



11 February 2010

Senator Helen Polley  
Chair  
Senate Standing Committee on Finance and Public Administration  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Dear Senator Polley

**Clarification of answer to question made in Additional Estimates 2009-10 hearing**

Thank you for the opportunity for the Australian National Audit Office (ANAO) to appear before the Senate Standing Committee on Finance and Public Administration on 8 February 2010.

During the hearing, Senator Ryan asked when advance copies of Audit Report No.20 2009-10 *National Broadband Network Request for Proposal Process* were delivered to recipients in the lead up to the report's tabling in the Parliament on 3 February 2010. As I did not have the full details with me at the time, I am writing to amplify my response.

Under s.15(2) of the *Auditor-General Act 1997*, as soon as practicable after completing the report on the audit, the Auditor-General must:

- (a) cause a copy of the report to be tabled in each House of the Parliament;
- (b) give a copy of the report to the responsible Minister;
- (c) give a copy of the report to the Chief Executive of the Agency.

In addition, s.15(2A) provides that the Auditor-General may give a copy of, or an extract from, the report to any person (including a Minister) who, or any body that, in the Auditor-General's opinion, has a special interest in the report or the content of the extract. This provides an opportunity for recipients of a report to be briefed on its contents prior to it being tabled in Parliament. In this context, it is a long-standing practice for the ANAO to issue advance copies of performance audit reports to the Prime Minister and the Secretary of the Department of the Prime Minister and Cabinet under embargo within two days of their scheduled tabling in Parliament. The reports are marked 'Audit In Confidence' and 'Draft'.

I approved the issue of advance copies of Audit Report No.20 2009-10 *National Broadband Network Request for Proposal Process* late afternoon of 1 February 2010 and they were delivered to the following addressees that day and in the morning of 2 February 2010:

- Secretary of the Department of Broadband, Communications and the Digital Economy – 4:50pm on 1 February;
- Minister for Broadband, Communications and the Digital Economy – 5:30pm on 1 February;
- Secretary of the Department of the Prime Minister and Cabinet – 9:50am on 2 February;
- Prime Minister – 9:55am on 2 February; and
- Former Secretary of the Department of Broadband, Communications and the Digital Economy – 10:25am on 2 February.

Please contact Barbara Cass, Executive Director, on 6203 7677 if you would like further information concerning this issue.

Yours sincerely

 Ian McPhee