

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Supplementary Budget Estimates

2015 - 2016

Department/Agency: AOFM

Question: SBT 183-185

Topic: Staffing - Employment of non-Australian citizens

Reference: written - 30 October 2015

Senator: Ludwig, Joe

Question:

"An Agency Head must not engage, as an APS employee, a person who is not an Australian citizen, unless the Agency Head considers it appropriate to do so."

183. Does the department have guidelines or similar to assist Agency Heads to assess when it is appropriate to hire non-Australian citizens? If no, do individual agencies have their own guidelines? If yes to either:
- a. Please provide a copy.
 - b. When did they come into effect?
 - c. Can Agency Heads decide to go against the advice? If yes, under what circumstances?
184. Are Agency Heads required to provide a reason to anyone for hiring non-Australian citizens? If yes:
- a. Who are they required to report the reason to?
 - b. Does this reporting happen before or after the hire has been made?
 - c. Is this reason provided in writing? If no, how is it provided?
 - d. Can you please provide a list of reasons that have been used since the Federal election in September, 2013.
185. Are there any provisions to over-rule a Head of Agency's decision to hire a non-Australian citizen? If yes:
- a. Who can over-rule this decision?
 - b. Under what circumstances can it be over-ruled?
 - c. How many times has this occurred since the Federal election in September, 2013.

Answer:

183. The AOFM does not hire non-Australian citizens as it is not considered appropriate to do so due to our security clearance requirements. No written guidelines exist.
- a. Not applicable
 - b. Not applicable
 - c. Not applicable
184. The CEO is not required to provide a reason to anyone for hiring non-Australian citizens.
- a. Not applicable

- b. Not applicable
 - c. Not applicable
 - d. Not applicable
185. There are no provisions to over-rule the AOFM CEO's decision to hire a non-Australian citizen.
- a. Not applicable
 - b. Not applicable
 - c. Not applicable