

## QUESTION TAKEN ON NOTICE

### SUPPLEMENTARY BUDGET ESTIMATES HEARING: 19 OCTOBER 2010

#### IMMIGRATION AND CITIZENSHIP PORTFOLIO

#### **(90) Program 4.2: Onshore Detention Network**

Senator Cash (L&CA 85) asked:

Has the department been made aware of confidentiality clauses being imposed by CSS on any subcontractors for the works undertaken by the department?

Because one of the issues that has been raised with us personally is the fact that subcontractors are effectively being gagged and are unable to actually comment on the type or nature of works that they are actually undertaking within their subcontracts. Hence my question goes to whether they are being gagged, whether there are confidentiality provisions in their contracts and whether or not they are authorised by the department.

*Answer:*

Complete Site Services (CSS) has advised that they ask major contractors to sign confidentiality agreements when pricing and negotiating any major contract and so they do have confidentiality clauses in their contracts with subcontractors. They advise that this has been a standard practice with them. This was not sought by the department.

CSS advise that confidentiality agreements are a common practice in the mining construction industry.

The department has requested that CSS ensure that its agreements with subcontractors align with the obligations specified in its head contracts with the department.