

Senate Standing Committee on Finance and Public Administration

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio
Department of the Prime Minister and Cabinet
Additional Estimates Hearings 18 February 2008



Question: PM120

Outcome 1, Output 4

Topic: Senator Faulkner - conduct of the AEC

Hansard Page: F&PA 69-70

Senator Minchin asked: Senator Minchin - Senator Abetz is also right to say that what has intervened since that episode is the case of the challenge to the result in Ms Bailey's electorate, in that we now have the party of which Senator Faulkner is president challenging the behaviour and conduct of the AEC, of which he is the minister responsible, before the Court of Disputed Returns, which, frankly, I think requires an answer from the Prime Minister... Could we perhaps leave this as a question to Senator Evans, representing Mr Rudd, as to his view of what now emerges as, from the point of view of members of this committee, the quite extraordinary and difficult situation that Senator Faulkner has been placed in as a result of the court case which has arisen post the correspondence to which Senator Evans properly referred. You can take it on notice-we understand that-because it is a very serious issue...

Senator Chris Evans - I would appreciate the opportunity to answer Senator Minchin's question and show him due respect. Senator Minchin, I appreciate the question put to me. As I said, I have complete confidence in Senator Faulkner and his independence. I am sure in terms of that matter he will handle himself in the way he always have.

Answer: The respondent to the legal challenge to the election result in the McEwen electorate is the Australian Electoral Commission (AEC), not the Special Minister of State. The *Commonwealth Electoral Act 1918* contains no ministerial directions power over the AEC. Senator Faulkner has had no role in the conduct of the court proceedings relating to the McEwen challenge.