Ronaldson: Just going back quickly to that limitation period. To your recollection, were you waiting for the Fair Work Australia inquiry to be finalised?

They were approaching that Statute of Limitation period, you and I discussed this. You were waiting for the Fair Work Australia investigation so you could revisit it, to see if there were any further matters that would be pursued by the AEC?

Pirani: That's correct Senator. If there had been anything in a Fair Work Australia report that had been published at that time, we would have taken that into account to examine whether there was a breach of the *Electoral Act*, in relation to reporting electoral expenditure.

Ronaldson: Now, you said before, that you believed the report, the full report, was close to finalisation, and that was back in February of last year. That was the evidence you gave some 10 minutes ago?

Pirani: Senator no. I understood that they were close to finalising their investigation. When we were talking about report, my only recollection of that discussion was the BDO Kendall report, because I wasn't aware as to what process Fair Work Australia would subsequently follow, because that obviously depended on whether they were going to take administrative action, whether they were going to take action in the Federal Court, or whether they referred that matter to the DPP.

Ronaldson: So they were close to finalising their investigation in relation to Mr Thomson?

Pirani: No, what I took on notice was to approach Fair Work Australia to ascertain the status of where they were with their investigation, and that's what was responded to this Senate?

Ronaldson: Mr Pirani, you just told me before, earlier on, that back in February, you believed that Fair Work were close to finalising their report, or finalising their investigation. The BDO Kendall report had already been prepared, so the

preparation of that report was not an issue. That was done and dusted. We were trying to get hold of it, not work out whether it had been finalised. So you agree that was done and dusted?

Wong: Senator, which question would you like the witness to answer?

Ronaldson: Alright, I'll clarify that one. The BDO Kendall report was done and dusted...

Pirani: It was done. It was done in 2009, Senator. I acknowledge that.

Ronaldson: So when you say it was your belief, back in February, that it was close to finalisation, the inquiry into Mr Thomson, that didn't relate to the BDO Kendell report, did it?

Pirani: No Senator.

Ronaldson: So what gave you the belief back in February of 2011 that the inquiry into Mr Thomson was close to finalisation, the investigation?

Pirani: I had understood that from discussion I have had with an officer of Fair Work Australia. Then when I did the final approach to Fair Work Australia, which was responded to this committee, that was corrected. So the formal written advice we had from Fair Work Australia was that they hadn't completed the investigation in February, and I responded to the Senate the very next day.

Ronaldson: So we're absolutely clear: you got an official response from Fair Work Australia that they hadn't completed. From your discussion with Ms Ailsa Carruthers, it was your understanding that they were close to finalising?

Pirani: I had previously understood that they were close to finalisation.

Ronaldson: From Ms Caruthers? That's what you said.

Pirani: (pause) Well, Ms Caruthers was my contact. But certainly my formal approach in writing immediately following Senate Estimates, I was advised that my understanding was incorrect.

Ronaldson: Your evidence before was that Ms Caruthers had advised you of that. Do you still stand by that evidence given 5 minutes ago Mr Pirani?

Pirani: Senator, I corrected the record with the answer that was given to the Senate immediately following Estimates. And that was that they hadn't completed the investigation.

Ronaldson: Do you confirm that Ms Caruthers told you that, indeed, they were close to finalisation, but the official response from Fair Work was that they had not. That was clearly your evidence today. I just want to make sure that you do not want to change your evidence given to the Committee 5 minutes ago.

Pirani: The evidence that I gave was formally on the record in the Senate, with the written response that immediately followed that Estimates hearing.

Ronaldson: Well, Mr Pirani, did not in any way seek to clarify that, I will take that as the evidence that was given.

Wong: He's referred three times now to the answer to the question on notice that was provided. He is entitled to refer you...

Ronaldson: Minister, thank you for raising that totally unrelated matter. Mr Pirani gave evidence to this Committee, now seven minutes ago, that he had been advised, in informal discussion with Ms Ailsa Caruthers, that the report into Mr Thomson was close to finalisation. Mr Pirani said that when he asked for an official response from Fair Work Australia, they indicated it was not. Do you seek to change any of that evidence.

Pirani: No Senator.