

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Output 2.4**

**Question No. 77**

**Senator Ludwig asked the following question at the hearing on 31 October 2006**

With reference to pages 20 and 111 of the Annual Report and regarding the spending for the APEC summit:

- (a) Is there a set agreement between the States and Commonwealth as to how security for these types of events is funded, or are they individually negotiated?
- (b) Has a final agreement now been negotiated with NSW as to this event? If so, please provide a synopsis of breakdown of costs and responsibilities borne by each party.
- (c) If there is no agreement in relation to APEC, please explain where state negotiations are at.
- (d) For each of the delays identified at page 111, please offer a brief explanation of the problem identified.

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

- (a) There is no set agreement between the States and Commonwealth in relation to funding for security arrangements for events such as APEC 2007. Individual agreements are sometimes negotiated between the Commonwealth and the States in recognition of the States' constitutional responsibility for the maintenance of law and order, including the protection of life and property.
- (b) The Commonwealth and New South Wales Governments entered into a memorandum of understanding (MoU) in October 2005 for holding the APEC 2007 leaders' week in Sydney in September 2007. The purpose of the agreement is to identify organisational and administrative arrangements, including security support to New South Wales, for the delivery of the APEC event.

Under the MoU the Commonwealth will cover APEC-specific security costs as agreed by the Commonwealth and New South Wales Governments. This will include costs incurred in preparation for APEC leaders' week, operational costs at event time, and post-event matters directly related to the event.

The New South Wales Police have put forward a package of capabilities which it considers necessary for the provision of security for leaders' week.

- (c) There is agreement.
- (d) The annual report identified a number of causes for the underspend of funding in 2005-06. They were:
  - (i) delays in determining the capabilities required to secure APEC and difficulties in determining the most effective and efficient way to deliver those capabilities;
  - (ii) the lag time between order and delivery of major equipment and purchases; and

- (iii) the timing of the release of the Additional Estimates funds which occurred late in the financial year.

Detailed security planning could not be progressed, and hence the capabilities required to secure APEC could not be determined, until the APEC Taskforce had sufficiently advanced planning for the event, particularly in relation to the selection of meeting and hospitality venues.

Detailed security planning is underway and includes the NSW Police, the APEC Taskforce and a variety of Australian Government agencies such as Defence, AFP, ASIO, DOTARS and DIMA who have responsibility for the delivery of a range of identified security capabilities.

As the NSW Police are reimbursed by the Commonwealth on a monthly basis on receipt of an invoice by the Commonwealth following the purchase by the NSW Police, any lag time between order and delivery of major equipment will necessarily have a flow on effect to the timing of expenditure by the Commonwealth.

The release of Additional Estimates funds in April 2005 limited the timeframe within which major equipment could be ordered (and purchased) by the NSW Police.