

**DRAFT Employment portfolio QoN list**  
**2017-2018 Supplementary Budget Estimates Hearing (additional hearing)**

**Questions on Notice = 27**

PDR No	Hansard Sequence Number	Question Submitted By	Outcome	Subject	Full Question Text
SQ17-004577	4-12-2	Paterson, James	Agency - Registered Organisations Commission	ROC - Income and assets of median sized organisation	Senator PATERSON: Perhaps a better way to think of it then is median size. Would you be able to say—and you may need to take this on notice—what the median size of an organisation is in terms of income and assets? Mr Enright: I would have to take it on notice.
SQ17-004578	4-13-2	Paterson, James	Agency - Registered Organisations Commission	ROC - Financial reporting compliance	Senator PATERSON: Are you aware of any foreign sources of income or assets for registered organisations? Mr Enright: No, Senator. Senator PATERSON: Okay. Thank you. Senator BROCKMAN: Can I just jump in there? Senator PATERSON: You may. Senator BROCKMAN: Is there anything within the scope of your operations that would need you to look into that depth? Would you have any capacity to know that? Mr Enright: We certainly examine very closely every financial report that's lodged with the Registered Organisations Commission. Included in that are detailed breakdowns of assets and income streams. Personally, I'm not aware, but I have staff who examine those financial reports on the basis of their compliance with the registered organisations act, with the regulations and with the Australian accounting standards. So it may be that a reporting unit has declared some income or other from some source—I don't know. Senator PATERSON: In that case, it's probably better if you take it on notice and check with your staff. I'm not just asking your personal knowledge; I'm asking the ROC's knowledge in total. Mr Enright: Certainly.
SQ17-004579	4-25-2	Brockman, Slade	Agency - Registered Organisations Commission	ROC - Number of individual complaints	Senator BROCKMAN: You've had 18 whistleblower complaints. Do you have a record of how many other individual complaints you have received? Mr Bielecki: I would have to take that on notice, unless Mr Enright has that information at his fingertips. I don't have that. Mr Enright: No. Senator BROCKMAN: Can you take that on notice.
SQ17-004580	4-28-2	Watt, Murray	Cross Portfolio	Minister's staff last day in the office	Senator WATT: What was his last day in the office? Senator Cash: I would have to confirm the date, but I believe it was last Friday. I will take that on notice to confirm that for you.
SQ17-004581	4-28-3	Watt, Murray	Cross Portfolio	Minister's staff leave	Senator WATT: Have any taken unpaid leave since 25 October? Senator Cash: No. Senator WATT: What about paid leave? Senator Cash: No. .... page 31 Senator Cash: .....Chair, in relation to some questions that Senator Watt asked in relation to my staff leave, the secretary has reminded me that I did have a staff member on leave at the time and I have had a staff member take personal leave for a family reason. What I will do is take the question on notice to ensure that the leave arrangements are properly provided to the committee for you.
SQ17-004582	4-28-4	Watt, Murray	Cross Portfolio	Commencement date of new staff	Senator WATT: Have any new staff been employed in your office since Mr De Garis resigned? Senator Cash: Yes. Senator WATT: How many? Senator Cash: One. Senator WATT: In what role? Senator Cash: The senior media advisor role. Senator WATT: On what date? Senator Cash: I will confirm it with you, but I believe she officially commenced on Wednesday—two days ago.
SQ17-004583	4-28-5	Watt, Murray	Cross Portfolio	Discussion with staff member concerning leak	Senator WATT: .....Did you or your chief of staff, at any point prior to Mr Berger's departure, ask if he was involved in the leak? Senator Cash: I need to be very careful here in relation to the answer I give because it may be subject to the public interest immunity claim. I can't just refer to the evidence I have already given that is on the record, so I will take that on notice and seek advice as to what I can provide to the committee. .... page 29 Senator Cash: .... But what I have said is that, to ensure that I am not falling foul of the Attorney-General's public interest immunity claim, I will take that on notice for you and seek advice.
SQ17-004584	4-32-2	Watt, Murray	Cross Portfolio	Discussion with other staff members concerning leak	Senator WATT: ....What I'm asking is whether you ever asked him or spoke to him about whether he discussed this matter with anyone else in your office. Senator Cash: I believe that the evidence I gave to the committee on the evening of 25 October, which I believe was the Wednesday evening, was that during the dinner break he came to me, he advised me of the course of conduct and he resigned his employment. I then came to the committee and advised the committee of what had occurred, and I have not spoken to Mr De Garis since that time. Senator WATT: I think that is roughly what you did tell the committee last time, but there's nothing in there that shows that you ever asked him whether he had spoken about this matter with anyone else in your office. Senator Cash: Again, I refer to the evidence I have already given. But, in relation to any further questions, Chair, I would need to take them on notice. Again, I want to assist the committee, but I do not want to prejudice the AFP investigation. CHAIR: Minister, on this occasion, I agree
SQ17-004585	4-32-3	Watt, Murray	Cross Portfolio	Discussion of leak with other ministerial offices	Senator WATT: Is it correct then that you've also never spoken to Mr De Garis about whether he discussed either the plan to leak or the action of leaking with any other ministerial office, including the Prime Minister's? ... Senator WATT: Okay. It sounds like you have never discussed with Mr De Garis whether he discussed his actions in leaking this information with any other ministerial office, including the Prime Minister's office. Senator Cash: Again, Senator Watt, I do not have the benefit of the Hansard in front of me, but I do believe some of these issues that you have raised were canvassed and I can't recall whether it was at the Wednesday estimates or the Thursday estimates. I don't have the benefit of the Hansard in front of me, so I would refer back to the evidence that has already been given. But, again, Chair, given the nature of the PII claim and the fact that there is an AFP investigation on foot, can I also take that on notice and seek advice as to whether or not it is appropriate, at this point in time, to provide information. CHAIR: Minister, absolutely—and I suspect we'll be coming back to the same issue after the lunch break. If you are able to have a look at the Hansard, for example, that you haven't got the opportunity of doing here, or if you need to take it on notice, that would be good. Thank you.
SQ17-004586	4-32-4	Watt, Murray	Cross Portfolio	Attempt to contact former staff member	Senator WATT: When was the last time your chief of staff attempted to contact Mr De Garis? Senator Cash: Again, Chair, that is directly relevant to the PII claim, so I will take that on notice. CHAIR: Thank you.
SQ17-004587	4-35-2	Watt, Murray	Cross Portfolio	Passwords to social media accounts	Senator WATT: Minister, Mr De Garis was your senior media advisor. It's not uncommon for people in that position to have administration rights over your social media, be able to tweet and send social media posts on your behalf. Have your passwords to your social media accounts been changed since Mr De Garis resigned so that he can't access your social media accounts? Senator Cash: I would need to take that on notice, but I believe I changed my password.
SQ17-004588	4-38-2	Paterson, James	Agency - Registered Organisations Commission	ROC - Registered organisations with issues providing statement	Senator PATERSON: .... You mentioned that roughly 25 to 30 per cent of the statements that are being provided are still not meeting the standard. Are there any registered organisations that are having repeated issues with providing statements that are up to the standard? Mr Enright: Yes, Senator. Senator PATERSON: Which ones? Mr Enright: I'd have to take that on notice. There are some branches and organisations that do find it particularly difficult to meet the minimum standards of compliance, and my staff work with those organisations extensively. In terms of which particular ones they are, I'll take it on notice.
SQ17-004589	4-39-2	Cameron, Doug	Agency - Registered Organisations Commission	ROC - Litigation policy replacement date	Senator CAMERON: When did you take it down? Mr Bielecki: I would need to take that on notice. It came down, I think, when the new compliance policy went up. I don't have the date at my fingertips.
SQ17-004590	4-41-2	Reynolds, Linda	Agency - Registered Organisations Commission	ROC - Compliance policy migration	CHAIR: You can. In relation to your replies, Mr Enright, we've got the benefit of the old document that Senator Cameron is referring to. But unfortunately he wasn't able to provide the new one, so we're working at a bit of a disadvantage here in terms of what your evidence is. Would it be possible for you to take Senator Cameron's questions on notice as well and perhaps provide some more clarification on how you migrated that policy across to the new document? Mr Enright: If I'm being asked to take it on notice, I'm certainly happy to take it on notice. .... CHAIR:.....So I would like Mr Enright to have the opportunity, because you're starting to speculate about how it may or may not have been done, to come back to the committee with the statements from both documents and provide more information about how that has evolved, absent of speculation. Mr Enright: I'll take it on notice.
SQ17-004591	4-43-2	Cameron, Doug	Agency - Registered Organisations Commission	ROC - The Registered Organisations Act, reporting requirements to the Minister's office	Senator CAMERON: Could you point to where in the registered organisations act you're entitled to provide information gained through your role as the ROC to the minister as a matter of courtesy? Mr Enright: I'll take that on notice.
SQ17-004592	4-45-2	Cameron, Doug	Cross Portfolio	The Fair Work Ombudsman Director of media	Senator CAMERON: Minister, do you claim that the arrangement where the Fair Work Ombudsman's director of media was taking up a role in your office is relevant to the AFP's criminal investigation? Senator Cash: I would need to take that on notice. Which person are you talking about? Senator CAMERON: The Fair Work Ombudsman's director of media. Senator Cash: The Fair Work Ombudsman, I understand, has also made a claim in relation to public interest immunity. Chair, could I take that on notice and ensure I'm respecting the PII claim and the sub iudice rules.
SQ17-004593	4-45-3	Cameron, Doug	Agency - Registered Organisations Commission	ROC - Registered Organisations Act disclosure of information	Senator CAMERON: Mr Bielecki, if section 329A didn't provide for the disclosure of this information then are you saying the PGPA Act provides for the disclosure of information? Mr Bielecki: I'll take that on notice.
SQ17-004594	4-46-2	Macdonald, Ian	Agency - Registered Organisations Commission	ROC - Union board member's funds	Senator IAN MACDONALD: Are you able, because of the privacy requirements of your organisation—or lack thereof—to tell me which of the unions whose rules you have require or do not require that their board members, appointed to these multibillion-dollar super funds, put their money into the union? Mr Enright: I can certainly take it on notice and provide you with responses about those rules that you are aware of. I can take that on notice. Senator IAN MACDONALD: So there are no privacy issues. That's why I ask you. Mr Enright: No, those rules are publicly available to anyone in the world. They're put on the Fair Work Commission's website, so we can research those without any difficulty. There are no privacy concerns around them. Senator IAN MACDONALD: Could I put that question on notice, please? Mr Enright: I can take it on notice.
SQ17-004595	4-47-2	Macdonald, Ian	Agency - Registered Organisations Commission	ROC - Board member's fees - Rules for employer and employee organisations	Senator IAN MACDONALD: I'm reluctant—because I know you're a smallish organisation—to have you spend the next three months on that, although you won't have time with some of the questions that have been put on notice so far. I don't like to do this because you'll be then accused of being judgemental, but I was wondering if you could give me a sample of both employer and employee organisations which do say something and what they say. I don't need it to be exhaustive—that's what I'm saying. Mr Enright: Yes. CHAIR: Is that representative examples from both employer and employee organisations? Senator IAN MACDONALD: Yes, where they do have rules which if you're aware of. Perhaps it would be good to have some examples of ones that do and ones that don't. Mr Enright: We'll do our best.
SQ17-004596	4-48-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - estimates of legal costs	Ms Cato: ....An estimate of costs was sought at the beginning of the matter, as I said. The original quote was for up to and including the mediation stage of the proceeding. Then, as the proceeding— Senator CAMERON: How much was that? Ms Cato: That was between \$35,000 and \$50,000. That procurement process was undertaken in accordance with the Legal Service Directions and the Legal Services Multi-Use List Guidance Material. A further estimate was then sought from Ashurst for the next phase of proceedings after it became apparent the matter would not be resolved at mediation. The estimate was \$170,000 to trial. Then, on 31 May— Senator CAMERON: Sorry, what was the date you got the \$35,000 to \$50,000 estimate? Ms Cato: I'll have to take that on notice.

SQ17-004597	4-48-3	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Further estimates of legal costs	Senator CAMERON: Are those estimates way below what the final figure was? Ms Cato: Yes. I'll have to take on notice whether any further estimates were sought.
SQ17-004598	4-49-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Interim invoices for legal fees	Senator CAMERON: Ms Cato, did Ashurst submit interim invoices for legal fees for the more than 12 months they were engaged as Mr Hadgkiss's lawyers? Ms Cato: Yes. Senator CAMERON: When, and how much for? Ms Cato: I'll take that on notice.
SQ17-004599	4-50-2	Cameron, Doug	Agency - Australian Building and Construction Commission	ABCC - Internal legal counsel time spent on case	Senator CAMERON: How much time did you spend on it? Mr Saeedi: I'll have to take that on notice. I know the dollar amounts; I don't know the actual— Senator CAMERON: What was the dollar amount that you expended on it? Mr Saeedi: I'll see if I can get that while I'm here, but, if not, I'll take that on notice.
SQ17-004600	4-52-2	Macdonald, Ian	Agency - Australian Building and Construction Commission	ABCC - Amount owing in unpaid fines	Senator IAN MACDONALD: On notice, could you just give us an indication—again, provided it's readily available; I don't want to put your organisation to a lot of work—if you have some way that you can tell us on notice, how much is still owing that hasn't been paid for fines? Ms Cato: Yes.
SQ17-004601	4-53-2	Brockman, Slade	Agency - Australian Building and Construction Commission	ABCC - Number of cases made up of penalties	Ms Cato: If the question was: what sort of penalties have been paid? The CFMEU paid penalties of over \$2 million to consolidated revenue in 2016-17. Senator BROCKMAN: How many cases would that have been across? Ms Cato: I'll have to take that on notice, but I think approximately 20 cases, give or take
SQ17-004602	4-53-3	Brockman, Slade	Agency - Australian Building and Construction Commission	ABCC - Number of contraventions	Senator BROCKMAN: I'm not sure if I'm using the right language: how many offences did that cover? Ms Cato: I will have to take that on notice, unless my General Counsel can help me.
SQ17-004603	4-54-2	Brockman, Slade	Agency - Australian Building and Construction Commission	ABCC - Judgements against individual	Senator BROCKMAN: Is Mr Collier subject to any of that \$3.4 million in the previous judgements? Ms Cato: I'll have to take that on notice.