

**Environment, Communications,  
Information Technology and the Arts  
Legislation Committee**

**Additional Information Received  
VOLUME 4**

**COMMUNICATIONS, INFORMATION  
TECHNOLOGY AND THE ARTS  
PORTFOLIO**

**22 February 2001**

**Additional Information Relating to the  
Examination of Proposed Additional Expenditure for 2000-2001**

**June 2001**



**ECITA Additional Estimates 2000-2001  
(22 February 2001)  
Questions on Notice  
Communications, Information Technology & the Arts Portfolio**

**Agencies**

**Australia Council**

<i>Senator</i>	<i>Hansard ref.</i>	<i>Subject</i>	<i>Page No</i>
Bishop	81	Could you undertake to provide a copy of correspondence from each of the chairs on that issue .....And also any relevant notes of meetings where the issue was reported on or discussed within the Australia Council. <b>Ms Bott</b> —There was a report to the first meeting of the major performing arts funds. So there would be a small paper on that, yes.	1
Bishop	81	<b>Ms Bott</b> —They are finalised. The state Ministry of the Arts in New South Wales and the Australia Council have now both signed off on individual performance agreements with both companies. <b>Senator MARK BISHOP</b> —Would you mind providing the committee with a copy of that correspondence and agreements?	1

**National Gallery of Australia**

<i>Senator</i>	<i>Ques. no</i>	<i>Hansard ref.</i>	<i>Subject</i>	<i>Page No</i>
Schacht	5	Page 108	What about the ones you have already announced publicly and that are in hand? You have already announced them publicly, so you are not letting the Senate estimates scoop you. They have already been announced. What have been announced? Do you want to take that on notice?	7
Schacht	6	Page 110	Of course. What I am finding out is: can you please provide this committee with a copy of Mr Cox's report; secondly, indicate, of any of his recommendations, which ones you have put into place. I think that is quite a reasonable request.	7
Schacht	7	103	NGA management and NGA Council take note that the Gallery's response at the May 2000 hearing regarding issues raised in the Steensen Varming report on the Gallery's air conditioning system was inadequate	56
Schacht	8	103	Please ask Ms Douglas whether she has any objections to having the information that was requested in previous questions on notice provided to the Estimates Committee.	58
Schacht	9	104	Please respond to the specific criticisms of management that are raised in the speech by (John McDonald) a former employee, the curator, whom the Director appointed just over 12 months ago and who resigned at the end of last year.	87
Schacht	10	104	What response does the NGA Council have about Mr McDonald's continued engagement as consultant curator to the Federation exhibition.	93
Schacht	11	108	Provide details of the Gallery's exhibition programme over the next year.	93
Schacht	12	109	When Mr Cox went on his tour, did he discover any art galleries using chlorine as a cleaning agent in their air conditioning?	94

Schacht	13	110	Please provide the committee with a copy of Mr Cox's report and indicate which of his recommendations have been put into place.	94
Schacht	14	Tabled	Dr Kennedy has claimed in correspondence (October 2000) that during his term there has been " <i>a doubling of the availability of loans from the National Gallery of Australia's collection - 1500 works loaned to regional museums and galleries last year</i> " (- pro forma attachment to Email from Dr Kennedy to Mr David Perkins, October 2000). Please explain the basis of this claim when NGA Annual Reports show the following number of works of art lent in the years.	94

<b>Year</b>	95/96	97/97	97/98
<b>Works lent</b>	1152	1251	1285

Schacht	15	Tabled	<p>1. Dr Kennedy has claimed in correspondence (October 2000) that during his term there has been "<i>a doubling of the already established traveling exhibitions program – 11 traveling exhibitions visited 54 venues last year</i>" (- pro forma attachment to Email from Dr Kennedy to Mr David Perkins, October 2000, attached). Explain the basis of this claim when NGA Annual Reports contain the following figures:</p> <p><i>(Note in relation to Q 1 &amp; 2 above : See also answer to question 217 on notice Supplementary Budget Estimates 30/11/00) where in relation to increases in productivity related to dramatic increases in costs in certain areas such as publicity, freight and consultants.)</i></p>	95
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Year	Number of Exhibitions	Number of Venues
1999/00	11	54
1998/99	13	41
1997/98	12	45
1996/97	14	73
1995/96	11	39

Schacht	16	Tabled	1. Provide a list of contractors and consultants used by the NGA, services provided and costs from for financial years 1998 – present.	96
Schacht	17	Tabled	2. Were any exhibits in the Dale Chihuly "Masterworks in Glass" exhibition for sale within Australia and if so explain how this situation differs from the reasons given for the cancellation of Sensation.	100
Schacht	18	Tabled	3. In relation to Q 145 Supplementary Budget Estimates 30/11/00, for what reason did the NGA increase the amount of hydrogen peroxide 20 fold in March to July 2000 compared with July 1999 to February 2000.	100
Schacht	19	Tabled	Provide statements from Comcare, Clive Broadbent (AO), Jason Robinson and Ken Dyson confirming that they each accept the NGA's public statement that their advice concerning the use of hydrogen peroxide residues and/or added peroxide to the spray tanks during full operation was in error (Comare Report 1913 4.11c, 4.11g 4.11h 4.14d), 7-30 Report.	101

Schacht	20	Tabled	Obtain an explanation from Robson's Laboratories explaining the scientific rationale for waiting 10 hours after aqueous hydrogen peroxide was added to spray tanks in one case ((p 3 of Robson's appendix to the Hennessy report), and 27 hours later (page 2) in another to measure airborne hydrogen peroxide levels, when the air flow is such that peak levels of hydrogen peroxide would occur at gallery registers within seconds of the plant being returned to full operation.	100
Schacht	21	Tabled	Provide a copy of the latest Certified Agreement with the CPSU and explain the reasons given during the negotiation of this Agreement that staff found it necessary to include a clause allowing free speech.	102
Schacht	22	Tabled	Were any of the following positions, for which redundancy was given, re-staffed under the same title - (e.g. Head of Australian Art, Senior Paintings Conservator, Assistant Curator International Art, Assistant Curator Australian Art, Carpenters).	102
Schacht	23	Tabled	Provide all documentation, correspondence and outcome of any investigation into the allegations concerning Mr Garry Cox and Mr Tava Sitauti, including ministerial correspondence and any report provided by Effective People management consultants.	103
Schacht	24	Tabled	Provide details of what the planned refurbishment of the NGA building entails, estimates of cost for each component and stage, expenditure incurred to date, time frames and source of finance for the project.	104
Schacht	25	Tabled	In response to questions 118, 119, 133, 207 Supplementary Budget Estimates 30/11/00, why are such records not kept; provide answers in full to Q 201 and 205; provide a full copy of the memorandum referred to in Q 198 (authors' names may be deleted to protect confidentiality); and in response to Questions 198, 206 and 207 explain the attached "Functions and Workload of the Storage, Installations and Packing Staff in response to Management's proposed restructure" 17/06/2000, Marsh Occupational Health consultant's report 3/11/95, and the facsimile from Ms Pam Owens to Mr Duncan Kerr MP.	107
Schacht	26	Tabled	Question 211 Supplementary Budget Estimates 30/11/00 was based on information contained within "Functions and Workload of the Storage, Installations and Packing Staff in response to Management's proposed restructure" 17/06/2000 (attached). In the final paragraph on page 6 "Location Problems" lost and mislocated works are discussed. Can the NGA confirm the information presented and provide an explanation for the failure of the random audit referred to in the Gallery's reply to pick up this problem?	116

### Australian Broadcasting Authority

<i>Senator</i>	<i>Ques. no</i>	<i>Hansard ref.</i>	<i>Subject</i>	<i>Page No</i>
Bishop	27	111/112	<p>Is the ABA aware of the number of complaints that have been received by broadcasters due to the interference caused by digital TV on existing analog systems?</p> <p>Can you give us an indication as to when the tower work carried out by technicians that you suggest might have caused interference on or around the changeover date was concluded, or is it just ongoing in all areas.</p> <p>Could you develop the points you have been making today and provide that in a written response.</p>	117

Bishop	28	113	When were you first contacted to discuss the possibility of such a review? (Anti-siphoning)  Could you provide me with a copy of that (Ministerial Direction to conduct the current anti-siphoning review)	125
Bishop	29	Tabled	Bendigo Community Television (BCTV)  I understand that concerns have been previously raised with the ABA by the Shadow Minister for Communications, Mr Smith, about the ABA's decision not to renew the licence of Bendigo Community Television (BCTV). 1. In making that decision I am advised that the ABA determined that BCTV would not be able to generate the predicted levels of revenue necessary to sustain the provision of a community television licence, could you please provide reasons for that view.	127
Bishop	30	Tabled	2. I am also advised that the ABA determined that BCTV was not providing a 'broadcast service' as defined by section 6 of the Broadcasting Services Act, and as required by section 34, because BCTV was merely broadcasting a test pattern. Is that correct?	128
Bishop	31	Tabled	3. BCTV have alleged it received oral advice from the ABA that a test pattern would be sufficient and relied on that advice, has the ABA taken into account whether BCTV had a reasonable expectation that a test pattern would be sufficient and therefore acted reasonably in relying on the ABA's oral advice?	128
Bishop	32	Tabled	4. If the ABA has taken this matter into account, why did the ABA conclude that no reasonable expectation existed?	129
Harradine	33	Tabled	How many complaints about Internet content has the ABA received since the online legislation took effect? What has been the nature of these complaints? How many takedown notices has the ABA issued since the online legislation took effect?	129
Harradine	34	Tabled	Given the multitude of potentially unlawful sites on the world wide web which contain harmful material, does the ABA only react to complaints or does it take a more pro-active role in preventing access to these sites?	130
Harradine	35	Tabled	1. Will the ABA be taking a strong stand with ISP's who do not take responsible action to filter harmful material from overseas?	131
Harradine	36	Tabled	What plans does the ABA have to increase public awareness of its role and responsibility to make the Internet safer for families?	132
Harradine	37	Tabled	What is the process for government approval of filtering software?	133
Harradine	38	Tabled	2. Which filtering software has been approved?	134
Harradine	39	Tabled	What action have ISP's taken to publicise filtering software? Which ISP's provide filtering software to families free of charge?	136
Harradine	40	Tabled	What effect is the Industry Code of practice having on preventing potentially unlawful material being accessed on the Internet? Has the industry accepted the need to screen out unlawful material?	136
Harradine	41	Tabled	What steps is the ABA taking to empower parents to discharge their need to protect children? What action is the ABA taking to ensure that all parents are aware of those steps?	137
Bishop	42	Tabled	When will the Government respond to the Productivity Commission's report on broadcasting?	138

Lundy	62	Tabled	<p><b><i>Project specification</i></b></p> <p>What negotiations took place prior to the requests for tender being developed?</p> <p>Did OASITO negotiate with your agency separately from, or in conjunction with, external service providers?</p> <p>Did any consultations take place with OASITO to develop the project specification, as part of the development of the request for tender?</p> <p>Was there an independent review of your agency prior to the request for tender being developed and released?</p> <p>Who conducted that review?</p> <p>Who paid for the review and what did it cost?</p> <p>What role did OASITO play in the review?</p> <p>Was there much development of the project specification from the release of the request for tender to the final version of the contract?:</p> <p>Were there significant differences?</p> <p>Did those differences have an impact on the cost to your agency of outsourcing?</p> <p>Did your agency have input into the development of the project specification, the request for tender and the final contract?</p> <p>What processes were put into place to ensure that OASITO understood your business and any particular requirements that you have?</p>	139
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Lundy	63	Tabled	<p><b><i>Tender Evaluation</i></b></p> <p><b>[The Humphry report at p 95 says OASITO's responsibilities in the IT initiative included the following:</b></p> <p><b>to provide guidance and assistance to agencies as they participate in tender processes;</b></p> <p><b>to manage the evaluation and negotiation process to ensure fairness and probity;</b></p> <p><b>together with agencies ensure a fair financial evaluation (p 96)]</b></p> <p>Who was responsible for evaluating the tenders?</p> <p>What was the process for evaluating the tenders? Can you outline the steps in the evaluation process?</p> <p>Was your agency involved in each stage of the process?</p> <p>Were agencies excluded from any stage in the process?</p> <p>Was your agency involved in the industry development evaluation stage of the process?</p> <p>What role did OASITO play in the tender evaluation for your group?</p> <p>What role did your agency play in the tender evaluation process: individually?</p> <p>Or as a member of a cluster grouping?</p> <p>What was the extent of that role?</p> <p>At any time in any of the tender evaluation processes, did the cluster grouping make a recommendation for a particular tenderer which did not conform with OASITO's views?</p> <p>What was behind the difference of opinion – on what basis was there a difference of opinion?</p> <p>How was the difference of opinion resolved in each case – what was the outcome?</p> <p>Were there any interim reports or discussion papers issued by OASITO setting out the different points of view, the basis for the differences and proposed courses of action?</p> <p>Did OASITO award a contract during any process to an external service provider, which was not the service provider recommended by the agencies as a group?</p> <p>Did you develop or have any part in developing the tender evaluation reports?</p> <p>Can you make these available?</p>	140
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Lundy	64	Tabled	<p><b><i>Contract negotiations</i></b></p> <p>What role did your agency play in contract negotiations?</p> <p>Did your agency have its own legal representation during the contract negotiation stages?</p> <p>What components were outsourced – what services does the ESP provide to your agency?</p> <p>Why was it deemed necessary to sell to the provider the hardware at the commencement of the contract and buy the hardware back from the provider at the end of the contract?</p> <p>Is this a normal arrangement?</p> <p>Were both mainframe and desktop components included in the hardware transfer?</p> <p>What is the life of your mainframe?</p> <p>Why was the mainframe included in the transfer?</p> <p>What is the life of a desktop unit?</p> <p>When did you last replace your desktop units?</p> <p>When is the external service provider scheduled to replace your desktop units?</p> <p>What provision is there in your contract for the adoption of new technology?</p> <p>Are you concerned that your agency may not have the flexibility it once had to adopt new technology or to only do so at additional cost?</p> <p>What is your agency's potential liability for re-acquisition of assets at the end of the contract?</p>	142
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Lundy	65	Tabled	<p><b>Clustering approach</b></p> <p>The Humphry Review report concluded that "grouping of agencies has served a useful purpose in enabling economies of scale and providing a coordinated approach to the market" [para 2.1, p11], but that as the Initiative has matured the original rationale for grouping appears to be less relevant:</p> <p>What is your view on that conclusion – was the clustering of agencies an appropriate approach to the implementation of the policy?</p> <p>What benefits did the approach deliver?</p>	144
Lundy	66	Tabled	<p><b>Agency costs and savings</b></p> <p>What advice did you provide to DOFA/OASITO in relation to potential savings from outsourcing prior to actually outsourcing?</p> <p>Did your estimates of cost savings differ from OASITO's? – If so, what was the quantum of the difference and how were the different figures arrived at?</p> <p>Were OASITO's projections re cost savings accurate? If not, why not?</p> <p>What expenditure was incurred by you in preparation for outsourcing?</p> <p>Has outsourcing been cost effective for your agency?</p> <p>Was any liability for the re-acquisition of assets [guaranteed buy back] at the end of a contract factored into the savings estimates?</p> <p>The Humphry review also stated that there is broad agreement that the Initiative has delivered significant cost savings. However, the Audit report came to a different conclusion, arguing that savings estimates were unreliable and that significant elements of any savings calculation had been omitted.<sup>1</sup> [ie (1) the service potential of agency assets on hand at the end of the evaluation period and (2) the cost of guaranteeing ESP's asset values]:</p> <p>Do you agree that there is broad agreement that the Initiative has delivered significant cost savings?</p>	145

<sup>1</sup> Audit states at p 14 – "The [financial] evaluations did not consider the service potential associated with agency assets expected to be on hand at the end of the evaluation period under the business-as-usual case, or the costs arising from the Commonwealth's guarantee of ESP's asset values under the outsourcing case."

Lundy	67	Tabled	<p><b><i>Service delivery standards and service provision</i></b></p> <p>What service delivery standards were agreed with OASITO by agencies prior to finalisation of contracts? What negotiations/discussions took place between OASITO and agencies?</p> <p>Were service delivery standards written into contracts?</p> <p>How are service delivery standards measured?</p> <p>How are service delivery standards reported on?</p> <p>Are service credits being imposed?</p> <p>Have the contractual arrangements been able to provide adequately for effective levels of service – have you experienced higher levels of service or lower levels of service since your IT requirements have been outsourced?</p> <p>what have been the major problems?</p> <p>What has this cost your agency?</p> <p>Are the costs of any downtime and poor service delivery factored into the savings figures?</p> <p>what are the improvements in the service delivery? What level of savings have been made?</p> <p>Has your agency been required to request services which are outside those provided for under the contract?</p> <p>Please advise of any 'extra contract' services required and the costs of the provision of those services.</p> <p>Have agency operations been constrained because it is unable to provide a service because it has not been specified under the contract:</p> <p>Would this be because there are either no or limited funds available for extra contract service provision?</p> <p>What outages did you experience during the contract period?</p> <p>What service credits have been imposed as a result of outages?</p>	146
Lundy	68	Tabled	<p><b><i>Employment impacts</i></b></p> <p>Has the ESP been able to ensure continuity of contracted staff servicing your agency?</p> <p>Is there any indication that the changes to the taxation system, which deems contractors/self employed persons to be employees and bound by PAYE requirements, to have impacted on the continuity of service by people employed by ESP's or by sole contractors?</p>	148
Lundy	69	Tabled	<p><b><i>Privacy matters</i></b></p> <p>Were privacy matters a significant issue for you?</p> <p>What consideration was given to privacy matters a) in the request for tender and b) in the contract?</p> <p>What were the cost implications of your privacy requirements?</p> <p>Were you confident that the ESP had a commitment to and could guarantee the appropriate privacy protections?</p>	149

Lundy	70	Tabled	<p><b><i>Intellectual Property Matters</i></b></p> <p>Were intellectual property matters and issue for you?</p> <p>Was this significant?</p> <p>What consideration was given to IP matters a) in the request for tender and b) in the contract?</p> <p>Is it possible to value the IP component of your IT requirements?</p>	149
Lundy	71	Tabled	<p><b><i>Audit Report</i></b></p> <p>The Audit report contained a Whole of Government response to the report – have you any comment on that response and did it accurately reflect your own agency's views on all the findings and recommendations?</p> <p>If not, where did your views differ from the whole of government response?</p>	150
Lundy	72	Tabled	<p><b><i>Humphry review</i></b></p> <p>What is your reaction to the findings of the Humphry review?</p> <p>Did your agency have input into the Humphry review?</p> <p>Was that input written or oral – did you meet with Mr Humphry?</p> <p>Were any meeting notes or minutes taken or any documentation at all developed out of these meetings?</p> <p>Did the secretariat discuss any meeting notes with you – distribute any meeting notes for your comments?</p> <p>Would it surprise you to know that there is no documentation standing behind the findings and recommendations of the Humphry review?</p> <p>Will your agency continue to outsource at the conclusion of the present contract?</p> <p>What implications will it have for your agency if you decide not to continue with the present contract provider?</p> <p>What are the financial implications?</p> <p>What are the hardware and software implications?</p>	151

### Australian Communications Authority

<b>Senator</b>	<b>Ques. no</b>	<b>Hansard ref.</b>	<b><i>Subject</i></b>	<b><i>Page No</i></b>
Bishop	73	115	Could the ACA give us a table setting out who is bidding for precisely what entitlement.	153

Lundy	74	Tabled	<p><b><i>Project specification</i></b></p> <ol style="list-style-type: none"> <li>1. What negotiations took place prior to the requests for tender being developed? <ol style="list-style-type: none"> <li>1.1. Did OASITO negotiate with your agency separately from, or in conjunction with, external service providers?</li> </ol> </li> <li>2. Did any consultations take place with OASITO to develop the project specification, as part of the development of the request for tender?</li> <li>3. Was there an independent review of your agency prior to the request for tender being developed and released?</li> <li>4. Who conducted that review?</li> <li>5. Who paid for the review and what did it cost?</li> <li>6. What role did OASITO play in the review?</li> <li>7. Was there much development of the project specification from the release of the request for tender to the final version of the contract?: <ol style="list-style-type: none"> <li>7.1. Were there significant differences?</li> <li>7.2. Did those differences have an impact on the cost to your agency of outsourcing?</li> </ol> </li> <li>8. Did your agency have input into the development of the project specification, the request for tender and the final contract?</li> <li>9. What processes were put into place to ensure that OASITO understood your business and any particular requirements that you have?</li> </ol>	154
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Lundy	75	Tabled	<p><b><i>Tender Evaluation</i></b></p> <p><b>[The Humphry report at p 95 says OASITO's responsibilities in the IT initiative included the following:</b></p> <ul style="list-style-type: none"> <li><b>i) to provide guidance and assistance to agencies as they participate in tender processes;</b></li> <li><b>ii) to manage the evaluation and negotiation process to ensure fairness and probity;</b></li> <li><b>iii) together with agencies ensure a fair financial evaluation (p 96)]</b></li> </ul> <p>10. Who was responsible for evaluating the tenders?</p> <p>11. What was the process for evaluating the tenders? Can you outline the steps in the evaluation process?</p> <p>12. Was your agency involved in each stage of the process?</p> <p>13. Were agencies excluded from any stage in the process?</p> <p>14. Was your agency involved in the industry development evaluation stage of the process?</p> <p>15. What role did OASITO play in the tender evaluation for your group?</p> <p>16. What role did your agency play in the tender evaluation process:</p> <p style="padding-left: 20px;">16.1. individually?</p> <p style="padding-left: 20px;">16.2. Or as a member of a cluster grouping?</p> <p>17. What was the extent of that role?</p> <p>18. At any time in any of the tender evaluation processes, did the cluster grouping make a recommendation for a particular tenderer which did not conform with OASITO's views?</p> <p>19. What was behind the difference of opinion – on what basis was there a difference of opinion?</p> <p>20. How was the difference of opinion resolved in each case – what was the outcome?</p> <p>21. Were there any interim reports or discussion papers issued by OASITO setting out the different points of view, the basis for the differences and proposed courses of action?</p> <p>22. Did OASITO award a contract during any process to an external service provider, which was not the service provider recommended by the agencies as a group?</p> <p>23. Did you develop or have any part in developing the tender evaluation reports?</p> <p>24. Can you make these available?</p>	155
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Lundy	76	Tabled	<p><b><i>Contract negotiations</i></b></p> <p>25. What role did your agency play in contract negotiations?</p> <p>26. Did your agency have its own legal representation during the contract negotiation stages?</p> <p>27. What components were outsourced – what services does the ESP provide to your agency?</p> <p>28. Why was it deemed necessary to sell to the provider the hardware at the commencement of the contract and buy the hardware back from the provider at the end of the contract?</p> <p>28.1. Is this a normal arrangement?</p> <p>28.2. Were both mainframe and desktop components included in the hardware transfer?</p> <p>28.3. What is the life of your mainframe?</p> <p>28.4. Why was the mainframe included in the transfer?</p> <p>28.5. What is the life of a desktop unit?</p> <p>28.6. When did you last replace your desktop units?</p> <p>28.7. When is the external service provider scheduled to replace your desktop units?</p> <p>28.8. What provision is there in your contract for the adoption of new technology?</p> <p>28.9. Are you concerned that your agency may not have the flexibility it once had to adopt new technology or to only do so at additional cost?</p> <p>28.10. What is your agency's potential liability for re-acquisition of assets at the end of the contract?</p>	157
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Lundy	77	Tabled	<p><b>Clustering approach</b></p> <p>29. The Humphry Review report concluded that "grouping of agencies has served a useful purpose in enabling economies of scale and providing a coordinated approach to the market" [para 2.1, p11], but that as the Initiative has matured the original rationale for grouping appears to be less relevant:</p> <p>29.1. What is your view on that conclusion – was the clustering of agencies an appropriate approach to the implementation of the policy?</p> <p>29.2. What benefits did the approach deliver?</p>	159
Lundy	78	Tabled	<p><b>Agency costs and savings</b></p> <p>30. What advice did you provide to DOFA/OASITO in relation to potential savings from outsourcing prior to actually outsourcing?</p> <p>31. Did your estimates of cost savings differ from OASITO's? – If so, what was the quantum of the difference and how were the different figures arrived at?</p> <p>32. Were OASITO's projections re cost savings accurate? If not, why not?</p> <p>33. What expenditure was incurred by you in preparation for outsourcing?</p> <p>34. Has outsourcing been cost effective for your agency?</p> <p>35. Was any liability for the re-acquisition of assets [guaranteed buy back] at the end of a contract factored into the savings estimates?</p> <p>36. The Humphry review also stated that there is broad agreement that the Initiative has delivered significant cost savings. However, the Audit report came to a different conclusion, arguing that savings estimates were unreliable and that significant elements of any savings calculation had been omitted.<sup>2</sup> [ie (1) the service potential of agency assets on hand at the end of the evaluation period and (2) the cost of guaranteeing ESP's asset values]:</p> <p>36.1. Do you agree that there is broad agreement that the Initiative has delivered significant cost savings?</p>	159

<sup>2</sup> Audit states at p 14 – "The [financial] evaluations did not consider the service potential associated with agency assets expected to be on hand at the end of the evaluation period under the business-as-usual case, or the costs arising from the Commonwealth's guarantee of ESP's asset values under the outsourcing case."



Lundy	79	Tabled	<p><b><i>Service delivery standards and service provision</i></b></p> <p>37. What service delivery standards were agreed with OASITO by agencies prior to finalisation of contracts? What negotiations/discussions took place between OASITO and agencies?</p> <p>37.1. Were service delivery standards written into contracts?</p> <p>37.2. How are service delivery standards measured?</p> <p>37.3. How are service delivery standards reported on?</p> <p>37.4. Are service credits being imposed?</p> <p>38. Have the contractual arrangements been able to provide adequately for effective levels of service – have you experienced higher levels of service or lower levels of service since your IT requirements have been outsourced?</p> <p>38.1. what have been the major problems?</p> <p>38.2. What has this cost your agency?</p> <p>38.3. Are the costs of any downtime and poor service delivery factored into the savings figures?</p> <p>38.4. what are the improvements in the service delivery? What level of savings have been made?</p> <p>39. Has your agency been required to request services which are outside those provided for under the contract?</p> <p>40. Please advise of any 'extra contract' services required and the costs of the provision of those services.</p> <p>41. Have agency operations been constrained because it is unable to provide a service because it has not been specified under the contract:</p> <p>41.1. Would this be because there are either no or limited funds available for extra contract service provision?</p> <p>42. What outages did you experience during the contract period?</p> <p>43. What service credits have been imposed as a result of outages?</p>	161
Lundy	80	Tabled	<p><b><i>Employment impacts</i></b></p> <p>44. Has the ESP been able to ensure continuity of contracted staff servicing your agency?</p> <p>45. Is there any indication that the changes to the taxation system, which deems contractors/self employed persons to be employees and bound by PAYE requirements, to have impacted on the continuity of service by people employed by ESP's or by sole contractors?</p>	162
Lundy	81	Tabled	<p><b><i>Privacy matters</i></b></p> <p>46. Were privacy matters a significant issue for you?</p> <p>47. What consideration was given to privacy matters a) in the request for tender and b) in the contract?</p> <p>48. What were the cost implications of your privacy requirements?</p> <p>49. Were you confident that the ESP had a commitment to and could guarantee the appropriate privacy protections?</p>	163

Lundy	82	Tabled	<b>Privacy matters</b> 50. Were privacy matters a significant issue for you? 51. What consideration was given to privacy matters a) in the request for tender and b) in the contract? 52. What were the cost implications of your privacy requirements? 53. Were you confident that the ESP had a commitment to and could guarantee the appropriate privacy protections?	163
Lundy	83	Tabled	<b>Audit Report</b> 54. The Audit report contained a Whole of Government response to the report – have you any comment on that response and did it accurately reflect your own agency's views on all the findings and recommendations? 55. If not, where did your views differ from the whole of government response?	164
Lundy	84	Tabled	<b>Humphry review</b> 56. What is your reaction to the findings of the Humphry review? 57. Did your agency have input into the Humphry review? 58. Was that input written or oral – did you meet with Mr Humphry? 59. Were any meeting notes or minutes taken or any documentation at all developed out of these meetings? 60. Did the secretariat discuss any meeting notes with you – distribute any meeting notes for your comments? 61. Would it surprise you to know that there is no documentation standing behind the findings and recommendations of the Humphry review? 62. Will your agency continue to outsource at the conclusion of the present contract? 63. What implications will it have for your agency if you decide not to continue with the present contract provider? 63.1. What are the financial implications? 63.2. What are the hardware and software implications?	164
Harradine	85	Tabled	1. The ACA spent \$43,000 in performance of its responsibilities under under Part 9A of the T(CPSS) Act (phone sex). Does the ACA consider that it has given sufficient priority to this area and undertaken its responsibilities effectively?	166
Harradine	86	Tabled	2. What action has been taken by the ACA to advertise its role and responsibilities?	167
Harradine	87	Tabled	3. What progress has been made to develop a web page for inclusion on the ACA website?	167
Harradine	88	Tabled	4. When will the ACA be releasing some written material (eg facts sheets) to increase public awareness of its role and responsibilities?	168

## Australian Broadcasting Corporation

Senator	Ques. no	Hansard ref.	<i>Subject</i>	<i>Page No</i>
Faulkner	89	129	Are you confident that, apart from those directors who may have become aware of this process through being consulted or questioned by the auditor, no other directors were made aware of this review prior to 14 February?	169
Faulkner	90	135	How many people at the ABC did the head of the ABC Group Audit interview in relation to this matter?	169
Bishop	91	139	How many of the SE5 to 19 positions referred to in that leaked document and this one here have been advertised?	170
Schacht	92	145	In your five years, Mr Balding, as a senior member of the ABC, has the Audit Committee ever been called together for a phone hook-up on a matter such as we are discussing now?	170
Schacht	93	147-8	Did the human resources and industrial relations person get a list of all the staff being interviewed ... and how widely dispersed and circulated is that list ... Just because you are on the list, could that mean that you could have that attached to your employment file?	171
Bishop	94	148	I understand that the AFP invited them to attend at the police station to be interviewed. My question is: were they directed by any manager in the ABC to comply with that invitation? ... Which staff member in the ABC directed [or notified them of the AFP's request to interview] them to leave their normal place of work and attend the police station and be interviewed? Would they also have been notified that they did not have to comply with that request?	171
Schacht	95	148	Was any advice given to staff that they might choose to seek legal advice before they accepted the invitation to be interviewed?	172
Schacht	96	148	Do you know whether the union that represents, I suspect, most of the work force at some level was advised so that they could talk to their members about legal assistance?	172
Bishop	97	154	Was an accurate CV provided to your new prospective employer, the ABC ... Would you be able to provide us with a copy of that ... I would ask you to provide a copy from your own records or a copy from the ABC of the CV provided.	173
Faulkner	98	162	What was the cheque for payment [to Mr Martin Debelle]? ... Could you take on notice then, please, in these circumstances the nature of the appointment process? ... In relation to this contract, could you find out for us what the cost of the contract was? Could you also find out the nature of the process that went to the letting and signing of the contract? ... Can you assist me with the actual role that Mr Debelle fulfilled? Did he put out a press release announcing Mr Shier's appointment? Fair enough, obviously he would, but what else was involved? Was there any advisory role in the appointment process, for example? ... Could you also take on notice those key dates in relation to Mr Debelle's contract? ... I do not want a thesis on this, but could you just note for the information of the committee the role and function that was involved?	174
Faulkner	99	162	Could you tell me whether the Chairman went outside the ABC corporate affairs structure to hire Mr Debelle?	174
Faulkner	100	163	Given that there have been discussions of CVs earlier on, are we aware of Mr Debelle's background to be able to fulfil this role?	175
Faulkner	101	164	I just could not quite understand how this worked with your own media unit ... How did you handle this internally?	175

Faulkner	102	164-67; 170-71	I just wondered in a general sense, first of all, whether the information that was provided then to Senator Brown - whose question on notice [No. 3110] was dated 13 October 2000 - is still as was outlined in that answer, or whether there had been any changes. ... [The contract] says contribution towards health insurance. How does that work ... Is there a dollar figure for that? ... Which of these particular elements [health insurance, subscriptions, car, telephone, media monitoring equipment etc] come in within the cap figure? Can that be disaggregated and costed for the benefit of the committee, please?	176
Ferris	103	169	You will recall that I asked during the last estimates about the new method of marketing ABC goods and services through the ABC shops. You told me you were looking at new ways of opening shops within other stores. ... Can you update me on any changes to the marketing arrangements through the ABC stores ... Can you give me any idea of the balance sheet of those shops? How has the overall managing and marketing of ABC shops gone in terms of profitability?	178
Ferris	104	169	Have you changed the method of storage [of old films] or can you assure us that they are being stored in a way in which they will not deteriorate?	179
Faulkner	105	171	The Managing Director may also receive performance remuneration if so assessed by the Board up to a maximum level of \$20,000 per annum set by the Remuneration Tribunal Has that been determined by the Board? ... If those matters could be quantified on notice, I would appreciate that.	181
Faulkner	106	172	Could you give me the figures for those of the 183 who have [elected to take cash rather than a vehicle]? ... Of the remainder, can you tell me how many have four-wheel drive vehicles? If you could take [the cost to the Corporation of people driving the cars] on notice too I would appreciate it.	181
Bishop	107	176	I am asking you to provide the committee with a copy [of the document prepared by Guy Dunstan]. You will give consideration to that and give us a formal response.	182
Schacht	108	177	When you appointed [Guy Dunstan] what was the length of his contract? ... Can you tell me - if you cannot give it to me now, can you take it and put it on notice - what his payout was? Was it one year's salary?	182
Campbell	109	178	I understand that there are a number of people who held senior executive positions who are still in dispute with the ABC over their termination and I understand they are still on the payroll. I am trying to clarify whether they are still on the payroll drawing a salary, whether they are working or not working or reading papers or ... and no-one has filed unfair dismissal claims against the ABC ... since the restructuring took place? Is there any ongoing dispute between those executives and the ABC over their termination ... anyone who is in dispute with the corporation over their termination?	183
Bishop	110	181	How many legal actions have been commenced alleging unfair, unlawful dismissal or wrongful termination of contract? ... could you also tell us how many, who by and whom, and legal costs to date arising out of these actions. I would also like to know whether any of these claims have been settled and the terms of the settlements, if they have been settled.	183
Bishop	111	181	Does the ABC insist on the inclusion of a clause preventing adverse comment on ABC management in the termination agreements of senior executives who leave the organisation?	184

Campbell	112	181	At the last estimates I asked for a breakdown of the training budget of the ABC between human resources and the divisions. While you provided me with the human resources budget, not all of the divisional budget allocations for training were given. You just gave me the two figures in fact which you gave me at the Estimates. Can I ask you what the figures are for each of the divisions in terms of their training budgets?	185
Campbell	113	182	I have seen some figures about the amount of expenditure by the ABC on training. I think the figures I have seen is that the ABC spends something like \$912, the BBC something like \$2,700 and CBC \$1,300 compared to the Australian Public Service at \$1,000 on training. Are those figures correct?	186
Ferris	114	169	Can you give me any idea of the number of hours of broadcasting in the regional areas that have been decentralised from Ultimo?	186
Bishop	115	Tabled	<b>Divisional Budgets</b>  Seek tabling of the Divisional budgets for each of the Divisions, with line items shown.	187
Bishop	116	Tabled	<b>Job Losses and Recruitment</b>  (a) What job losses have been announced from within the ABC, where will these job losses come from by both unit and location? (b) What will be the total cost to the ABC of these job losses? (c) How many senior managers have left the ABC since both March 2000 and July 2000 and what has been the cost of these? (d) Has the ABC made any ex-gratia payments to former managers or staff over and above the payments referred to above and, if so, what has been the cost of those payments? (e) Has the ABC determined whether Braithwaite Steiner, Julie Steiner or any other recruitment agency used by the ABC since December 1999 received any third party commissions for placing staff on its books in the ABC and, if not, why not? (f) If so, on how many occasions has this occurred and what was the third party commission paid? (g) If so, does the ABC regard the failure to disclose this payment as inappropriate and what action has the ABC taken as a result? (h) Was the Managing Director on the books of Braithwaite Steiner or any associated company prior to his appointment?	188
Bishop	117	Tabled	<b>Cost Cutting</b>  (a) In relation to each of the Divisions from which costs have been cut, how have those cost savings been achieved? (b) Has any content been affected? (c) In particular, how have the cuts affected News and Current Affairs, Classic FM, Outside Broadcasts and Unearthed?	190
Bishop	118	Tabled	<b>Friends of the ABC</b>  (a) Is the ABC aware of any internal memorandum or directive sent to any staff in January this year advising staff not to promote or otherwise engage in the activities of the Friends of the ABC? (b) If not, can inquiries be made as to whether any such memorandum was sent? (c) Did the memorandum describe the "Friends of the ABC" as being no friends at all? (d) If so, can a copy of that memorandum or directive be provided? (e) Who sent the memorandum and why? (f) Is the Managing Director aware of this memorandum? (g) Has any action taken place as a result of that memorandum and, if not, why not?	192

Bishop	119	Tabled	<p><b>Radio Australia</b></p> <p>(a) What services did Radio Australia use to provide before the cuts to Radio Australia were made in 1996 and 1997 that were not restored by last year's re-funding decision?</p> <p>(b) What would be the cost of restoring Radio Australia's output to the level it was before the cuts were made?</p>	194
Bishop	120	Tabled	<p><b>Regional Services</b></p> <p>The Managing Director is on the public record as saying that he gave the National Party and the Australian public an assurance that funding and services to Regional Australia will not be diminished.</p> <p>(a) Has there been any reduction in the budget for Regional Radio? What was the budget for Regional Radio in 99/2000 and in 2000/2001?</p> <p>(b) Did the new budget include any increase for salary increases paid under the <i>ABC Employment Agreement 2000</i>?</p> <p>(c) What was the increase in salary costs for the same period?</p> <p>(d) Was any of the increased appropriation to the ABC based on increased salary costs in the past two budgets included in the Regional Radio budget? If no why not?</p> <p>(e) Is it true that as a cost saving measure the starting time for shifts in Regional Radio were shifted from 5.30am to 5.45 reducing the amount of time the broadcasters had to prepare for their on air appearances down to 15 minutes? Have there been any complaints raised by the affected staff that this will reduce the quality of their programs?</p> <p>(f) When you said that services to Regional Australia will be protected did you only mean Regional Radio Services? Or did you mean the provision of the full range of services including TV, Classic FM, Radio National and JJJ?</p> <p>(g) Has the ABC received an increase in complaints from Australians living in regional Australia about the reduction of their services since the new budgets were introduced?</p>	198

Bishop	121	Tabled	<p><b>Commercialisation of the ABC</b></p> <p><i>ABC Credit Card</i></p> <p>(a) The ABC has indicated that it is planning to press ahead with a proposal for an ABC branded credit card, how will this credit card work?</p> <p>(b) What benefits will there be for users of the ABC branded card?</p> <p>(c) Will users receive rewards that they can use for non-ABC products?</p> <p>(d) If so, how will customers be advised about these non-ABC product rewards?</p> <p>(e) How can members of the public be satisfied that in participating in this card the ABC is not effectively advertising a non-ABC commercial product, something the ABC would not be allowed to do under the Act in relation to its broadcasting services?</p> <p>(f) What will be the benefit to the ABC from use of the card?</p> <p><i>Internet Site</i></p> <p>(g) The ABC is also proposing to create links from its website to non-ABC commercial sites after first clicking on an icon warning them they are leaving a non-commercial site?</p> <p>(h) Is it proposed that the ABC will receive payment for establishing these links?</p> <p>(i) In establishing these links, is not the ABC effectively endorsing these commercial sites?</p> <p>(j) Given that the ABC does not promote other non-ABC broadcasting services on its broadcasting services why should the ABC receive payment to promote non-ABC web-sites – isn't this a breach of the principle that there should be no advertising on the ABC?</p>	199
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Bishop	122	Tabled	<p><b>TV Production</b></p> <p>At the last Senate Estimates hearing questions were asked about the level of TV commissioning. The ABC advised that 344 hours of production had been commissioned between July and December of 2000.</p> <p>(i) How many hours have now been commissioned ie since July 2000?</p> <p>(ii) Of those hours, how many were for new programs ie not previously commissioned programs?</p> <p>(iii) Of the hours of programs commissioned since July 2000 how many are to be produced in-house by the ABC?</p> <p>(iv) Of the programs commissioned since July 2000 how many have been broadcast?</p> <p>(v) Of the programs referred to in (ii) how many hours have been broadcast and what are the names of the programs?</p> <p>(vi) How many hours of first run, ABC in-house produced national programs excluding RAGE were broadcast in 1999/2000 and in each of the five previous years?</p> <p>(vii) How many hours of first run material does the ABC have in its inventory?</p> <p>(viii) How many hours of this material is Australian content?</p> <p>(ix) Although the ABC is not subject to the Australian and Children's content quotas that are imposed on the commercial free-to-air broadcasters, what is the comparison between the ABC's performance with those quotas from 1995/96 to the present and what is the ABC's anticipated performance against those criteria this financial year?</p>	202
Bishop	123	Tabled	<p><b>TV Production: Science Unit</b></p> <p>(a) What was the total number of staff employed in the ABC's TV Science Unit immediately before the closure of the TV Science Unit on 27 November?</p> <p>(b) How many staff are currently employed in the production of ABC Science programs?</p> <p>(c) Since the decision to create a single cross media science unit, how many staff are employed in the new Science Unit?</p> <p>(d) How many staff of the old TV Science Unit have:</p> <ul style="list-style-type: none"> <li>• been made redundant;</li> <li>• are in the process of being made redundant;</li> <li>• have transferred to other sections or Departments of the ABC;</li> <li>• have not had their contracts renewed?</li> </ul>	205



Bishop	124	Tabled	<p><b>TV Production: Media Watch</b></p> <p>(a) At the time the Director of TV advised Paul Barry that his contract was not to be renewed it was reported that the Director of TV had promised that the program would return with a better presenter.</p> <p>(b) When will Media Watch return?</p> <p>(c) When will an announcement be made of who the new presenter will be?</p> <p>(d) Has the “Littlemore” program replaced the Media Watch program?</p> <p>(e) If so, does this mean the ABC has reduced the run of Media Watch from approximately 40 weeks per year to 13 weeks a year?</p> <p>(f) What is the total staff of the Littlemore program?</p> <p>(g) What was the number of staff employed on the Media Watch program immediately prior to the non-renewal of Paul Barry’s contract?</p>	207
Bishop	125	Tabled	<p><b>Production Resources Redundancies</b></p> <p>(a) In a letter dated 16 February 2001 sent to the CPSU, the Corporation stated that the redundancy of 71 NSW TV production staff was due to a range of factors including reduced demand hours from the production plan. What programs have either been cut or the length of their run reduced that accounts for the reduction in the production demand.</p> <p>(b) In Victoria you identified all redundancies are explained by an analysis of production demand. Why has production demand fallen. Has there been a reduction in output? Are more programs being outsourced?</p>	208
Bishop	126	Tabled	<p><b>Production Resources Travel and Accommodation Expenditure</b></p> <p>(a) What travel and accommodation costs have been incurred by the Director of Production Resources and the Head Operations since July 2000?</p> <p>(b) Who authorises the travel and accommodation expenses of the Director of Production Resources.</p> <p>(c) Who authorises the travel and accommodation expenses of the Head Operations?</p>	209
Bishop	127	Tabled	<p><b>Technology and Distribution Redundancies</b></p> <p>(a) What are the total number of redundancies planned with the Technology and Distribution Division arising from the 2000 internal budget?</p> <p>(b) What strategies are being applied to minimise the effect of these cuts on maintenance levels?</p> <p>(c) Will the staff reductions reduce the ability of maintenance staff to undertake periodic planned and preventative maintenance within regional radio stations, and if so what are the risks associated with the reduced preventative maintenance?</p>	210

Bishop	128	Tabled	<p><b>New Media: Colin Griffiths</b></p> <p>(a) Was Colin Griffiths considered to have had a significant and instrumental role in the development of the ABC's Online service as one of Australia's most highly respected and visited sites?</p> <p>(b) Can the ABC confirm he was made redundant and received a redundancy payout?</p> <p>(c) Why was he sacked?</p> <p><b>New Media: Separation of Content and e-Commerce</b></p> <p>(a) Did the ABC Board determine in its Online Dividend paper of last year that e-commerce initiatives had to be clearly separated from content production?</p> <p>(b) Was it determined that all e-commerce decisions including decisions on the licensing of Online had to be undertaken by the Enterprises Division to ensure the activities were kept at arms length from the Online area?</p> <p>(c) Why has the new executive structure for the New Media placed responsibility for e-commerce directly within the New Media Division?</p> <p>(d) Was the Board advised of the decision to breach its own policy?</p>	211
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Bishop	129	Tabled	<p><b>Radio Artist Expenses</b></p> <p>(a) What has been the cut in dollar and percentage terms in the Radio budget for artist fees?</p> <p>(b) What is the breakdown in these cuts across each of the Radio Networks?</p> <p>(c) What is the budget for artist fees for this and the last financial year for each of the networks?</p> <p>(d) When were the budget cuts implemented?</p> <p>(e) Were staff advised to continue spending on the basis of their previous budgets up to this announcement?</p> <p>(f) Was the reduction in the budget even more pronounced because it was introduced halfway through the year?</p> <p>(g) Was there a period this year when Classic FM was not entering into agreements with music bodies such as Musica Viva for the recording of music?</p> <p>(h) Can the ABC confirm that a letter was sent by a number of music organisations including the Music Council of Australia to the Chairman of the ABC, Mr Donald McDonald, complaining about the ABC's cutting back on the recording of Australian music?</p> <p>(i) On 7 February 2001 Dick Letts, the Executive Director of the Music Council of Australia, issued an email to a number of music bodies announcing that the ABC had decided to restore the recordings. On what basis were the recordings restored?</p> <p>(j) Was the Chairman involved in the decision to restore the recordings?</p> <p>(k) Was any additional funding made available to Classic FM to cover the costs of the recordings?</p> <p>(l) Why were staff in Classic FM advised to complete the contracts and agreements but were advised to write the costs down as an 'overspend'?</p> <p>(m) Will Classic FM be required to repay the overspend?</p> <p>(n) Can the ABC confirm that a letter published in the Australian Book Review of October of last year concerning the decline in the ABC's support for Arts programming was also forwarded to the Chair of the ABC?</p> <p>(o) Can the Corporation also provide a copy of the letter sent by the Chair of the ABC in reply to that letter to Martin Harrison and Barbara Blackman in which the Chairman is understood to have given an assurance that there would be no diminution in Arts programming?</p> <p>(p) Can the ABC reconcile this assurance with the statement made by Sue Howard, Director Radio, at the Senate Estimates hearing that she intends to shift funding away from high cost areas such as the Arts to increase the ABC's coverage of other areas including business reporting?</p> <p>(q) Can the ABC confirm that all overspends within the Radio Division will be recovered from next year's budgets?</p> <p>(r) How many hours of programs have been commissioned by Radio Arts during the period November 2000 to Feb 2001 and how does this compare with the same period in the previous year?</p>	213
Bishop	130	Tabled	<p><b>Radio Travel Budgets</b></p> <p>What are the travel budgets in Radio for each network and what are the equivalent budgets for last year?</p>	219

Bishop	131	Tabled	<p><b>Directors' Salaries</b></p> <p>(a) What is the total annual salary cost for each of the Directors (including Guy Dunstan and Sandra Levy) including base salary, allowances and all other payments made in the form of salary sacrifices etc?</p> <p>(b) What salary was paid to Sue Masters prior to her departure from the ABC?</p> <p>(c) How many staff now perform the functions she performed at the ABC? And who are they?</p> <p>(d) What total salary payments do she/he or they receive?</p>	220
Bishop	132	Tabled	<p><b>Leaked Document concerning Senior Executive Numbers</b></p> <p>(a) When did the Managing Director become aware of the leaking of the document?</p> <p>(b) When did the Managing Director discuss the leaking of the document with either Shane Wells or Gary Linnane for the first time?</p> <p>(c) Did the Managing Director have any further discussions with either Shane Wells or Gary Linnane concerning the leaking of the documents?</p> <p>(d) Did either Shane Wells or Gary Linnane hold discussions with any of the ABC Directors or with any of the staff involved in the internal audit concerning the leaked document between 19 January and 14 February 2001?</p> <p>(e) If so, what was the nature of these conversations?</p> <p>(f) When did Russell Balding invite or direct David Hodgkinson and the National Security Advisor to the meeting held on 31 January?</p> <p>(g) How was the invitation made?</p> <p>(h) If the invitation was either by letter or email what is the text of those messages?</p>	222
Bishop	133	Tabled	<p><b>Senior Executive Establishment</b></p> <p>(a) Did the Executive approve of the filling of any or all of the 110 positions described as "new positions" in the leaked Establishment document?</p> <p>(b) If so, what positions did it approve?</p> <p>(c) How many of the 110 positions described as new positions have been:</p> <ul style="list-style-type: none"> <li>• Filled</li> <li>• Advertised and yet to be filled</li> <li>• Advertised and a decision taken subsequently not to fill the positions?</li> </ul> <p>(d) How many further positions, not included in the November Establishment Report, has the Executive approved to be filled?</p> <p>(e) What are these positions?</p>	223