs
- Ceduna
- Port Augusta
- Kalgoorlie
- Geraldton
- South Hedland
- Broome
- Kununurra
- Derby

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(115) Output: Aboriginal and Torres Strait Islander Services

Senator O'Brien (L&C 38) asked:

In answer to question on notice number 2711, the Minister advises that ATSIS has 165 staff on fixed task or fixed term contracts. Is that number still accurate?

Answer:

ATSIS currently has 130 staff on fixed task or fixed term contracts, as at 22 June 2004.

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(116) Output: Aboriginal and Torres Strait Islander Services

Senator O'Brien (L&C 42) asked:

Who is involved in the negotiations or decisions about the ATSIC art collection?

Answer:

Preliminary discussions have been conducted between ATSI staff, the Department of Information Technology and the Arts (DCITA), the National Museum and the National Gallery. It is understood that within the DCITA portfolio, additional consultation is being undertaken of possibly interested parties.

To date, no decisions have been made regarding the art collection, nor are the discussions progressed to a stage of being considered negotiation.

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IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(117) Output: Aboriginal and Torres Strait Islander Services

Senator O'Brien (L&C 43) asked:

In relation to the officer of ATSIIS, who was suspended over an alleged fraud involving \$400,000, how long prior to the announcement did this suspension happen? You say he was suspended on the day that he was challenged with the evidence. How long was it between that happening and this being made public?

Answer:

The process for suspension commenced on 16 March 2004 and the suspension took effect on and from 19 March 2004.

The Minister for Immigration, Multicultural and Indigenous Affairs made the following statement on 16 April 2004:

Brief of Evidence Handed to Director of Public Prosecutions Concerning Alleged Fraud at ATSIIS

Investigations have been pursued for several weeks into an alleged fraud involving some \$400,000 of Commonwealth and other monies. These investigations have now resulted in the presentation of a brief of evidence to the Commonwealth Director of Public Prosecutions with the aim of prosecuting the matter through the courts.

An officer of Aboriginal and Torres Strait Islander Services (ATSIIS) has been suspended without pay. Investigators are interested in speaking further with him.

For legal reasons I am unable to comment further on the specifics of this case at this stage.

However, this example underlines my determination to deal with fraud and corruption in the portfolio of Indigenous Affairs wherever they occur and whoever the perpetrators are.

I am advised that in this instance there was fraudulent exploitation of certain trust accounts that were a part of financial arrangements under ATSIIC.

We owe it to Indigenous people to put an end to all forms of misappropriation of funds and other forms of corruption in the agencies for which I am responsible, or in bodies which they fund to deliver services to Aboriginal and Torres Strait Islander communities and individuals.

Fraud and corruption will not be tolerated and will be prosecuted vigorously in the interests of the very people who are meant to benefit from the public funds directed to assisting them.

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IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(118) Output: Aboriginal and Torres Strait Islander Commission

Senator O'Brien (L&C 46) asked:

Can you provide a copy of the contract forms used for personal assistants and research assistants to ATSIC commissioners?

Answer:

A copy of the contract is attached.

LOGO

NOTICE OF ENGAGEMENT FOR

NON-ONGOING EMPLOYEE FOR A SPECIFIED TERM

NAME

You have been selected for employment as a non-ongoing APS employee under Section.22(2)(b) of the *Public Service Act 1999* with Commissioner *work location* of the Aboriginal & Torres Strait Islander Commission. Your engagement will be for a specified term commencing on *date* and terminating on *date*. Details of your employment are set out in the attached Notice of Engagement.

Conditions of Employment

Other than as specified in this contract, your terms and conditions of employment shall be as provided by the ATSIIC Certified Agreement 2003 - 2004.

The Public Service Act 1999 outlines the APS Values at Section 10 and the Code of Conduct at Section 13. These provide that you are required to uphold these Values and abide by the Code at all times (copies of the APS Values and Code are included in your induction package).

This letter of engagement provides no authority for you to travel on behalf of the Commission. You may be required to travel to Canberra for familiarisation and training, in which case such travel will be arranged by National Office.

Character Checks

You are required to satisfy the Agency as to your good character. This assessment is undertaken on the basis of a police records check.

You will be required to complete a 'Request to Consent to Obtain Personal Information for your Police Check'

Australian Citizenship

To be eligible for employment within the Agency, you are required to provide evidence that you hold Australian citizenship, or evidence that you have applied for citizenship. You must present this evidence on the day of commencement of your employment.

Termination of Contract

Your period of employment will cease on the date indicated in the Notice of Engagement. However, circumstances could at any time require that your employment be terminated at an earlier date under Section 29 of the Public Service Act 1999. Under these provisions early termination could occur, for example, where the operational requirements of the work area change significantly or when Commissioner Name leaves office.

Early termination may also occur in other circumstance including those connected with your capacity or conduct in the performance of your duties. Should early termination be necessary, you will be notified in writing of the termination date and you will be entitled to the period of notice specified in the *Workplace Relations Act 1996* or pay in lieu of notice. You will not be entitled to compensation in these circumstances.

Should you wish to terminate your contract before the stated ceasing date then you will be required to provide weeks notice of resignation to your manager.

You will not be eligible for redundancy benefits at the end of your non-ongoing employment.

Recruitment/Senior Development Officer
Unit/Office Name

Date

ATSIC LOGO

NOTICE OF ENGAGEMENT

The details of this period of non-ongoing employment for a specified task/term are:

Designation:

Hours per week:

Salary on commencement:

Commencement date:

Termination date:

Position number:

Commission/Location:

EMPLOYEE TO COMPLETE:

Family name:

Given names:

Address:

Date and Place of birth:

I certify that I have not taken a redundancy package from an APS department or non APS Commonwealth agency in the last 12 months.

Signature of Employee:Date.....

AUTHORISED BY

Name of delegate:

Signature of delegate:Date.....

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(119) Output: Aboriginal and Torres Strait Islander Services

Senator O'Brien (L&C 52) asked:

On what date did Mr Gibbons resign as the CEO of ATSIC?

Answer:

Mr Gibbons resigned as CEO of ATSIC effective close of business 18 March 2004.