

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2006-2007 SUPPLEMENTARY BUDGET SENATE ESTIMATES HEARING
2ND NOVEMBER 2006
EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

QUESTIONS ON NOTICE

Outcome: Cross Portfolio

Question Number: W577-07

Question:

Senator Ludwig asked in writing:

With regard to each agency (and the department itself) that fall inside the departments portfolio, could the department indicate, (1) What date the agency's 2005-06 Annual report was tabled before parliament? (2) If the annual report was not tabled by 31 October 2006, could the department indicate (a) When the report was tabled, or if it remains untabled what date the report is expected to be tabled by. (b) Whether the agency's own legislation provides an alternative timeframe for its annual report. If so could the department provide (i) A description and reference to the relevant provision and legislation. (ii) An explanation of why the agency cannot meet the general timeframe set out in the Department of Prime Minister and Cabinet's Requirements for Annual Reports, and so requires an alternative timeframe? (c) Whether the agency was granted an extension under section subsections 34C(4)-(7) of the Acts Interpretation Act 1901? If so, could the department provide (i) the date for finalising the report as set out in the extension (ii) The reason given for granting the extension (iii) The date that the Minister tabled in Parliament a statement explaining why an extension was granted (iv) A copy of the Minister's statement (d) Where the agency's legislation doesn't provide for an alternative timeframe (as per question (b)) nor was the agency granted an extension (as per question (c)) could the department provide (i) An explanation for why the Annual Report was tabled outside the timeframe set by DPM&C despite there being no provision alternative timeframe set out in the agency's legislation nor there being any formal extension granted. (ii) Details of any other arrangement in place for the tabling of the agency's Annual Report.

Answer:

TABLING OF 2005–06 ANNUAL REPORTS FOR THE EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

Annual Report	(1) (2(a) Date tabled	2(b)(i) Legislation providing for alternative tabling timeframe	2(b)(ii) Reason for not meeting the Department of the Prime Minister and Cabinet’s general tabling timeframe	2(c)(i)((ii)(iii) Extension granted under S34C(4)- (7) of AIA	2(d)(i)(ii) Where agency’s legislation does not provide an alternative tabling timeframe.
Department of Employment and Workplace Relations Annual Report 2005–06	20 Oct 2006	NA	NA	NA	NA
Equal Opportunity for Women in the Workplace Annual Report 2005–06	28 Nov 2006	The <i>Equal Opportunity for women in the Workplace Act 1999</i> Section 12(1) “Within six months after each 31 May.”	NA	NA	NA
Safety, Rehabilitation and Compensation Authority Annual Report 2005–06	31 Oct 2006	NA	NA	NA	NA
Comcare Annual Report 2005-06	31 Oct 2006	NA	NA	NA	NA
Seafarers Safety, Rehabilitation and Compensation Authority Annual Report 2005–06	31 Oct 2006	NA	NA	NA	NA
Office of the Employment Advocate Annual Report 2005–06	19 Oct 2006	NA	NA	NA	NA
Australian Industrial Relations Commission Annual Report 2005–06	19 Oct 2006	NA	NA	NA	NA
Australian Industrial Registry Annual Report 2005–06	19 Oct 2006	NA	NA	NA	NA
Office of the Australian Building and Construction Commissioner 2005–06 Annual Report	19 Oct 2006	NA	NA	NA	NA
Remuneration Tribunal Annual Report 2005–06	31 Oct 2006	NA	NA	NA	NA
Annual Report of the Coal Mining Industry (Long Service Leave Funding) Corporation 2006	18 Oct 2006	NA	NA	NA	NA

Annual Report	(1) (2(a) Date tabled	2(b)(i) Legislation providing for alternative tabling timeframe	2(b)(ii) Reason for not meeting the Department of the Prime Minister and Cabinet's general tabling timeframe	2(c)(i)((ii)(iii) Extension granted under S34C(4)-(7) of AIA	2(d)(i)(ii) Where agency's legislation does not provide an alternative tabling timeframe.
Defence Force Remuneration, Twenty-first Report 2005–06	29 Nov 2006	The <i>Defence Act 1903</i> has no provision for the preparation of an annual report by the Defence Force Remuneration Tribunal. The tribunal presents its report for tabling in keeping with the <i>Coates Committee Report</i> of 1993.	NA		
Australian Fair Pay Commission 2005–06 Annual Report	31 Oct 2006	NA	NA	NA	NA
Australian Fair Pay Commission Secretariat 2005–06 Annual Report	31 Oct 2006	NA	NA	NA	NA
Office of Workplace Services Annual Report 2005–06	31 Oct 2006	NA	NA	NA	NA
Indigenous Business Australia Annual Report 2005–06	29 Nov 2006	In addition to its enabling legislation, IBA is also required to comply with the <i>Commonwealth Authorities and Companies Act 1997</i> (CAC Act). Sub section 9(1) of the CAC Act provides that the IBA must give the annual report to the Minister by the 15th day of the 4th month after the end of the Commonwealth authority's financial year for approval. Sub section 19(2) provides for the Minister to grant an extension of time to this date. Under the provision of Sub section 9(3), the responsible Minister must, in turn, table the annual report in both Houses of the Parliament as soon as practicable. In section 34C(7) of The Acts Interpretation Act 'a soon as practical' is defined as within 15	IBA is involved in a range of complex investments and joint ventures with the private sector. It is not practicable to receive audited statements for all investments and joint ventures to allow consolidation into IBA's overall account to meet the general timeframe set out by the Department of Prime Minister and Cabinet	NA	NA

Annual Report	(1) (2(a)) Date tabled	2(b)(i) Legislation providing for alternative tabling timeframe	2(b)(ii) Reason for not meeting the Department of the Prime Minister and Cabinet's general tabling timeframe	2(c)(i)((ii)(iii)) Extension granted under S34C(4)- (7) of AIA	2(d)(i)(ii) Where agency's legislation does not provide an alternative tabling timeframe.
Indigenous Business Australia Annual Report 2005–06		sitting days. While IBA applied for and was granted an extension for submission to the Minister under Sub section 9(2) of the CAC Act due to workload associated with the need for compliance with the new Australian Equivalent International Accounting Standards, the delay in presentation to the Minister did not impact on the tabling requirements.			