

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
BUDGET ESTIMATES 2015-16

Finance Portfolio
27-28 May 2015

Department/Agency: All

Outcome/Program: General

Topic: Non-Australian Citizens Employed by the Department/Agency

Senator: Ludwig

Question reference number: F81

Type of question: Written

Date set by the committee for the return of answer: Friday, 10 July 2015

Number of pages: 4

Question:

1. What is the Department/Agency's policy with regard to hiring non-Australian citizens?
2. Does the agency have a Culturally and Linguistically Diverse (CALD) policy? If yes, please provide a summary.
3. How does the Department/Agency determine whether a person is a non-Australian citizen?
4. How many staff who were not Australian Citizens have been hired by the Department/Agency since the Federal Election in September, 2013? Please break the numbers down by:
 - a) Levels at which they are employed;
 - b) Immigration Status (Visa);
 - c) Cultural Background;
 - d) Linguistic Background; and
 - e) How many were hired to satisfy CALD targets?

Answer:

Department/ Agency	Response
Finance	<ol style="list-style-type: none">1. Finance's policy is that the engagement of non-Australian Citizens can only occur in exceptional circumstances and can only be approved by the Secretary. Under sub-section 22(8) of the <i>Public Service Act 1999</i>, a Secretary must not engage, as an APS employee, a person who is not an Australian citizen unless the Secretary considers it appropriate to do so in circumstances where all of the following criteria have been met:<ul style="list-style-type: none">• the potential employee is a permanent resident;• the potential employee is eligible for citizenship and either has or is in the process of applying; and• there is a scarcity of specific skills in the general workplace.

Department/ Agency	Response
	<ol style="list-style-type: none"> 2. Finance's Diversity Action Plan identifies actions to be taken to promote diversity, with particular focus on the four diversity groups of Aboriginal and Torres Strait Islanders, People with Disability, Women in Leadership, and Culturally and Linguistically Diverse staff. 3. Finance requires new employees to provide proof of citizenship, i.e. a birth certificate or an Australian passport, as part of the offer of employment process prior to commencement. 4. Nil.
Australian Electoral Commission	<ol style="list-style-type: none"> 1. The Australian Electoral Commission (AEC) imposes a range of conditions for those AEC Australian Public Service (APS) employees engaged under section 22(6)(b) of the <i>Public Service Act 1999</i>, which includes requirements relating to Australian Citizenship. Prospective AEC employees must be Australian citizens. However, in exceptional circumstances, this requirement may be waived by the Electoral Commissioner. In such circumstances the employee must hold, and continue to hold, the necessary visa and work permits appropriate to the employment. 2. No. 3. New employees are required to produce suitable and properly certified documentation to support their Australian Citizenship status. 4. Nil.
ComSuper	<ol style="list-style-type: none"> 1. All employees must be an Australian Citizen. Where someone is employed who is not an Australian Citizen, they must have CEO approval to waive the citizenship requirement. 2. ComSuper does not have a CALD policy. 3. ComSuper determines whether a person is a non-Australian citizen through security information collected through the recruitment process. 4. There were no non Australian Citizens employed by ComSuper since the Federal Election in September 2013.
Commonwealth Superannuation Corporation	<ol style="list-style-type: none"> 1. CSC's recruitment approach is merit based and makes no reference to Australian citizenship. Satisfactory police checks are required for all employees. 2. No. 3. N/A. 4. This sort of information is not collected.
Future Fund Management Agency	<ol style="list-style-type: none"> 1. Australian citizenship is a usual requirement of employment unless waived by the Agency. 2. No. 3. Through employee screening as part of the recruitment process. 4. Four. <ol style="list-style-type: none"> a) Three at EL2 and one at APS6. b) Two hold subclass 457 (temporary Work (Skilled) visas, one holds a Skilled Independent (Permanent) visa and one is a NZ citizen eligible to work in Australia. c) One American, one New Zealander, one Dutch, one Irish. d) Three English, One Dutch and English e) None.