



## PUBLIC SERVICE COMMISSIONER

Ms Sue Morton  
Secretary  
Finance and Public Administration Legislation Committee  
Parliament House  
CANBERRA ACT 2600



### Proof transcript of evidence – Public Interest Disclosure Bill 2001

Dear Ms Morton

Thank you for your letter of 22 May 2002, enclosing the proof transcript.

Please find enclosed the relevant pages of the transcript, on which I have made annotations.

On page 15 of the transcript I am quoted as follows:

*For the State of the service report we go out with questionnaires on a range of issues—I have forgotten how many questions we have, but it is a fair number—which seem to us to be particularly important. In this year, we felt that the issue of whistleblowing was of particular importance. We also hope that, just by going out, we encourage agencies in the way that they collect their own information in the future. There is not a requirement on them and I am not actually forcefully telling them that they must.*

In saying that '[t]here is not a requirement on them and I am not actually forcefully telling them that they must', my intended meaning was that agencies are not required to collect information about whistleblowing, or if they do, to collect it in any particular way. However, by asking for certain information for the State of the Service Report, I can encourage agencies to put in place systems so that they can more easily supply the information in future.

On reading the transcript, however, it occurred to me that my words could be interpreted as suggesting that I have no power to compel agencies to provide me with information for the Report.

This is not the case. Agency Heads are required to provide me with whatever information I require to prepare the report. Section 44(3) of the *Public Service Act 1999* says that:

*An Agency Head must give the Commissioner whatever information the Commissioner requires for the purpose of preparing the report referred to in subsection (2) [a report on the state of the APS during the year]*

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I am not sure whether this is something you are able to reflect in the edited transcript.  
If not, I would appreciate your drawing this clarification to the attention of the  
Committee.

Yours sincerely



A S Podger

28/1/02