



Australian Government

Department of Finance

Thomas Bowden
Authorised Representative
Pricewaterhouse Coopers Consulting (Australia) Pty Ltd

Dear Mr Bowden,

Management Advisory Services (MAS) Panel – Disclosure of Confidential Information

I refer to the Head Agreement between the Commonwealth, as represented by the Department of Finance (Finance) and Pricewaterhouse Coopers Consulting (Australia) Pty Ltd (PwC) in relation to the provision of Management Advisory Services (MAS) for the Australian Government.

Finance has been made aware of a breach of confidentiality provisions by PwC when engaging in business dealings with the Commonwealth. The incident was reported by the Australian Financial Review on 23 January 2023. A copy of the article is attached for your information and reference.

Whilst the breach did not relate to work undertaken on the MAS Panel, maintaining confidentiality is an important aspect of doing business with the Commonwealth. Clause 22.1.1 of the Head Agreement states that *“a party must not, without the prior written consent of the other party, disclose any Confidential Information of the other party to a third party”*. Furthermore, Clause 26.1.2(d) identifies that a breach of confidentiality provisions is considered to be a “material” breach that can lead to the termination of the Head Agreement.

In light of the recent breach, Finance would like to seek assurances from PwC that the appropriate actions have been undertaken to ensure that a breach of confidentiality does not occur under the MAS Panel.

If you have any questions in relation to this correspondence, please contact Mr Long Dang, A/g Assistant Secretary, Strategic Contracting Branch on [REDACTED] or [REDACTED].

Yours sincerely

[REDACTED]
Andrew Danks
First Assistant Secretary
Procurement and Insurance Division

25 January 2023