

## Standing Committee on Finance and Public Administration

ANSWER TO QUESTION ON NOTICE

Supplementary Budget Estimates Hearing – October 2009

Department of Finance and Deregulation

Finance and Deregulation Portfolio

### Outcome 3, Program 3.1

Topic: Parliamentary Entitlements Advisory Committee

Question reference number: F61

Type of Question: Hansard F&PA 77, 20 October 2009

Date set by the committee for the return of answer: 4 December 2009

Number of Pages: 2

Senator Ronaldson asked:

I understand that but, as I said to you earlier on, Ms Mason, a lot of the matters that you consider are post a vet. They are post claimed travel. They are post claimed TA forms. They are post a series of events. Whether those events occurred or not, you are indeed reacting to an event that has, in the main, occurred. This is entirely different. This is actually prior to an event on which you are making a determination. I want to assure you, and the MAPS officers who I am sure are sitting in 4 Treasury Place at the moment and all around the country listening to this in case someone asks a question about their state, that this is no way a reflection on any one of you. There is, however, potentially a real opportunity here for gross executive interference in the rights of members and senators. Minister, can I ask you on behalf of our colleagues to take on notice the question of how we can address this situation [vetting MPs' printed materials]?...

### Answer:

The Department of Finance and Deregulation (Finance) has been asked to provide an optional vetting service for material Senators and Members propose to produce using the new printing and communications entitlement under the *Parliamentary Entitlements Regulations 1997*, to ensure the material complies with the regulations. This vetting service is provided by the Parliamentary Entitlements Advisory Committee (PEAC), which is comprised of senior Finance officers who are all Australian Public Servants. Accordingly, PEAC members undertake their review function in accordance with the *Public Service Act 1999* (Public Service Act).

The Public Service Act imposes an obligation on public servants to uphold the Australian Public Service (APS) Code of Conduct, which, in part, requires public servant to uphold and promote the APS Values, integrity and good reputation of the APS. Subsection 10(1) of the Public Service Act sets out the APS Values, which are, in part, that:

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*(a) the APS is apolitical, performing its functions in an impartial and professional manner; ...*

*(e) the APS is openly accountable for its actions, within the framework of Ministerial responsibility to the Government, the Parliament and the Australian public; ...*

*(f) the APS is responsive to the Government in providing frank, honest, comprehensive, accurate and timely advice and in implementing the Government's policies and programs; ...*

Section 2.6 of the *Public Service Commissioner's Directions 1999* provides that, for the purposes of paragraph 10(1)(e) of the Public Services Act:

*(1) ...an APS employee must, taking into account the employee's duties and responsibilities in the Agency, take all reasonable steps to ensure that he or she:*

*(c) is able, within the accountability framework, to demonstrate clearly and appropriately to Ministers, to the Parliament and to other stakeholders that he or she has efficiently, effectively and ethically used the resources allocated to him or her.*

As part of Finance's responsibility for administering Parliamentary entitlements, Finance commonly deals with sensitive matters and enquiries from Senators and Members. The Special Minister of State, as the Minister responsible for Parliamentary entitlements, may on occasion have some general visibility of matters considered by PEAC because of his role in administering the Parliamentary entitlements legislation. However, the Minister is not involved in the day to day business of the PEAC. As Ms Mason indicated during the Hearing, *[Finance], in providing advice on entitlements matters over the years [to the responsible portfolio minister], has sought to provide that advice in a balanced way and [has] sought to protect the confidentiality of requests that come to [Finance] from various senators and members* (Senate Hansard, Tuesday, 20 October 2009, F&PA 75).