

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Department of Finance and Administration

Budget Estimates Hearings 2003-04 – 28 & 29 May 2003

Question: F1

Outcome 2, Output 2.2.1

Topic: Christmas Island Immigration, Reception and Processing Centre

Hansard Page: F&PA 254

Senator Ray asked:

(Senator Robert Ray) That raises the question as to why you were not given it directly in the first place.

(Senator Abetz) I am willing to take that on notice and have a look at it in some detail as to the reason. I am aware of that prior history.

Answer:

The Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) are the nominal owners and managers of all Immigration Reception and Processing Centres (IPRC) and Immigration Detention Centres on behalf of the Australian Government.

Because of this role, and given their experience in the design, construction and commissioning of the Baxter facility, the Government decided in March 2002 that DIMIA would be responsible for the design, construction and commissioning of the Immigration Reception and Processing Centre planned for Christmas Island.

As there have been no unauthorised boat arrivals since December 2001, in February 2003 the Government took the opportunity to review the size and timing of the IPRC facility. The Government also wanted to look further at design issues following the fires at detention centres over the Christmas period.

It was at this time that the Minister for Immigration and Indigenous Affairs asked the Department of Finance and Administration to take over responsibility for the project so that DIMIA could focus on design and operational issues and not be distracted by the need to manage a major construction project.

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Budget Estimates Hearings 2003-04 – 28 & 29 May 2003

Question: F2

Outcome 2, Output 2.2.1

Topic: Christmas Island Immigration, Reception and Processing Centre

Hansard Page: F&PA 257

Senator Faulkner asked:

(Senator Faulkner) I am not suggesting; I am asking. Let us nail down when the legal advice was sought on the Public Works Committee issue. When was the advice sought? That is a process issue for you.

(Mr Jackson) I do not know the exact date. We could get an exact date if you would like.

Answer:

Legal advice was obtained on 21 January 2003 from Blake Dawson Waldron (BDW) on a range of issues including the status of the Public Works Committee (PWC) exemption;

Two separate pieces of legal advice were obtained from the Australian Government Solicitors on 11 February 2003, one dealing with the issues raised in the BDW advice including the PWC issue; and a separate piece of advice dealing specifically with the PWC issue.

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ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Department of Finance and Administration

Budget Estimates Hearings 2003-04 – 28 & 29 May 2003

Question: F3

Outcome 2, Output 2.2.1

Topic: Christmas Island Immigration, Reception and Processing Centre

Hansard Page: F&PA 258

Senator Faulkner asked:

(Senator Robert Ray) Do you have to follow that advice or do you have the option of going to the Public Works Committee now this project has gone from 9 1/2 months out to 36 months?

(Dr Watt) I think that is a matter for the Minister rather than for officials.

(Senator Ray) Would you like to refer that to Senator Minchin for some material report and answer back on notice?

(Senator Abetz) Will do.

Answer:

While legal advice confirms that the original exemption from the Public Works Committee (PWC) remains valid, the Minister for Finance and Administration has decided to refer the remaining works to the Public Works Committee as a new project. The project to be referred to the PWC includes the design and construction of an immigration reception and processing centre for 400 permanent and 400 contingency places.

In a motion brought before the House of Representatives on 19 June 2003, the Parliamentary Secretary, Mr Peter Slipper, has in accordance with the provisions of the *Public Works Committee Act 1969*, referred this new project to the PWC for consideration and report.

Subject to Parliamentary approval, main works construction is scheduled to start in the third quarter of next year with completion expected in the first quarter of 2006.