



Appendix D – Senator Murray's notice of motion 489

489 Senator Murray: To move—That—

(1) There be laid on the table, by each minister in the Senate, in respect of each agency administered by that minister, or by a minister in the House of Representatives represented by that minister, by not later than the tenth day of the spring and autumn sittings, a letter of advice that an indexed list of contracts in accordance with paragraph (2) has been placed on the Internet, with access to the list through the department's or agency's home page.

(2) The indexed list of contracts referred to in paragraph (1) indicate:

- (a) each contract entered into by the agency which has not been fully performed or which has been entered into during the previous 12 months, and which provides for a consideration to the value of \$100 000 or more;
- (b) the contractor and the subject matter of each such contract; and
- (c) whether each such contract contains provisions requiring the parties to maintain confidentiality of any of its provisions, or whether any provisions of the contract are regarded by the parties as confidential, and a statement of the reasons for confidentiality.

(3) In respect of contracts identified as containing provisions of the kind referred to in paragraph (2)(c), the Auditor-General be requested to provide to the Senate, within 6 months after each day mentioned in paragraph (1), a report indicating that the Auditor-General has examined a number of such contracts selected by the Auditor-General, and indicating whether any inappropriate use of such provisions was detected in that examination.

(4) The Finance and Public Administration References Committee consider and report on the operation of this order, in conjunction with its

consideration of, and report on, the examination by the Australian National Audit Office of the use of confidentiality clauses in Commonwealth contracts.

(5) This order has effect on and after 1 July 2001.

(6) In this order:..⁵² *No. 141—4 October 2000*

“**agency**” means an agency within the meaning of the *Financial Management and Accountability Act 1997*;

“**autumn sittings**” means the period of sittings of the Senate first commencing on a day after 1 January in any year;

“**indexed**” means indexed alphabetically for subject matter of contract and contractor; and

“**spring sittings**” means the period of sittings of the Senate first commencing on a day after 31 July in any year.

Notice of motion altered on 14 August and 30 August 2000 pursuant to standing order 77.

Day for bringing on motion changed pursuant to standing order 77 on 14 August 2000.