

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
SUPPLEMENTARY BUDGET ESTIMATES 2016-17

Finance Portfolio
18 October 2016

Department/Agency: Department of Finance

Outcome/Program: 3/3.1

Topic: Melbourne Mailing/Damien Mantach – interest applied to payment

Senator: McAllister

Question reference number: F35

Type of question: Hansard Proof, F&PA Committee, Pages 90-91 and 96-97, 18 October 2016

Date set by the committee for the return of answer: Friday, 2 December 2016

Number of pages: 3

Question:

Senator McALLISTER: In terms of the process, you mentioned a sequence of correspondence with various parties. I think it would assist if you could set out for all of that correspondence the dates on which you corresponded and with whom in relation to this matter.

Mr Fredericks: There is a degree of that, and it is very hard to summarise this. My preference would be to give you that on notice. We could give you a chronology with that correspondence.

...

Senator McALLISTER: I noticed that it took a long time to resolve. It took over a year to come to a final repayment. I understand that that was in part because of criminal matters being on foot. Has there been any interest applied to the amount that was owing at that time?

Mr Fredericks: That I do not know the answer to. I might have to take that on notice.

Senator McALLISTER: It might be something that someone can assist with over the course of the evening.

Mr Fredericks: It would be unlikely.

Ms Huxtable: We will see what we can do.

Mr Fredericks: Yes, we will see what we can do.

Senator McALLISTER: Perhaps it can be resolved this evening. Otherwise, take it on notice.

...

Senator McALLISTER: Mr Fredericks, I want to come back to the view you put to the committee that releasing the names of the MPs and senators involved in the matter in Victoria would not be something the department was willing to do. I want to clarify with you the grounds for that refusal to provide that information?

Senator Ryan: Given the questioning before, and given the situation I outlined earlier, I indicated that I would refer that to Senator Cormann. I will refer that to Senator Cormann, as

the senior portfolio minister and the minister who, if any handling of this matter has been necessary—I am not aware of any—has been handling it. I will refer that to him.

Senator McALLISTER: Are you referring it to him because the grounds you are claiming are public interest immunity?

Senator Ryan: That will be a matter for him. I am not sufficiently aware, given the circumstances, of details to make any claim myself. I am going to refer the question to Senator Cormann.

Senator McALLISTER: What is the time line for resolution of that, because you are not taking it on notice? Mr Fredericks has indicated simply an unwillingness to provide the information. Is it being taken on notice or is it being referred, so that this committee can satisfy itself that a public immunity claim is warranted?

Senator Ryan: To be fair to Mr Fredericks, I do not think he asserted that. I will take the question on notice and refer it to Senator Cormann—given the arrangement I outlined earlier—given my status and my indication publicly and privately that I have nothing to do with these matters in an administrative sense. It will be taken on notice for Senator Cormann's consideration.

...

Mr Fredericks: It has to be made clear that the difficulty I find myself in, and why I would appreciate the opportunity to take it on notice from a departmental view, is that as a departmental official I do not have any right to claim public interest immunity that lies in the hands of government—

Senator McALLISTER: Certainly.

Mr Fredericks: so normally we would be in a situation where the minister would be dealing with this issue.

Senator Ryan: And I have taken on notice to refer to the minister, given the circumstances. I think that is the furthest we can take this this evening.

...

CHAIR: To be fair Senator McAllister, he is not saying that he will not provide it—just that he will take it on notice. Lots of questions are taken on notice for much more routine reasons than this. I think he is entitled to take these questions on notice.

Answer:

A chronology of correspondence in relation to this matter is at [Attachment A](#).

No interest was applied to the overpayment amount.

In accordance with the Department's obligations under the *Privacy Act 1988*, it is not the practice of the Department to provide the individual names of MPs and Senators who may be involved in such matters.

The Minister will advise the Committee separately in writing about a claim of public interest immunity.

Attachment A

Date	Summary
25 August 2015	Letter from Hope Earle (HE, legal representatives of the Liberal Party of Victoria (LPV)) to the Department of Finance (Finance).
26 August 2015	Letter from Finance to HE.
28 August 2015	Letter from HE to Finance.
1 September 2015	Finance contacted PPB Advisory via telephone.
1 September 2015	Email from PPB Advisory to Finance.
8 September 2015	Email from Finance to PPB Advisory.
8 September 2015	Email from PPB Advisory to Finance.
11 September 2015	Email from PPB Advisory to Finance.
24 September 2015	Email from Finance to PPB Advisory
24 September 2015	Email from PPB Advisory to Finance.
1 October 2015	Letter from HE to Finance.
7 October 2015	Email from PPB Advisory to Finance
21 January 2016	Finance contacted PPB Advisory via telephone.
3 May 2016	Letter from HE to Finance (received 5 May 2016).
6 May 2016	Letters from Finance to HE.
6 May 2016	Letter from Finance to Holding Redlich (HR, solicitors for Melbourne Mailing Pty Ltd).
10 May 2016	Letter from HR to Finance.
13 May 2016	Letter from Finance to HR.
17 May 2016	Letter from HE to Finance.
27 May 2016	Letter from Finance to HR.
10 June 2016	Email from HR to Finance.
11 July 2016	Letter from Finance to HR.
11 July 2016	Letter from Finance to HE.
18 July 2016	Letter from HR to Finance.
10 August 2016	Letter from Finance to HR.
23 August 2016	Letter from HE to Finance.
2 September 2016	Letter from Finance to HE.
21 September 2016	Letter from LPV to Finance.