

**From:**  
**To:** [Committee, Sports Grants \(SEN\)](#)  
**Subject:** Re: Hansard corrections - Select Committee on Administration of Sports Grants - 10 March 2020 Adelaide  
**Date:** Wednesday, 18 March 2020 5:05:50 PM  
**Attachments:** Outlook-yja0pbhr.png  
Select Committee on Administration of Sports Grants\_2020\_03\_10\_7626 Hansard (GJL).pdf

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Jeanette Radcliffe  
Committee Secretary

Dear Ms Radcliffe

Thank you for your letter below and I now attach three suggested corrections that are noted on an edited pdf copy of the Hansard transcript of my evidence

(a) Corrections

Page 21 (x2)

Page 22 (x1)

(b) Clarification of my evidence

I would also like to clarify a matter arising from the exchanges which took place between Senator Abetz and myself regarding the effect of s47 of the Australian Sports Commission Act 1989 (Cth). They appear in the highlighted passages at pp 22 and 24 of the transcript. In case there is any confusion from what I said, the provisions of the same section require the Minister's approval for the Commission to enter into any contract which involves an amount in excess of \$500,000. The fact that it says nothing about amounts *equal to* or *below* that amount does not, on my view, imply or permit the Minister to be the effective decision-maker in determining who should receive funding under the *Community Sport Infrastructure Program* for such amounts. If anything, the opposite is the case. That is because of a well-known principle of statutory construction according to which an explicit provision requiring the Minister's approval for amounts in excess of the figure mentioned above, when similar provision is not made for amounts equal to or below that amount, would usually be taken as signifying an intention not to require or permit the need for the Minister's approval for contracts that do not exceed the same figure.

I should be grateful if the record of my appearance reflects the above changes in some way.

Thank you and with kind regards

Geoffrey Lindell

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You can access my papers on SSRN at: <http://ssrn.com/author=75925>

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