

**SENATE STANDING COMMITTEE ON
EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS**

**QUESTIONS ON NOTICE
BUDGET ESTIMATES 2009-10**

Outcome: 5

DEEWR Question No. EW0299_10

Senator Cash asked on 2 June 2009, EEWL Hansard pages 100-101.

Question

Who would have initiated a confidentiality clause in contracts with the ACTU?

Senator CASH—I would now like to turn to an area that was canvassed earlier today in relation to the tendering process and the tender website. The contracts that I am going to refer to are ones where I have Tuesday, 2 June 2009 Senate EEWL 101 EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION COMMITTEE plugged in the numbers and they have not come up. If you would bear with me, they are contracts with the ACTU—CN178010 and CN177542. My understanding is that they both have confidentiality clauses in them. Who would have initiated the confidentiality clause? Would it have been the ACTU, the department or the minister?

Answer

The two contracts (CN178010 and CN177542) represent a single Funding Agreement with the ACTU to fulfil its obligations as a member of the Australian Safety and Compensation Council (ASCC). The Funding Agreement was agreed to in June 2007 and commenced on 1 July 2007. A Funding Agreement, in similar terms, was also entered into with the Australian Chamber of Commerce and Industry for their membership on the ASCC and this also commenced on 1 July 2007. The Funding Agreement contains standard Departmental clauses that deal with the use of and disclosure of personal information when conducting activities under the Agreement. The Agreement itself, however, is not subject to any confidentiality provisions.