



## **Submission from:**

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## **To:**

Senate Finance and Public Administration Committee  
SG.60, Parliament House, CANBERRA | 2600  
Upload Submission Online link  
<https://senate.aph.gov.au/submissions/pages/logon.aspx>.  
Email: [fpa.sen@aph.gov.au](mailto:fpa.sen@aph.gov.au)

## **Inquiry into Preventing the Misuse of Government Advertising Bill 2010**

In the very limited time available since the invitation for submissions was issued, it has been possible to prepare only brief comments on the bill. These comments are as follows:

1. It is highly desirable that there be clear legislative provisions as to acceptable limits to the use of public funds for advertising by the executive government
2. There are many purposes for which government advertising is generally accepted as legitimate (e.g. job vacancies, funding programme availability and criteria, invitations to tender, invitations for submissions to government inquiries) and these should not be interfered with by such provisions but rather all advertising should be exempted from the provisions of the bill, except for those special categories subject to regulation
3. The bill should provide a clear definition of those special categories of government advertising subject to regulation
4. The bill should provide a clear definition of those special categories of government advertising which are not permitted to be funded by government
5. The bill should provide a clear definition of the process to be followed to determine whether the content of particular proposed advertising falls within the definition of those special categories of government advertising subject to regulation
6. The role of the Auditor General must be confined to auditing the process and must not extend to the approval of content
7. In the case of national emergencies, advertising should be exempted from the approval process provisions but not the content provisions, for only a limited, reasonable and non-

renewable period during which the parliament can be called to sittings to debate the emergency and give specific authority for further related government advertising

8. Where the government believes that the national interest is being subverted by the actions of any special interest, advertising should be subject to the national emergency provisions (7 above)
9. The Guidelines in the Schedule should not be liable to amendment by regulation, but only by an act of parliament (Clause 7)
10. The provisions of the bill should not bind future parliaments (Clause10)

We would be pleased to elaborate on or supplement these comments should the Committee wish.