

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Conflict of interest within manufacturing taskforce

Senator: Whish-Wilson

Question reference number: 0011

Type of question: Hansard, page 21, 13 May 2020

Date set by the committee for the return of answer: 27 May 2020

Number of pages: 1

Question:

Senator WHISH-WILSON: ... You're probably aware, in terms of the public reporting, of concerns around conflicts of interest within that manufacturing task force and that a number of people who have been appointed to that task force have business interests in relation to energy. Is DPMC satisfied that all members who have a personal interest or work for companies or unions that stand to be affected have recused themselves from relevant discussions to date, and what other processes have you put in place to prevent perceived conflicts of interest?

Mr Harris: I think the first half of your question is really a matter for the department itself. I think you asked: is the department satisfied, effectively, with the commission's behaviour?

Senator WHISH-WILSON: Yes, correct.

Mr Harris: I'm able to talk about what the commission does, but I think the department will have to answer the first half of your question. I can't presume their satisfaction—although I have to tell you I've heard nothing yet that tells me they're dissatisfied with us!

Answer:

Mr Andrew Liveris, in his role as Special Adviser to the National COVID-19 Coordination Commission (the Commission) has signed an interest disclosure statement given his particular status and the higher potential for perceived conflict. Other members of the Manufacturing Taskforce have not been asked to sign disclosure statements.

Working Group members are not subject to the same conflict of interest declaration processes as the members of the Commission given the role of Working Group members is to advise the Commission, not the Government. Any advice ultimately provided to the Commission would be captured by the robust arrangements in place within the Commission to ensure potential conflicts of interest are managed.

The arrangements for managing the potential for conflicts of interest relating to members of the Commission are detailed in the answer to Question on Notice 0003.

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Conflict of interest declarations by the commissioners

Senator: Watt

Question reference number: 0013

Type of question: Hansard, page 30, 13 May 2020

Date set by the committee for the return of answer: 27 May 2020

Number of pages: 2

Question:

Senator WATT: There has been some discussion about the management of conflicts of interest involving commissioners. Mr Harris, I think you said that, at this stage, you were the only person had lodged a declaration.

Mr Harris: No, no—if I've left that impression, completely wrongly, I apologise. Everyone has identified, in a standard process, conflicts of interest. What I was describing in answer to Senator Whish-Wilson was the supplementary process that the chair's got in place to deal with perceptions of conflicts of interest, which is still a big deal, and I think Senator Whish-Wilson asked me: 'Has that been triggered?' And the answer is: yes, once. So that was my—

Senator WATT: And which commissioner did that involve?

Mr Harris: I don't think, at this point, I should volunteer the information in relation to an individual. I'm happy to take that on notice, but I don't think I should volunteer it—

Senator WATT: So who were those declarations made to?

Ms Foster: They're made to the Department of the Prime Minister and Cabinet.

Senator WATT: So the commission has a meeting and, if a matter is listed for discussion in which a commissioner has either an actual conflict or a perception of conflict, they disclose that to PM&C?

Ms Foster: There's a sort of an overarching process and then there's an operational process. PM&C managed and put in place the overarching process in which each commissioner made a declaration of interests, and we worked through them on those declarations. As Mr Harris has described, the commission has complemented those arrangements with processes at each meeting and so, within the broad context of their declaration of interests, commissioners will then declare a particular interest in relation to a particular matter at a meeting and that's handled by the commission.

CHAIR: You have taken on notice the question from Senator Watt around the declaration that has been made—is that correct?

Mr Harris: I'll have to check the record. I don't recall doing that. I actually said, I think, I shouldn't disclose that.

Senator WATT: I thought you also did say that you'd take it on notice.

Mr Harris: If I have done that, then it's too late for me to call it back, but—

Senator WATT: Whether it happened or not, I'm asking you to do so.

Mr Harris: I'll check the record.

Senator WATT: No, no—I'm asking you to take that on notice, please.

CHAIR: Yes. The committee is asking that that information be provided to it on notice.

Mr Harris: Very well, Senator.

Answer:

The question goes to a specific instance related to National COVID-19 Coordination Commission members' declarations which are provided in confidence and contain sensitive personal information related to themselves and members of their immediate families. The disclosure of this information may unreasonably infringe the privacy of the individuals concerned.

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Declarations of conflicts of interest by the appendages to the commission

Senator: Watt

Question reference number: 0014

Type of question: Hansard, page 31, 13 May 2020

Date set by the committee for the return of answer: 27 May 2020

Number of pages: 1

Question:

Senator WATT: Do appendages to the commission have to make declarations of conflicts of interest as well?

Mr Harris: Not as far as the commission process goes, no.

Senator WATT: How many other appendages are there to the commission?

Mr Harris: Mr Gaetjens outlined them earlier, and I tore the page out of my brief, but there's an industrial group and there's a not-for-profit group.

Senator WATT: Are they subject to the same conflict of interest declaration processes as members of the commission?

Mr Harris: Not as commissioners, which is what I've described, so I don't know the answer to that question. I can find out.

Answer:

See answer to Question on Notice 0011.

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Remuneration for a special adviser to the commission Mr Andrew Liveris

Senator: Watt

Question reference number: 0015

Type of question: Hansard, page 31, 13 May 2020

Date set by the committee for the return of answer: 27 May 2020

Number of pages: 1

Question:

Senator WATT: Mr Liveris is described on the commission's website as a special adviser to the commission. Are there any other special advisers to the commission?

Mr Harris: No.

Senator WATT: And is he paid?

Mr Harris: I believe not. I will confirm that for you.

Senator WATT: If you could take that on notice, please.

Answer:

The special advisor to the National COVID-19 Coordination Commission is not receiving a salary. The Department of the Prime Minister and Cabinet will reimburse for work-related travel costs associated with performing services for the National COVID-19 Coordination Commission.

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Environmental organisations

Senator: Siewert

Question reference number: 0159

Type of question: Written

Date set by the committee for the return of answer: 10 July 2020

Number of pages: 1

Question:

At the Senate inquiry hearing on 4 June 2020, Nev Power stated that the Commission had "been talking with more than 1,000 individuals and organisations". The Commission's website lists environmental organisations as organisations that the Commission "has been in contact with", including Greenpeace, The Wilderness Society, Australian Marine Conservation Society, The Sunrise Project, and Australasian Centre for Corporate Responsibility. Those five organisations have since confirmed that they have not been consulted. Why were those organisations included in the list of organisations that the Commission had engaged with?

Answer:

The National COVID-19 Coordination Commission (the Commission) has published a list of stakeholder groups it has had contact with on its website. The list is introduced as 'an overview of organisations the Commission has been in contact with, both directly and through peak bodies, industry associations and business forums'.

The Commission – both in its statements to the Senate Select Committee on COVID-19 and on its website – has made clear that consultation may have occurred in larger online fora and groups. At each online event the Chair has attended, he has invited follow-up questions from participants and the Commission has answered all questions received.

Greenpeace, The Wilderness Society, The Sunrise Project, and the Australasian Centre for Corporate Responsibility were all part of an online event in May 2020. The Chair answered questions during the event and invited follow up questions. Greenpeace and the Australasian Centre for Corporate Responsibility submitted questions via the event's organiser, to which the Commission provided a written response. The Commission also received and considered an economic recovery submission to which the Australian Marine Conservation Society was a signatory.

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Submissions made by Government

Senator: Siewert

Question reference number: 0162

Type of question: Written

Date set by the committee for the return of answer: 10 July 2020

Number of pages: 1

Question:

Will any submissions made by those bodies be made available to the public? In particular, can the Commission provide copies of submissions made by the following bodies:

- Chief Minister, Treasury and Economic Development Directorate (ACT)
- Western Australian Legislative Assembly
- Department of Mines, Industry Regulation and Safety (WA)
- Department of Natural Resources, Mines and Energy (QLD)
- NT Legislative Assembly
- Department of the Chief Minister (NT)
- Queensland Investment Corporation
- Energy Policy WA

Answer:

The National COVID-19 Coordination Commission (the Commission) receives hundreds of ideas and proposals for consideration as part of its role in providing strategic advice to the Government from a business perspective.

None of the bodies listed in the question have made submissions directly to the Commission. Some have provided copies of submissions or proposals for the Commission's visibility. For example the Department of the Chief Minister (Northern Territory) provided the terms of reference and Green Paper for the Territory Economic Reconstruction Commission which are available on the Northern Territory Government website.

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Public availability of government submissions

Senator: Siewert

Question reference number: 0163

Type of question: Written

Date set by the committee for the return of answer: 10 July 2020

Number of pages: 1

Question:

If the submissions will not be provided, what is the basis for refusing to release the submissions?

Answer:

Refer to response to Question on Notice 0162.

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Dates of National COVID-19 Coordination Commission meetings

Senator: Keneally

Question reference number: 0164

Type of question: Written

Date set by the committee for the return of answer: 10 July 2020

Number of pages: 2

Question:

- a. On which dates has the National COVID-19 Coordination Commission met?
- b. For each meeting outlined in Question #1:
 - i. Who attended the meeting?
 - ii. Did any of these individuals attend remotely/virtually?
 - iii. Please table copies of the minutes for each meeting.

Answer:

- a. Refer to the response to Parliamentary Questions on Notice 1295 for meeting dates of the National COVID-19 Coordination Commission (NCCC) up to and including 6 May 2020.

Meeting dates subsequent to 6 May 2020 are:

- 13 May 2020
- 15 May 2020
- 18 May 2020
- 20 May 2020
- 28 May 2020
- 1 June 2020
- 3 June 2020
- 10 June 2020
- 17 June 2020
- 22 June 2020.

- b.
 - i. Refer to response to Parliamentary Question on Notice 1295 for attendees at meetings up to and including 6 May 2020. Meeting attendees subsequent to 6 May are:
 - 13 May 2020
 - Attendees: Executive Board members, Dr Steven Kennedy PSM, NCCC staff.
 - Apologies: Mr Peter Harris AO.

- 15 May 2020
 - Attendees: Executive Board members, Mr Andrew Liveris AO, Mr Andrew Clark, Ms Whitney Merchant, NCCC staff.
 - Apologies: Dr Steven Kennedy PSM.
 - 18 May 2020
 - Attendees: Executive Board members, Mr Nick Warner AO PSM, Mr Gareth Meyer, NCCC staff.
 - Apologies: Mr Phil Gaetjens (Ms Stephanie Foster attended in his place) and Dr Steven Kennedy PSM.
 - 20 May 2020
 - Attendees: Executive Board members, Mr Paul Grigson, Mr John Reid, NCCC staff.
 - Apologies: Dr Steven Kennedy PSM.
 - 28 May 2020
 - Attendees: Executive Board members, Mr Hamish McDonald, NCCC staff.
 - Apologies: Dr Steven Kennedy PSM and Mr Peter Harris AO.
 - 1 June 2020
 - Attendees: the Prime Minister, The Hon Scott Morison MP, Treasurer, The Hon Josh Frydenberg MP, Executive Board members, Dr Steven Kennedy PSM, NCCC staff.
 - Apologies: nil.
 - 3 June 2020
 - Attendees: Executive Board members, Mr Tony Stuart, NCCC staff.
 - Apologies: Dr Steven Kennedy PSM.
 - 10 June 2020
 - Attendees: Executive Board members, Mr Marc Ablong PSM, Mr Mark Cully, NCCC staff.
 - Apologies: Dr Steven Kennedy PSM and Mr Michael Pezzullo AO.
 - 17 June 2020
 - Attendees: Executive Board members, NCCC staff.
 - Apologies: Dr Steven Kennedy PSM.
 - 22 June 2020
 - Attendees: the Prime Minister, Treasurer, Executive Board members, Dr Steven Kennedy PSM, NCCC staff.
 - Apologies: Ms Catherine Tanna.
- ii. Yes. All Board meetings are held either via teleconference or secure telepresence and members join from their location.
- iii. The minutes of the Board meetings are classified. Disclosure of the minutes could prejudice the freedom of Board deliberations, and its advice given to government as it responds to the crisis.