

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
AUSTRALIAN CUSTOMS SERVICE

**Question No. 94**

**Senator Ludwig asked the following question at the hearing on 13 February 2007:**

ANAO report into CMR:

- a) When did the CMR project tender expire?
- b) Were the original documents used to determine the successful tenderer?
- c) When were the tender evaluation report and probity audit documents destroyed?
- d) Who made the decision to destroy these documents?
- e) How does the archival legislation work that led to the destruction of these documents?
- f) Was there a formal decision making process that led to these documents destruction and was any discretion applied in coming to the decision?

**The answer to the honourable senator's question is as follows:**

- a) The Customs IT outsourcing tender process included replacement of the legacy cargo systems, a key element of the CMR project. The IT outsourcing tender process was completed with signing of the contract with EDS in December 1997.
- b) A preferred tenderer was selected following evaluation of 3 responses to the RFT issued by Customs in July 1999.
- c) A file containing the tender evaluation report and probity audit documents was destroyed in January 2006. Subsequently, non-file copies of the tender evaluation report have been identified.
- d) Customs Records Management Unit.
- e) The Archives Act 1983 requires records to be destroyed only in accordance with instructions, called Disposal Authorities, approved by the National Archives. These Authorities prescribe minimum retention periods for various classes of records. The records in question were destroyed in accordance with these requirements.
- f) Yes. The nature of the decision-making centred on verifying that the nominated authority was being applied to the correct file.