

## Senate Standing Committee on Economics

### ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Budget Estimates

31 May – 2 June 2011

Question No: BET 283

Topic: Order of the Senate #2

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Senator Cormann asked:

**Senator CORMANN:** The question is for you. Of course, the order of the Senate passed in November last year asking the Productivity Commission to design a process to ensure that the selection of the defined superannuation funds under modern awards was open, transparent, objective, competitive and evidence based was actually an implementation of Labor Party pre-election policy. Why is it that you still have not moved on it?

**Senator Wong:** I will take that on notice. It is not my portfolio. I have to pass it on to the minister who is responsible.

Answer:

The Government notes that the Senate Standing Committee of Privileges is currently undertaking an inquiry entitled *Guidance for officers giving evidence and providing information*.

The Department of Prime Minister and Cabinet (PM&C) has made a public submission to that inquiry, which includes a section on the powers of the Senate to order the production of documents. Attached to the submission is legal advice from the Australian Government Solicitor, which states that the powers of the Senate do not extend to requiring the Productivity Commission to design a process, create a report about the process, and produce the report to the Senate as the order of 16 November 2010 purports to do.

The Government will ask the Productivity Commission to design a process, prior to the introduction of MySuper on 1 July 2013, for the selection and ongoing assessment of superannuation funds that are nominated as default funds by employers in modern awards and enterprise agreements.