

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Supplementary Estimates, November 2004

Question: Supp 12

Topic: Inspector-General of Taxation - Procurement

Hansard Page: Written

Senator Murray asked:

1. When did the Department last update its procurement policy documentation?
2. What mechanisms does the Department have in place to ensure its procurement guidelines reflect current policy in relation to government contracting?
3. Do the Department's current procurement guidelines refer to all of the following accountability mechanisms:
 - The Senate order for departmental and agency contracts;
 - The Department of Finance and Administration's February 2003 *Guidance on Confidentiality of Contractors' Commercial Information*; and
 - The Commonwealth Procurement Guidelines (CPGs) ?
4. Do the Department's tender documentation and contract templates include the following elements:
 - a statement outlining the various Commonwealth accountability requirements;
 - a consistent definition of confidential information across all templates;
 - a provision for the inclusion of specific reasons justifying why a tenderer may wish to protect certain information in the contract if it awarded;
 - a section that outlines the obligations of confidentiality after the contract has been awarded;
 - a more detailed outline, with the general non-disclosure clauses, of the exceptions to confidentiality obligations for Commonwealth contracts; and
 - the model contract clauses, given in DOFA's February 2003 *Guidance on Confidentiality of Contractor's Commercial Information* ?
5. At page 51 of ANAO Audit Report No.10 2004-2005, *The Senate Order for Departmental and Agency Contracts (Calendar Year 2003 Compliance)*, the ANAO has concluded that all FMA agencies would benefit from implementation of contract training courses, or a review of current courses, to ensure that the Senate order

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requirements are adequately covered and that procurement staff receive relevant DOFA guidance.

What training does the Department currently have in place for procurement staff?

6. Does this training cover the requirements of the Senate order for departmental and agency contracts and refer to DOFA's February 2003 *Guidance on Confidentiality of Contractor's Commercial Information*?

Answer:

1. The inaugural Inspector-General of Taxation was appointed in August 2003. In setting up the new office, extensive use was made of existing policies, procedures and instructions (amended as required) that were in operation in the Department of Treasury. The Inspector-General also entered into a Service Level Agreement (SLA) with the Department of Treasury to provide a range of corporate service functions (on a fee for service basis). This SLA incorporates procurement functions.
2. The Inspector-General relies on advice from the Department of Treasury and Department of Finance and Administration to supplement knowledge held within his Office.
3. Yes. Refer Q1 and Q2.
4. As a quite small office (5 staff) with no program management or client service delivery responsibilities, extensive procurement documentation is not required. Very limited procurement occurs. Refer Q1 and 2.
5. Refer Q1 and Q2.
6. Refer Q1 and Q2.