

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

26 February 2014

QoN: AET 336

Topic: Boards

Written: 5 March 2014

Senator Ludwig asked:

For Departments and Agencies with Boards, since 7 September 2013:

1. How often has each board met, break down by board name?
2. What travel expenses are provided?
3. What is the average attendance at board meetings?
4. How does the board deal with conflict of interest?
5. What conflicts of interest have been registered?
6. What remuneration is provided to board members?
7. How does the board dismiss board members who do not meet attendance standards?
8. Have any requests been made to ministers to dismiss board members since 7 September 2013?
9. Please list board members who have attended less than 51% of meetings.
10. What have catering costs been for the board meetings held this year; is alcohol served?

Answer:

We are interpreting "board" in the case of ASIC to mean the Commission, which is made up of 5 Commission members.

1. How often has each board met, break down by board name?

Since 7 September 2013, the Commission has met for 7 Commission meetings on the following dates:

- Commission meeting 662 – 26 September 2013 (scheduled);
- Commission meeting 663 – 4 October 2013 (unscheduled)*;
- Commission meeting 664 – 10 October 2013 (unscheduled)*;
- Commission meeting 665 – 23 October 2013 (scheduled);
- Commission meeting 666 – 26 November 2013 (scheduled);
- Commission meeting 667 – 11 December 2013 (scheduled); and
- Commission meeting 668 – 26 February 2014 (scheduled).

*Unscheduled commission meetings are called to obtain Commission approval on specific issues that are generally of an administrative nature.

2. What travel expenses are provided?

ASIC pays for Commissioners' travel and accommodation expenses when travelling interstate for ASIC business.

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Commissioners are also provided with a travel allowance for incidental expenses.

3. What is the average attendance at board meetings?

The attendance figures for Commissioners at Commission meetings since 7 September 2013 are as follows:

Name	No. of Commission Meetings Eligible to Attend since 7 Sep 2013	No. Commission Meetings Attended since 7 Sep 2013
Greg Medcraft	7	7
Peter Kell	7	6*
Greg Tanzer	7	7
John Price	7	7
Cathie Armour	7	7

* Peter Kell was absent from the Commission meeting on 26 September 2013 due to being on annual leave.

4. How does the board deal with conflict of interest?

Under s123 of the *ASIC Act 2001* (Cth) ('the ASIC Act'), Commissioners have a statutory obligation to declare any material interests to the Minister. ASIC's current agreement with the Minister is for Commissioners to make these disclosures every six months.

Under s124 of the ASIC Act, Commissioners have a statutory obligation to declare any interest that could conflict with the Commissioner's functions in relation to determining a matter. Such disclosures can be made at any time. There is also a standing item on the agenda of scheduled Commission meetings for Commissioners to make such disclosures.

5. What conflicts of interest have been registered?

Since 7 September 2013, no conflicts of interest have been registered.

6. What remuneration is provided to board members?

The remuneration of Commissioners is set by the Remuneration Tribunal.

Attending Commission meetings is part of Commissioners' duties and Commissioners do not receive any additional remuneration for attending Commission meetings.

7. How does the board dismiss board members who do not meet attendance standards?

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The Commission does not have the authority to dismiss a Commissioner for failing to meet meeting attendance standards.

Under s111 of the ASIC Act, the Governor-General may terminate a Commissioner's appointment for various reasons including:

- misbehaviour; or
- if the member is absent without leave for 14 consecutive days; or
- if the member is absent without leave for 28 days in any period of 12 months.

Attendance at Commission meetings by Commissioners is reported in the ASIC Annual Report.

8. Have any requests been made to ministers to dismiss board members since 7 September 2013?

No.

9. Please list board members who have attended less than 51% of meetings.

Nil (refer to answer to question 3 above).

10. What have catering costs been for the board meetings held this year; is alcohol served?

Since 7 September 2013, catering costs for each Commission meeting have been:

Commission Meeting No.	Commission Meeting Date	Scheduled/ Unscheduled	Catering Costs
Commission meeting 662	26 September 2013	Scheduled	\$54.45
Commission meeting 663	4 October 2013	Unscheduled	\$0
Commission meeting 664	10 October 2013	Unscheduled	\$0
Commission meeting 665	23 October 2013	Scheduled	\$159.70
Commission meeting 666	26 November 2013	Scheduled	\$195.21
Commission meeting 667	11 December 2013	Scheduled	\$155.10
Commission meeting 668	26 February 2014	Scheduled	\$152.02

No alcohol is served at Commission meetings.