

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group: 2

Program: 1.3

Question: BE14/022

Senator Faulkner asked the following question at the hearing on 26-29 May 2014:

Senator FAULKNER: I will place a question on notice. What information and material, if any, was involved in that transfer of responsibility? You mentioned interagency meetings. Is AGD still involved in any interagency meetings? Could you confirm that for me?

Mr Fredericks: Our expectation is that we will be.

Senator FAULKNER: Was that an expectation as opposed to a certainty? I noticed your use of language, Mr Fredericks. I always take account of the language you use.

Mr Fredericks: It is an expectation I expect to be realised.

Senator FAULKNER: I will not even ask you what that means. The interagency meetings involve AGD, Finance and which other portfolio?

Answer (L&C32) - Senator Brandis: By the way, I can respond to your earlier question that I said I would take on notice. The answer to your question is no. This is a matter in which Australia is defending a suit brought by a foreign state. Australia is defending this suit, as you would expect, to protect Australia's national interests. No doubt the government of Timor-Leste is bringing this suit in the prosecution of what it believes to be its national interests. I do not think that it is appropriate for me to comment on the merits of a dispute in which Australia is involved, nor do I think, if I may say so, it is wise for you to do so.

Mr Fredericks: PM&C and Communications.

Senator FAULKNER: Not DFAT?

Mr Fredericks: Yes, sorry. DFAT and DRET as well.

Senator FAULKNER: Thank you for that-

The answer to the honourable senator's question is as follows:

[The question was answered during the Hearing].

The Attorney-General's Department (AGD) did not transfer any of its record holdings concerning the Open Government Partnership (OGP) to the Department of Finance (Finance) as a result of Finance becoming the lead agency for matters relating to consideration of whether Australia should join the OGP. The last inter-agency meeting which AGD attended was on 5 November 2013. The agencies which attended meetings during the time that AGD was the lead agency (listed under their current agency names) are: AGD, Department of Communications, Department of Foreign Affairs and Trade, Department of Finance, Department of Industry, Department of the Prime Minister and Cabinet, National Archives of Australia, and the Office of the Australian Information Commissioner.