

Document Schedule

Doc no.	No. pages	Description	Access Decision	Exemption/s applied
1	1	0. 2023 Feb - SBE - Topics list for back pocket briefing	Grant access in full	
2	2	1. Date, time and location of hearing	Grant access in full	
3	5	2. Estimates IP Right Filing 10 Year Trends	Grant access in full	
4	6	2.a IP Rights Key Statistics.pdf	Grant access in full	
5	2	3. 2023-02-08 Geographical Indications (backpocket)	Grant access in part	47E(d)
6	2	4. 2023-08-02 Indigenous Knowledge - Stand Alone Legislation (backpocket)	Grant access in part	47E(d)
7	4	4.a Copy of SQ22-000221 (November 2022)	Grant access in part	47E(d)
8	6	5. Finance Budget Reporting Brief (SE Feb 2023).doc	Grant access in part	47E(d)
9	3	6. Fee Schedule - IP Australia Fee Category Summary	Grant access in full	
10	1	7. Non Consultancy and Consultanct - ATTACHMENT C - NEW AND ONGOING CONSULTANCIES - FINAL	Grant access in full	
11	4	7. Non Consultancy and Consultancy - ATTACHMENT D - List of all Non-Consultancies - FINAL	Grant access in full	
12	7	7. Non-Consultancy and Consultancy - Estimates Paper Final	Grant access in part	47E(d)
13	4	7.1 Estimates Brief - TM Embed Beta and Capability Uplift	Grant access in part	47E(d)
14	5	8. HR Cover Brief - Workforce Presence and Census	Grant access in part	47E(d)
15	2	9. Procurement and Contracts - Procurement Reporting - Estimates - Final	Grant access in part	47E(d)
16	56	10. Program and Logistics - 2022-23 Supplementary Budget Estimates Attachments.pdf	Grant access in part	s42

Supplementary Budget Estimates
16 February 2023 (6.30pm)
Committee Room 2R1, Parliament House, Canberra

Topics list

Title	Contact	Item
(I). Hearing information		
Date, time and location of hearing	Darren Joce	1
IP Rights (latest stats)	CODE	2
(II). Hot issue brief		
Nil		
(II). Internal 'back pocket' briefs		
GIs	Sean Applegate/Edwina Lewis	3
Indigenous Knowledge – standalone leg	Edwina Lewis	4
A. Corporate		
Finance cover brief and PBS tables (general information)	Bronwyn Paschalidis	5
Fee schedule (one page)	Bronwyn Paschalidis	6
Businesses or consultancies of note over \$5 million (electronic spreadsheet)	Bronwyn Paschalidis	7
HR cover brief (current HR data, ASL)	Bronwyn Paschalidis	8
Procurement and Contracts	Bronwyn Paschalidis	9
B. Additional hearings information		
Program and logistics	Darren Joce	10



PARLIAMENT
OF AUSTRALIA

HEARING PROGRAM

Supplementary Estimates 2022–23 Economics Legislation Committee

Wednesday 15 February & Thursday 16 February 2023
Committee Room 2R1, Parliament House, Canberra

Times listed are indicative only



Hearing location

Committee Room 2R1,
Parliament House, Canberra
Waiting room: Committee Room 2R2
Overflow waiting room: Committee Room 1S1



Committee members

Senator Jess Walsh (Chair)
Senator Andrew Bragg (Deputy Chair)
Senator Deborah O'Neill
Senator Jana Stewart
Senator Nick McKim
Senator Dean Smith



Broadcasts of proceedings

Television channel 109
Radio 98.3
https://www.aph.gov.au/News_and_Events/Watch_Parliament

Ministers attending

Senator the Hon Katy Gallagher, Minister for Finance
Senator the Hon Tim Ayres, representing the Minister for Industry and Science and representing the Minister for Resources



Contact

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Secretariat

Mr Alan Raine, Committee Secretary
Ms Taryn Morton, Estimates Officer
Ms Tegan Scott, A/g Principal Research Officer
Ms Rachel Benzie, Senior Research Officer
Ms Ashlee Hill, Senior Research Officer
Ms Joti Saini, Administrative Officer

Committee rooms

Committee Room 2R1: (02) 6277 2986
Committee Room 2R2: (02) 6277 2270

Thursday, 16 February

Industry, Science, and Resources Portfolio

11.45am (30)	Department of Industry, Science and Resources Corporate
12.15pm (45)	<p>Outcome 1: Support economic growth, productivity, and job creation for all Australians by investing in science, technology and commercialisation, growing innovative and competitive businesses, industries and regions, and supporting resources.</p> <p>Program 1.3: Supporting a strong resources sector</p> <ul style="list-style-type: none"> Minerals and Resources Oil and Gas Australian Radioactive Waste Agency (ARWA)
1.00pm	Lunch (60)
2.00pm (135)	<p>Outcome 1: Cont.</p> <p>Program 1.3: Supporting a strong resources sector (Cont.)</p> <ul style="list-style-type: none"> Minerals and Resources Oil and Gas Australian Radioactive Waste Agency (ARWA)
4.15pm	Break (15)
4.30pm (60)	National Offshore Petroleum Safety and Environmental Management Authority
5.30pm (30)	Australian Nuclear Science and Technology Organisation
6.00pm (30)	<p>Outcome 1: (Continued)</p> <p>Program 1.1: Investing in science, technology, and commercialisation</p> <ul style="list-style-type: none"> National Measurement Institute Science Technology and Digital Questacon Chief Scientist Commercialisation
6.30pm (30)	IP Australia

7.00pm	Dinner (60)
8.00pm (60)	<p>Outcome 1: (Continued)</p> <p>Program 1.2: Growing innovative and competitive businesses, industries and regions</p> <ul style="list-style-type: none"> Manufacturing and National Reconstruction Fund (NRF) Industry Growth Sovereign Capability and Supply Chains Anti-Dumping Commission Australian Building Codes Board Industry Innovation and Science Australia Australian Space Agency
9.00pm (60)	Commonwealth Scientific and Industrial Research Organisation
10.00pm	Adjournment



Overall trends

- In 2022, applications for patents and plant breeder's rights (PBRs) were resilient, with patents stable at their record level from 2021. Non-residents accounted entirely for the growth in applications for these rights.
- Applications for trade marks fell 11% on their record level in 2021 and applications for design rights fell 4%.
- Trade mark filing activity is responsive to macro conditions including income and consumption growth, and the rate at which new businesses are created. Australia's business entry rate declined 16.6% between the 2022 June and September quarters, in seasonally adjusted terms ([ABS, 2022](#)). Fewer product and service introductions by new businesses may help explain the below-trend level of trade mark filings in the latter half of 2022.

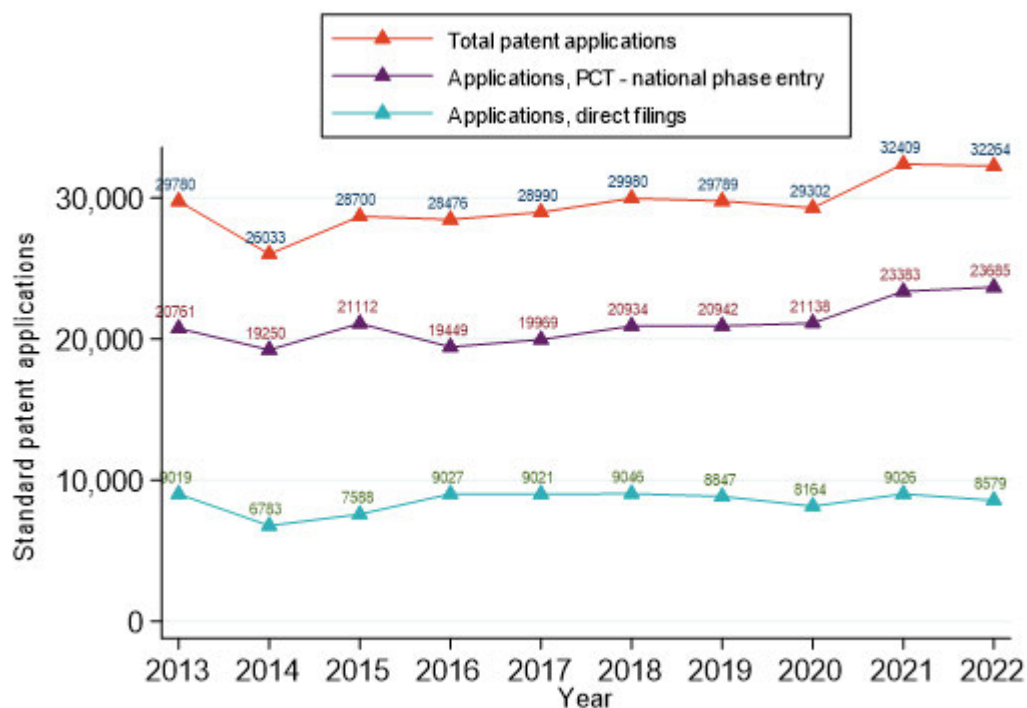
Table 1. 2022 IP statistics at a glance

	Patents		Trade marks		Design rights		PBRs	
	Filed	Granted	Filed	Registered	Filed	Certified	Filed	Registered
Total								
Number	32,264	16,407	78,832	69,712	7,836	1,242	301	175
Growth	+0%	-4%	-11%	-1%	-4%	-10%	+1%	+51%
Australian applicants								
Number	2,494	1,064	44,646	38,149	2,133	416	118	66
Share	8%	7%	57%	55%	27%	34%	39%	38%
Growth	-17%	-3%	-16%	-5%	-18%	-13%	-9%	+32%
Overseas applicants								
Number	29,770	15,343	34,186	31,563	5,703	826	183	109
Share	92%	94%	43%	45%	73%	67%	61%	62%
Growth	+1%	-5%	-3%	+4%	+3%	-13%	+9%	+65%

Patents

- In 2022, a total of 32,264 standard patent applications were filed in Australia, stable from the record level set in 2021 (just 145 applications fewer). The total for 2022 was 7% higher than the 5-year annual average observed between 2017 and 2021.
- Most patent applications by non-residents are filed via the international PCT system – 73% of all applications in Australia are filed via this route. In 2022, PCT applications in Australia totalled 23,685, an increase of 1% on their level in 2021.
- Offsetting the growth in international filings, applications from Australian residents have fallen by 17% in 2022, to 2,494 in total, and now comprise 7% of all patent filings in Australia.

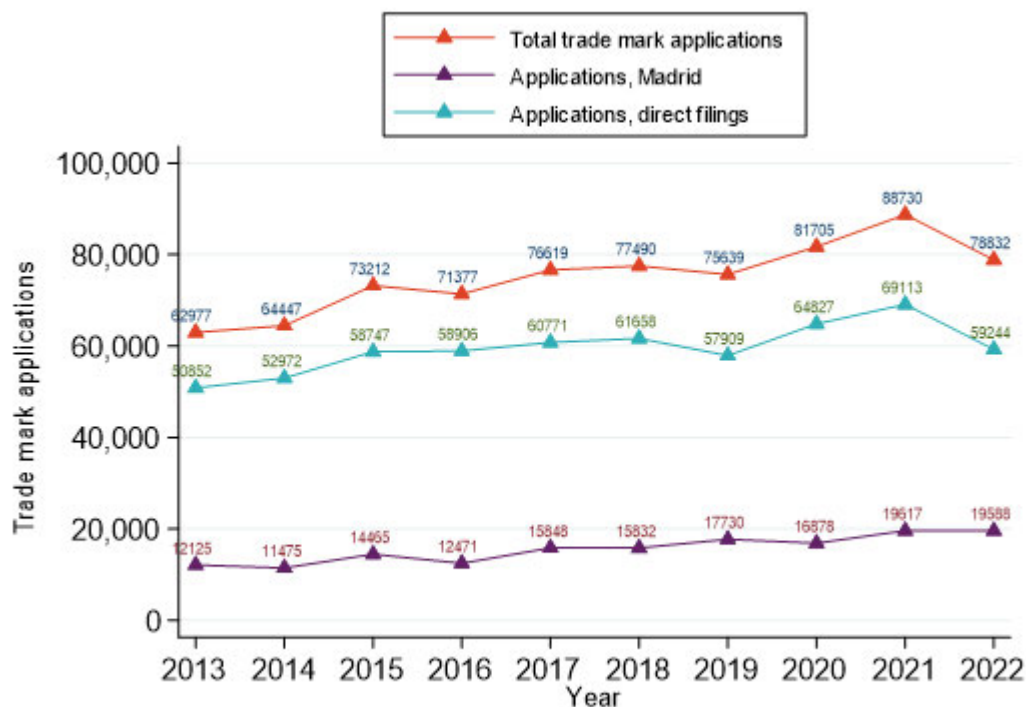
Figure 1. Standard patent applications, by filing route, 2013 to 2022



Trade Marks

- In 2022, total applications fell by 11%, from their record level in 2021 to 78,832 in 2022.
- Trade mark applications tend to be procyclical – they increase during periods of economic growth and decrease when the economy contracts. The first two years of the COVID–19 pandemic, however, saw strong growth in trade marks in Australia and internationally.
- There has been reduced activity from applications originating in Australia and other major economies such as the US, China and Germany. However, excluding the spikes in filings during 2020 and 2021, there continues to be an upward trend in year on year filings.
- In 2022, 57% of trade mark applications were from Australians. Applications from residents were down 16% from their 2021 level, while those from non–residents fell 3%.

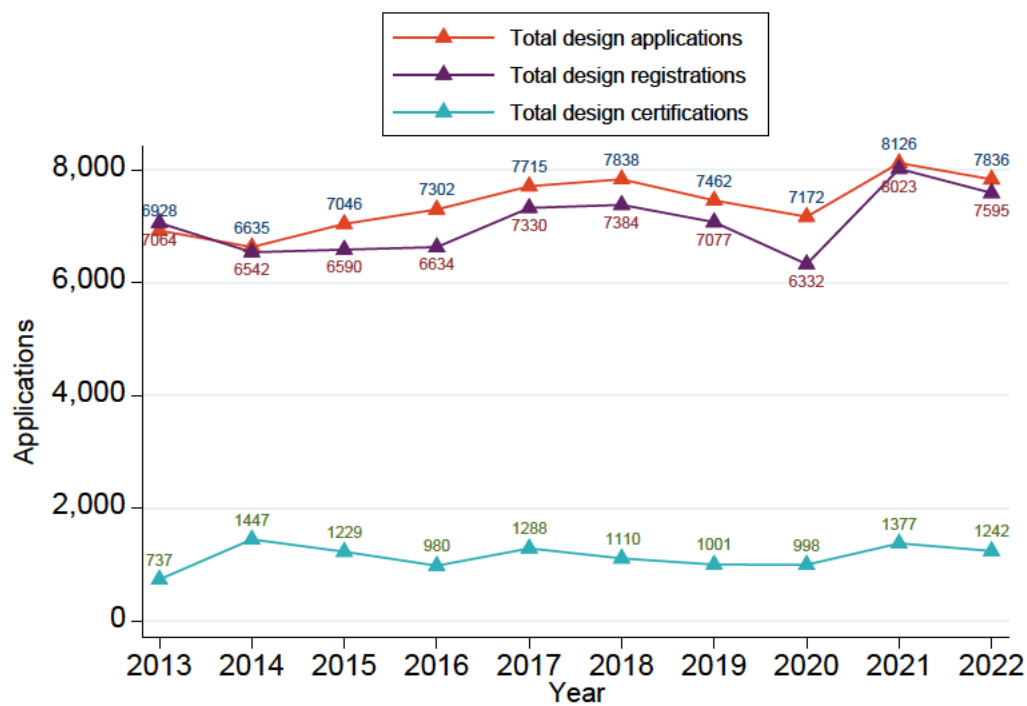
Figure 2. Trade mark applications, by filing route, 2013 to 2022



Designs

- In 2022, there was a 4% decline in design applications from their record levels in 2021. However, this follows a 13% increase in design applications in 2021.
- In 2022, 27% of design applications originated in Australia. Applications from Australian residents fell 18%, following relative stability in their numbers over the past 5 years.
- Applications from non-residents rose 3% in 2021.

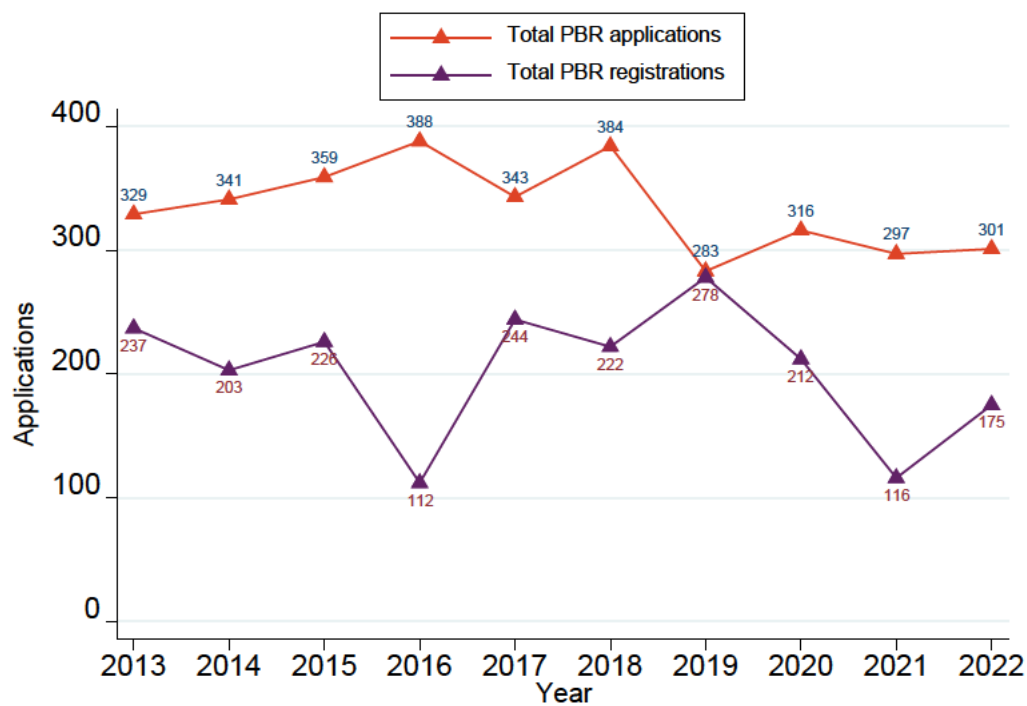
Figure 3. Design applications, registrations and certifications, 2013 to 2022



Plant Breeder's Rights

- In 2022, PBR applications increased slightly, by 1% from 2021 levels, to 301 in total.
- Australian residents filed 39% of PBR applications in 2022.
- Since 2020, applications have increased at an average annual rate of 2%. However, annual filing volumes are consistently below-trend from those observed in the period 2013 to 2019.
- PBR applications are relatively small in volume and there is high volatility in their series.

Figure 3. PBR applications and registrations, 2013 to 2022





FY 2022-23 - IP Rights Overview

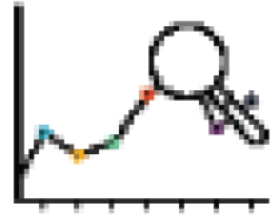
Financial Year

Period Selection

2022-23

FY/YTD

QUALITY OBJECTIVES



Finalised reviews:

972

Met Standards:

933

≡P

96%
compliance

Finalised reviews:

1,911

Met Standards:

1,749

≡TM

92%
compliance

Finalised reviews:

181

Met Standards:

179

≡D

99%
compliance

examination requests
& formality reports

Finalised reviews:

8

Met Standards:

8

≡PBR

100%
compliance

FIRST REPORTS PRODUCTION



↑ 12,620

11%

year on year
change

≡P

↓ 40,648

-27%

year on year
change

≡TM

↓ 725

-12%

year on year
change

≡D

examination requests

↑ 191

8%

year on year
change

≡PBR

updated monthly

TIMELINESS OBJECTIVES



Commitment

CSC

Result

Patents

PCT in 10 weeks

85%

89.5%

PCT in 12 weeks

95%

96.4%

Article 15 (5)'s in 6 weeks

85%

92.7%

Article 15 (5)'s in 8 weeks

95%

97.0%

Trade Marks

First Reports in 13 weeks

85%

94.9%

First Reports in 18 weeks

95%

100.0%

TM Headstart P1 in 5 days

85%

99.7%

TM Headstart P1 in 7 days

95%

99.9%

Designs

First Reports in 13 weeks

85%

32.2%

First Reports in 16 weeks

95%

84.2%

Formality Reports in 8 weeks

85%

94.4%

Formality Reports in 9 weeks

95%

97.3%

Plant Breeder's Rights

Initial Examination in 8 weeks

85%

100.0%

Further Examination in 4 weeks

85%

100.0%

Plant Breeder's Rights Timeliness updated monthly





FY 2022-23 - Trade Marks Statistics

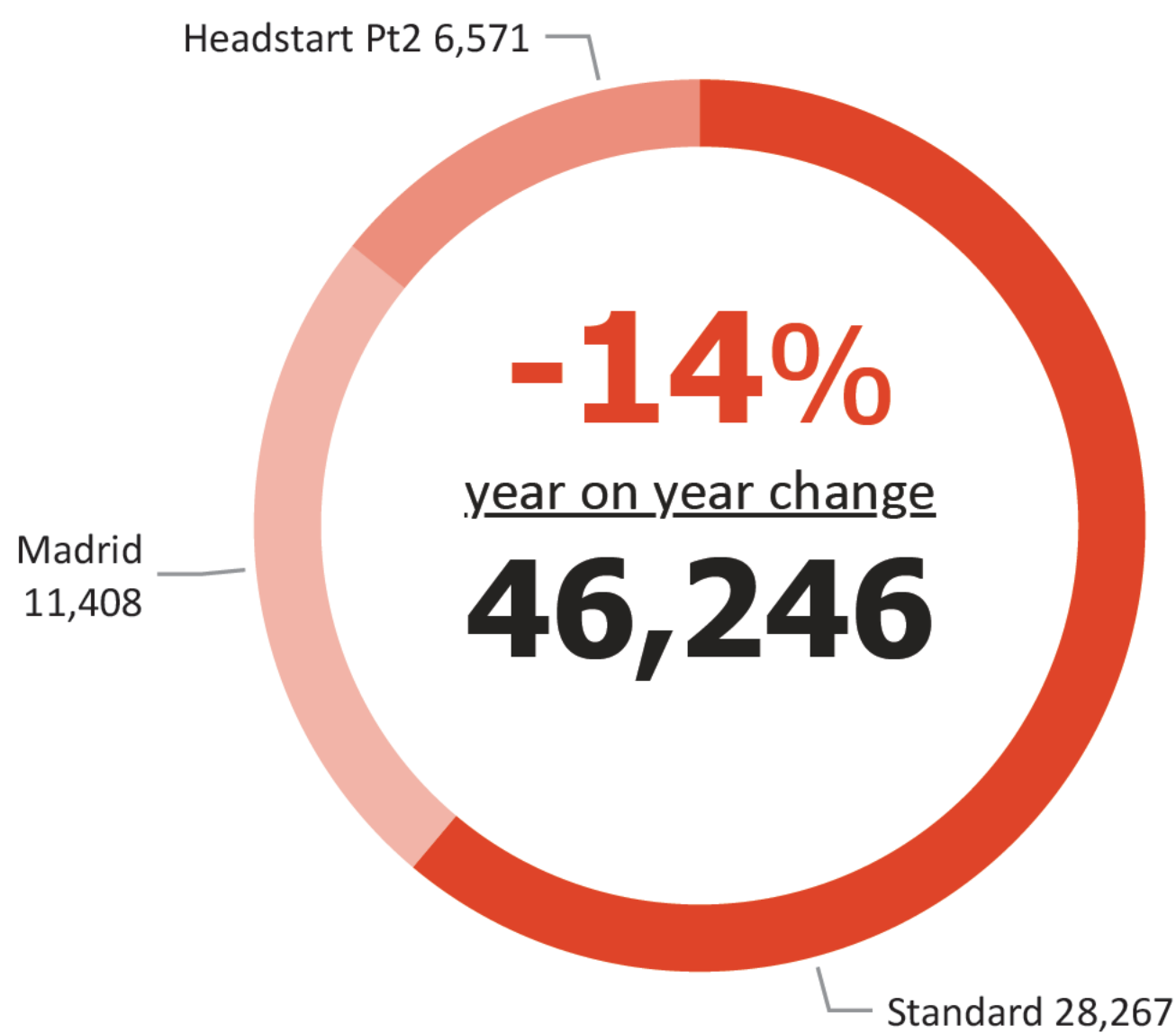
Financial Year

Period Selection

2022-23

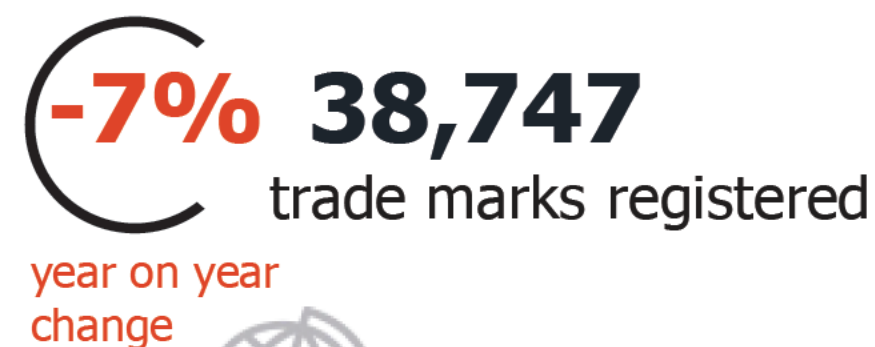
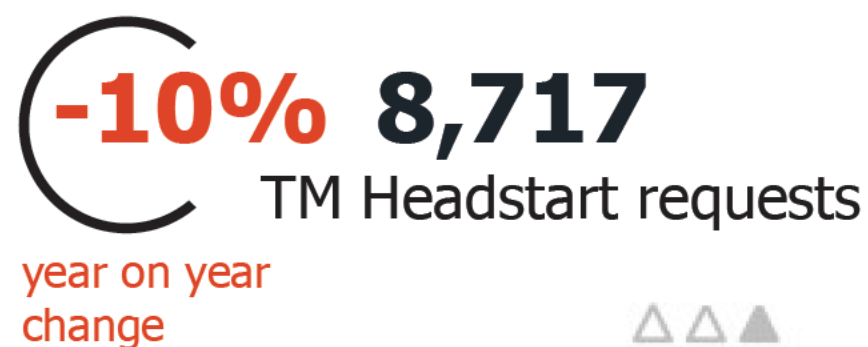
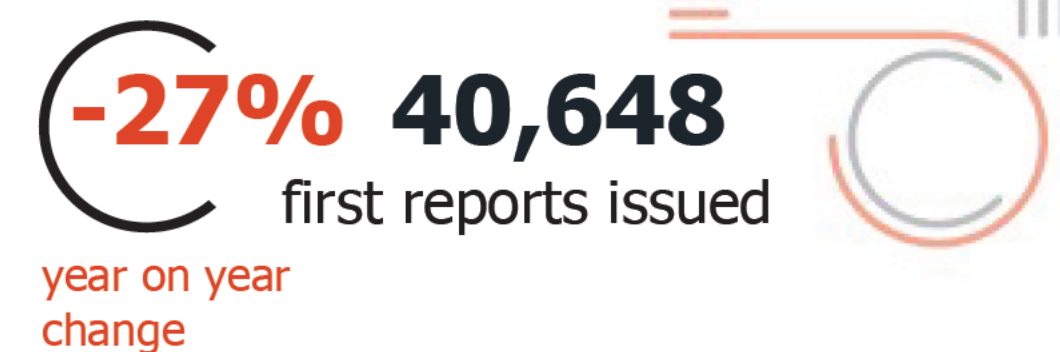
FY/YTD

APPLICATIONS RECEIVED



TIMELINESS OBJECTIVES

Commitment	CSC	Result
First Reports on new applications in 13 weeks	85%	94.9%
First Reports on new applications in 18 weeks	95%	100.0%
TM Headstart P1 assessments issued in 5 days	85%	99.7%
TM Headstart P1 assessments issued in 7 days	95%	99.9%



TOP 5 AUSTRALIAN APPLICANTS

Rank Change	Applicant	Count
0	Endeavour Group	53
▲ 1113	Sportsbet	45
▼ -1	Aristocrat Technologies Australia	36
New	Halo Operations	35
New	Lumoway	25

TOP 5 INTERNATIONAL APPLICANTS

Rank Change	Applicant	Count
New	Hyundai Motor Company	85
▼ -1	Glaxo Group	81
▲ 7	International Foodstuffs Co Llc	71
▲ 283	Modernatx Inc	66
▲ 2	Amazon Technologies Inc	50

TOP 5 COUNTRIES OF ORIGIN

Country	This FY	Last FY	Year on Year
Australia	26,481	31,670	-16% ▼
United States of America	5,836	6,926	-16% ▼
China	3,208	3,411	-6% ▼
United Kingdom	1,643	1,535	7% ▲
Germany	1,092	1,260	-13% ▼

TOP 5 NICE CLASSIFICATIONS

Year on Year Change	Applications	Classification
-78%	8,877	Class 35 Advertising
-79%	4,257	Class 25 Clothing, footwear, headgear
-78%	6,703	Class 41 Education, training and entertainment
-77%	6,863	Class 42 Scientific and technological services
-77%	9,386	Class 9 Technological and electrical apparatus and instruments

Disclaimer

Applicant information uses IP Australia's Entity Resolution solution to enhance data insights. Countries of Origin depict the original country described at time of application. NICE Classifications are associated to the application at time of refresh. Values are provided on the first applicant unless specified otherwise. Where a value ties for a Top 5 position, a scroll bar will become available.





FY 2022-23 - Designs Statistics

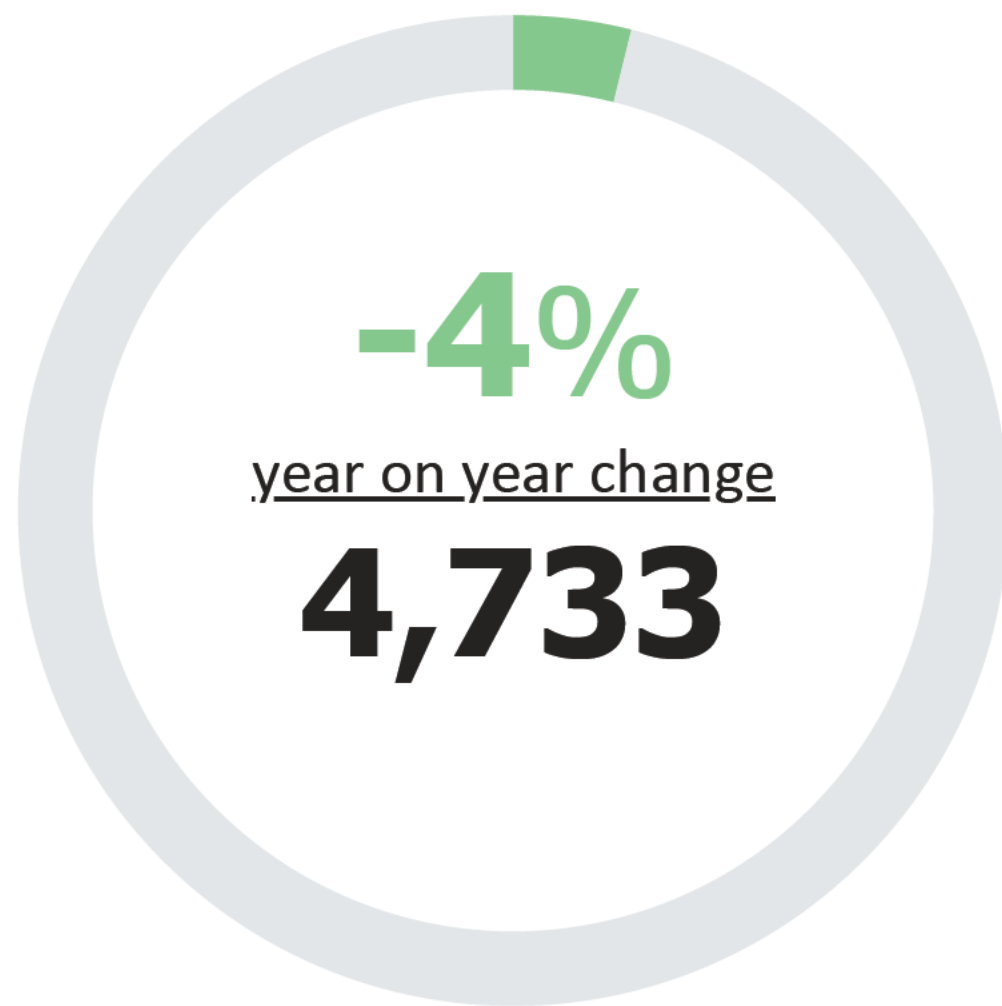
Financial Year

2022-23

Period Selection

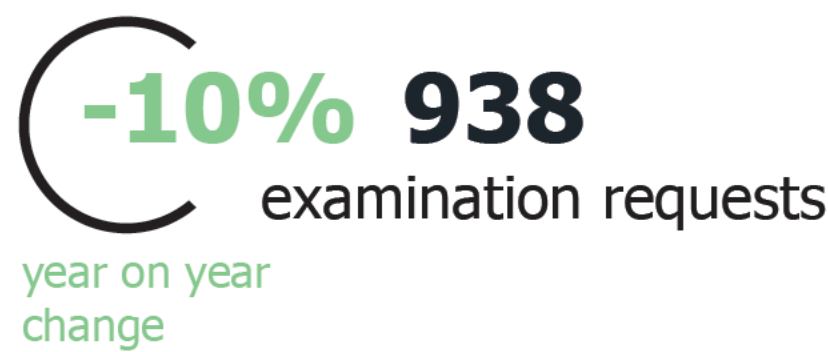
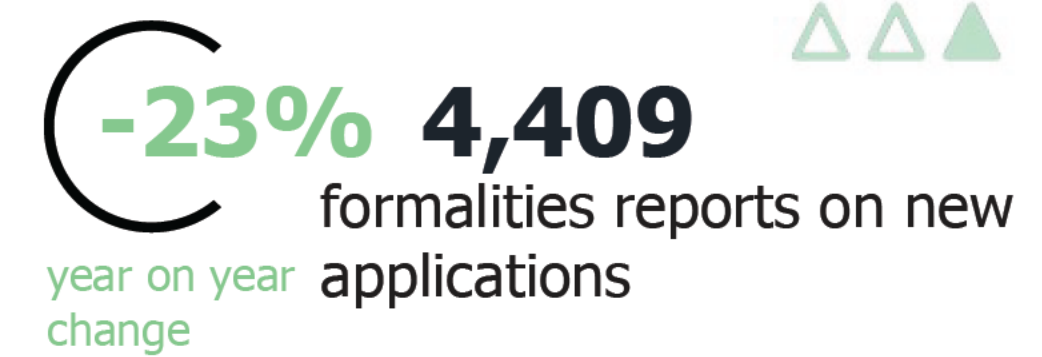
FY/YTD

APPLICATIONS RECEIVED



TIMELINESS OBJECTIVES

Commitment	CSC	Result
First reports on exam requests in 13 weeks	85%	32.2%
First reports on exam requests in 16 weeks	95%	84.2%
Reports on new applications issued in 8 weeks	85%	94.4%
Reports on new applications issued in 9 weeks	95%	97.3%



TOP 5 AUSTRALIAN APPLICANTS

Rank Change	Rank	Applicant	Count
↑	260	Phoenix Industries	24
↑	54	Diy Resolutions	16
↑	258	Gregory Mooregilbert	13
↑	126	Bmb Investments	11
↑	257	Freedman Electronics	11



TOP 5 INTERNATIONAL APPLICANTS

Rank Change	Rank	Applicant	Count
↑	43	Capital One Services Llc	153
↑	69	Lg Electronics Inc	56
↑	68	Zhejiang Orient Gene Biotech Co	47
■	0	Apple Inc	43
↑	58	Abbott Laboratories	42

TOP 5 COUNTRIES OF ORIGIN

	This FY	Last FY	Year on Year
United States of America	1,328	1,223	9% ↑
Australia	1,273	1,477	-14% ↓
China	566	557	2% ↑
United Kingdom	177	193	-8% ↓
Switzerland	130	112	16% ↑



TOP 5 LOCARNO CLASSIFICATIONS

Year on Year Change	Applications	Classification
-71%	555	Class 14 Recording, teleco or data processing equipment
-80%	344	Class 12 Transport
-79%	309	Class 24 Medical and laboratory equipment
-77%	302	Class 06 Furnishing
-81%	261	Class 09 transport packaging and containers

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FY 2022-23 - Plant Breeder's Rights Statistics

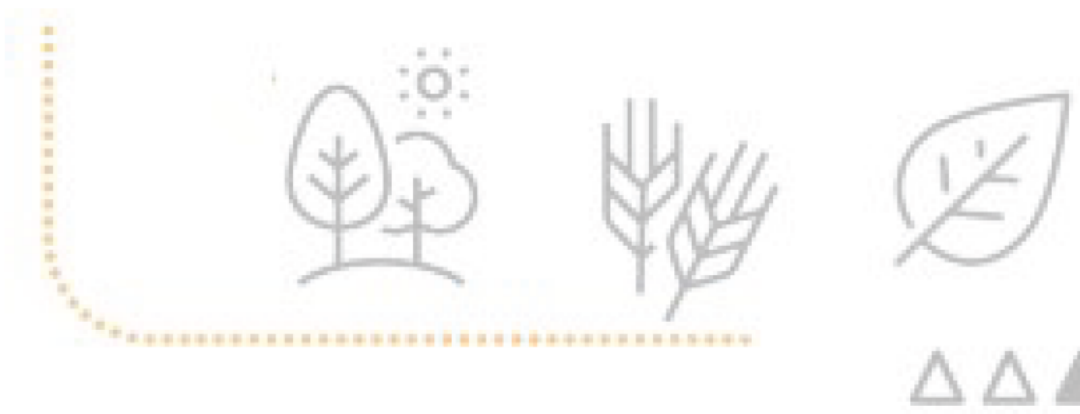
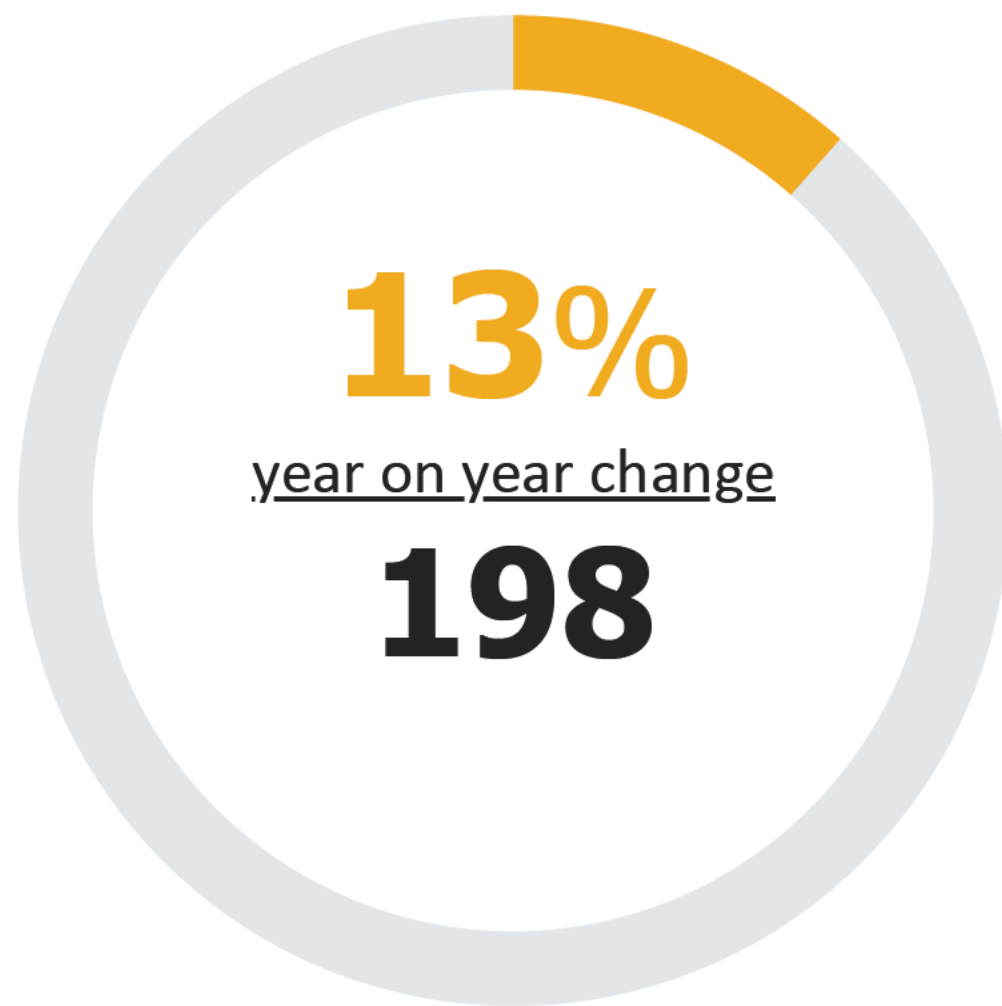
Financial Year

Period Selection

2022-23

FY/YTD

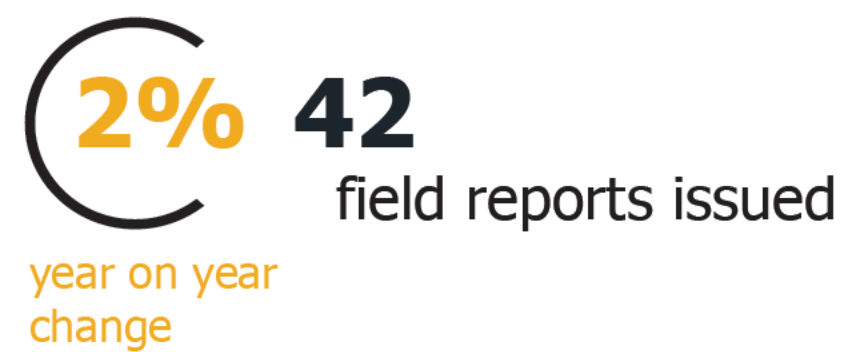
APPLICATIONS RECEIVED



TIMELINESS OBJECTIVES

Commitment	CSC	Result
Initial examination issued in 8 weeks	85%	100.0%
Further examination issued in 4 weeks	85%	100.0%

Timeliness updated monthly



TOP 5 AUSTRALIAN APPLICANTS

Rank Change	Rank	Applicant	Count
↑	12	Plant Growers Australia	13
New		CSIRO	5
↑	15	CSIRO Cotton Seed Distributors	5
New		Queensland Department Of Agric...	5
↑	12	Csiro Nsw Department Of Primary...	4

TOP 5 INTERNATIONAL APPLICANTS

Rank Change	Rank	Applicant	Count
New		Agro Selections Fruits Sas	33
↓	-1	Syngenta Crop Protection Ag	11
New		Lowell Glen Bradford Jon M Quise...	9
↑	5	Grasslands Innovation	6
↑	5	Zaigers Inc Genetics	6

TOP 5 COUNTRIES OF ORIGIN

	This FY	Last FY	Year on Year
Australia	74	83	-11% ↓
United States of America	39	18	117% ↑
France	38	5	660% ↑
Switzerland	11	9	22% ↑
Netherlands	9	24	-63% ↓

TOP 5 GENERA

Year on year change	Applications	Genus	Category
-46%	59	Prunus	Fruit Crops
-79%	13	Lactuca	Vegetable Crops
-79%	10	Solanum	Field Crops (non-cereals)

Disclaimer

Applicant information uses IP Australia's Entity Resolution solution to enhance data insights. Where a value ties for a Top 5 position, a scroll bar will become available. Unless specified, values update daily.





FY 2022-23 - Patents National Applications

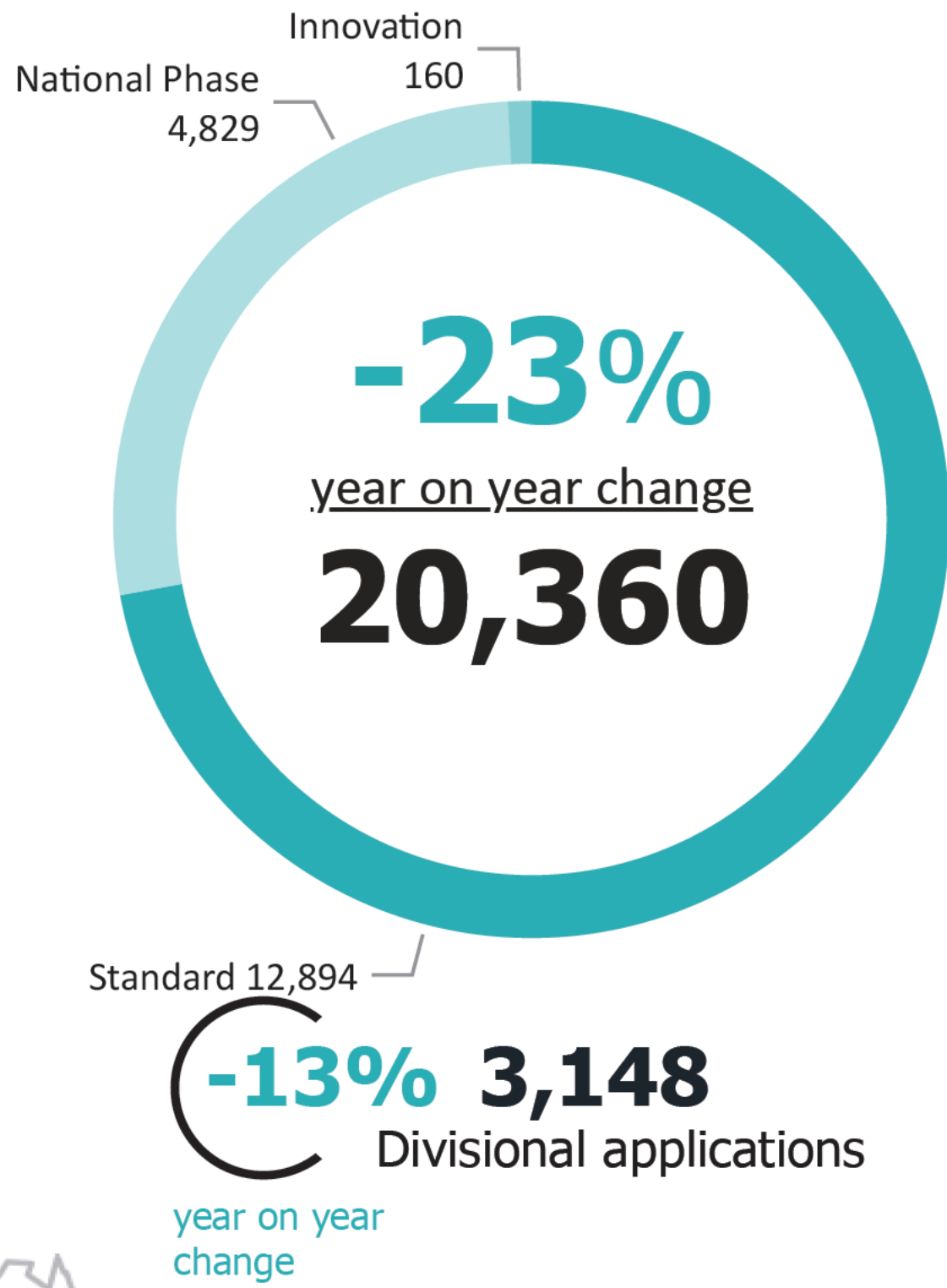
Financial Year

Period Selection

2022 23

FY/YTD

APPLICATIONS RECEIVED



11% 12,620
applications examined
year on year change

-15% 9,374
patents granted
year on year change

43
decisions issued

25
oppositions filed

TOP 5 AUSTRALIAN APPLICANTS*

Rank Change	Applicant	Count
0	CSIRO	19
↑ 3	Aristocrat Technologies Australia	13
↑ 10	Canva	10
↑ 9	Monash University	9
↓ -2	Resmed	9

TOP 5 INTERNATIONAL APPLICANTS*

Rank Change	Applicant	Count
↑ 18	International Business Machines ...	146
0	Lg Electronics Inc	89
↑ 6	Becton Dickinson And Company	84
↓ -3	Huawei Technologies Co	73
0	Societe Des Produits Nestle Sa	65

* Count of applications excludes divisional applications

TOP 5 COUNTRIES OF ORIGIN

Country	This FY	Last FY	Year on Year
United States of America	7,705	8,484	-9% ↓
Australia	1,315	1,931	-32% ↓
China	1,156	1,325	-13% ↓
Japan	843	872	-3% ↓
United Kingdom	831	822	1% ↑

TOP 5 TECHNOLOGIES (IPC)

Year on year change	Applications	Technology
-77%	2,455	Pharmaceuticals
-80%	2,169	Medical Technology
-79%	1,774	Biotechnology
-80%	950	Organic Fine Chemistry
-83%	931	Computer Technology

Disclaimer

Applicant information uses IP Australia's Entity Resolution solution to enhance data insights.
Countries of origin depict the original country described at time of application
Where a value ties for a Top 5 position, a scroll bar will become available.
Volumes may adjust overtime as applications as processed throughout systems.
This infographic excludes applications still undergoing processing and provisional applications.



FY 2022-23 - Patents International Applications

Financial Year

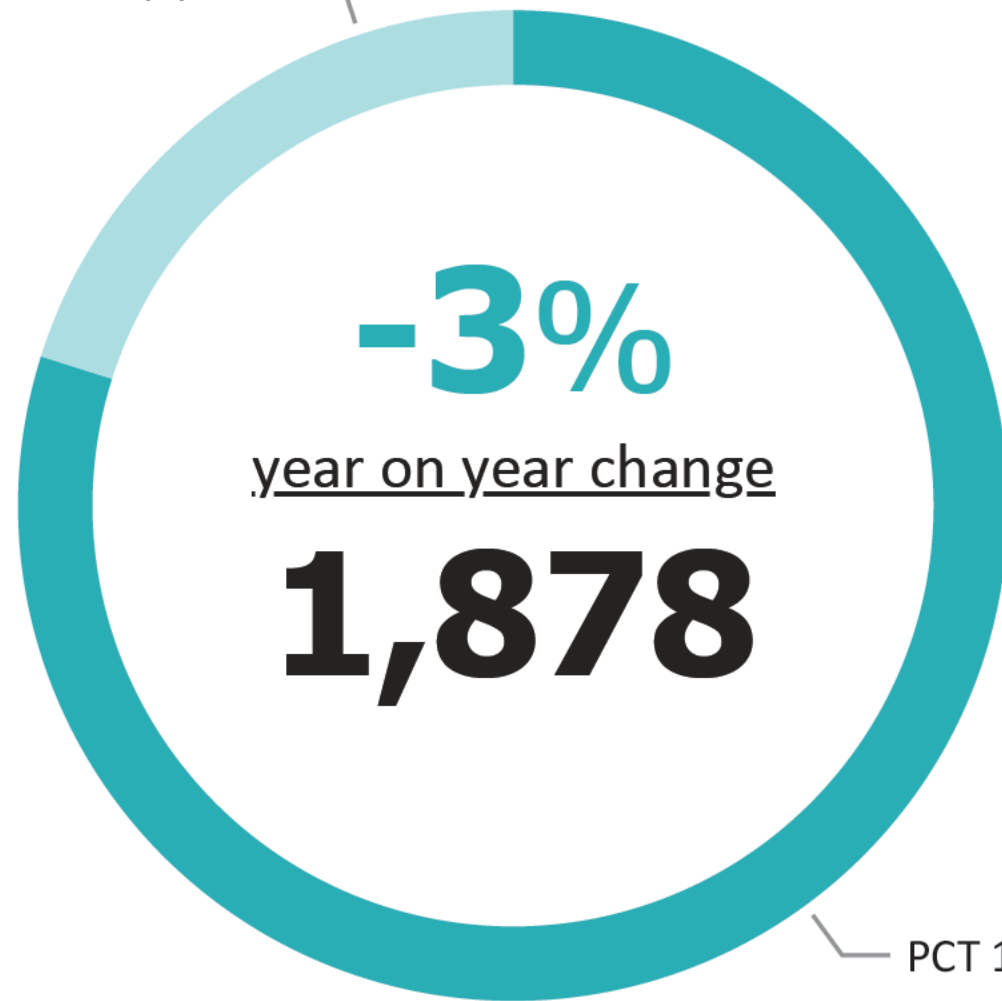
Period Selection

2022-23

FY/YTD

APPLICATIONS RECEIVED

Article 15(5) 378



TOP 5 AUSTRALIAN APPLICANTS

Rank Change

0	Newsouth Innovations	20
1	CSIRO	16
1	Monash University	16
9	The University Of Melbourne	14
4	The University Of Sydney	12

TIMELINESS OBJECTIVES

Commitment

CSC

Result

International search reports issued in **10 weeks** 85% **89.5%**

International search reports issued in **12 weeks*** 95% **96.4%**

* Search reports are based on all inventions



0%
year on year change

1510
PCT search reports completed



8%
year on year change

319
International Preliminary Report on Patentability – Chapter II issued



TOP 5 INTERNATIONAL APPLICANTS

Rank Change

-2	Fisher & Paykel Healthcare	20
2	Schlumberger Technology Corpor...	20
-2	UPL	15
3	Recurium Ip Holdings	10
New	Erasca	9

TOP 5 DESIGNATING COUNTRIES

		This FY	Last FY	Year on Year
Australia		942	935	1% ↑
United States of America		225	168	34% ↑
WIPO		116	145	-20% ↓
New Zealand		105	117	-10% ↓
Malaysia		22	25	-12% ↓



TOP 5 TECHNOLOGIES (IPC)

Year on year change	Applications	
-20%	149	Medical Technology
3%	123	Pharmaceuticals
24%	115	Biotechnology
14%	100	Civil Engineering
16%	80	Organic Fine Chemistry

Disclaimer

Designating countries refers to IP Australia as the examination authority. Applicant information is based on the first applicant listed in the system. Where a value ties for a Top 5 position, a scroll bar will become available. Unless specified, volumes are based on count of applications.



‘GEOGRAPHICAL INDICATIONS

ISSUE

Protecting GIs is a key offensive interest for the European Union (EU) in the Australia-EU Free Trade Agreement (FTA). Australian industries could be impacted if producers were no longer able to use certain generic terms to describe their products.

KEY POINTS

- The Department of Foreign Affairs and Trade has responsibility for FTAs. Questions around the progress of the negotiations and what EU GIs may be protected should be referred to DFAT.
- Round 14 of the FTA negotiations was held from 6-10 February 2023 in Canberra.
- The EU is seeking the protection of 234 spirit and 166 agricultural and other foodstuff terms as GIs in Australia as part of the FTA negotiations.
- Australia will need to reach an agreement on the protection of EU GIs to conclude the FTA. Australia has made no commitment to protect specific EU GIs and has made clear it would only consider doing so if the overall FTA deal was good enough for Australia, including delivering on Australia’s agricultural market access interests.
- Australia’s current systems for protecting GIs are insufficient to meet the EU’s demands. A new GI right would need to be implemented to accommodate any potential outcomes on GIs.
- The Government will consider the types of changes that may be needed should it decide to develop a new Australian Geographical Indications right.
- IP Australia coordinated a public consultation process from 4 September 2020 to 30 November 2020 to seek industry, business and community views on the type of system changes that may be considered, should it be decided to develop a new Australian Geographical Indications right.
- Stakeholders provided valuable submissions through the consultation process which will inform the design of any possible new GI right.
- Nothing in the consultation means the Government has agreed, or will agree, to make any changes to existing GIs regulatory framework or policy.
- Transparency and regular consultation with key stakeholders, including with Indigenous business and industry groups on their interests, is an ongoing focus for the Government in the negotiations with the EU.
- The Government will continue to consult closely with stakeholders to ensure any new system benefits Australian producers, businesses and consumers, while meeting our international obligations. Stakeholders would be consulted on an exposure draft of any proposed legislation.

SENSITIVITIES

- Stakeholders, particularly the dairy industry, have concerns about the impact on business if specific EU GIs are protected in Australia.
- The EU also continues to seek protection for EU wine GIs in the FTA, including prosecco. The Government has previously told the EU that it should continue to respect the terms of the existing Australia-EU Wine Agreement, which includes continued use by industry of grape variety names. Discussions with the EU are ongoing, led by the Department of Agriculture Fisheries and Forestry and the Department of Foreign Affairs and Trade.
- On 30 June 2022, New Zealand concluded negotiations on an FTA with the EU. New Zealand agreed to protect several terms which are in common use in Australia and of importance to Australian industry, such as ‘feta’, ‘kransky’, and ‘prosecco’. Australian

stakeholders have expressed concerns about the outcome of the agreement between the EU and New Zealand.

- The Government has not yet released a public response to the 2020 consultations due to sensitivities relating to the progress of FTA negotiations.

BACKGROUND

- The Department of Industry, Science and Resources (DISR) has led support for smallgoods, beers and spirits stakeholders, while the Department of Agriculture, Fisheries and Forestry (DAFF) leads support for dairy, wine, horticulture and meat stakeholders.
- GIs are IP rights that have a specific geographical origin and possess qualities, reputation or other characteristics that are attributable to that origin (for example Champagne for sparkling wine and Stilton for cheese).
- GIs are a highly sensitive issue for some Australian sectors, particularly dairy (cheese). There are also sensitivities across wine, smallgoods, beer and spirits.
- Legislative changes will be required to implement the FTA if the Government agrees to protect European GIs. If required, the Government would likely amend the *Trade Marks Act 1995* to create a new GI right.

Stakeholder consultations

- From 4 September to 30 November 2020, the Government held public consultations on a possible GI framework. During consultations, stakeholders were asked specific questions in relation the design of any potential new GI system. Key concerns raised included ensuring that common names could not be registered as GIs, and the importance of preserving existing trade mark rights.
- From 13 August to 13 November 2019, a public objections process (POP) was held on the GIs the EU has asked Australia to protect as part of the FTA. The POP also assisted in identifying industry and stakeholder concerns. Public and media reactions to the list have focussed on the potential loss of use of common terms.

CONTACT OFFICER

Name of Contact Officer:	Sean Applegate (leg reform) Edwina Lewis (negotiations)	Date brief created: 23 October 2022
Contact Officer number:	47E(d)	Date brief updated: 9 February 2023
Name of Clearance Officer:	Jodie McAlister	
Clearance Officer number:	47E(d)	
Division or Agency:	IP Australia	

INDIGENOUS KNOWLEDGE – STAND-ALONE LEGISLATION

ISSUE

The Government has committed to work with Aboriginal and Torres Strait Islander peoples to establish stand-alone legislation to protect their traditional knowledge and cultural expressions.

KEY POINTS

- The Government has committed to working with First Nations peoples to establish stand-alone legislation to recognise and protect First Nations traditional knowledge and cultural expressions, including addressing the harm caused by fake art, merchandise and souvenirs. A new law will help ensure First Nations people can protect, and benefit economically from, their traditional knowledge and cultural expressions.
- Minister Burke and Minister Burney have portfolio responsibility for this stand-alone legislation. DITRDCA and NIAA are working with IP Australia and AGD. Questions should be directed to the Hon Tony Burke MP as the Minister for the Arts or the Hon Linda Burney MP as the Minister for Indigenous Australians.
- Developing a new law will take some time because the issues are complex and it is important that we get it right.
- It is essential the views of First Nations peoples are central to a new law. The Government will work in genuine partnership with Aboriginal and Torres Strait Islander peoples. IP Australia is working with Arts, NIAA and AGD and First Nations experts on a partnership model in this early phase.
- IP Australia has published an interim report on a scoping study looking at possible models for stand-alone legislation, to be finalised in early 2023.

BACKGROUND

- At the 2022 election, the Government made a commitment to strengthen First Nations job and economic opportunities, and to work with First Nations people to establish stand-alone legislation to protect their traditional knowledge and cultural expressions, drawing on the findings of the Productivity Commission (PC) inquiry into Aboriginal and Torres Strait Islander visual arts and crafts.
- In the National Cultural Policy (NCP) released on 30 January, the Government committed to work with First Nations peoples to establish standalone legislation to recognise and protect First Nations traditional knowledge and cultural expressions.
- The Office for the Arts in the Department of Infrastructure, Transport, Regional Development, Communications and the Arts lead on protecting First Nations visual arts and crafts.
- IP Australia is working closely with the Office for the Arts and other agencies to develop stand-alone legislation in line with the election commitment and NCP. This includes a study into the elements that could be part of stand-alone legislation.
- The study is being done in collaboration with an Indigenous consultancy firm, NintiOne. The study is identifying different options for what could be included in a new law by looking at best practice approaches and international models. It is also assessing the potential benefits and costs of the different options.
- The study arose out of a recommendation made in the 2018 House of Representatives' Standing Committee on Indigenous Affairs' *Report on the impact of inauthentic art and craft in the style of First Nations peoples*. [It is also an action in the previous government's National Indigenous Visual Arts Action Plan released on 21 October 2021].

- The PC published its final report into Aboriginal and Torres Strait Islander visual arts and crafts on 13 December 2022.
- The findings from the IP Australia report and the PC inquiry will inform future work on stand-alone legislation.
- IP Australia is also working on supporting appropriate use of Indigenous Knowledge in the existing IP system. This work can also help support economic opportunities for Aboriginal and Torres Strait Islander peoples.

CONTACT OFFICER

Name of Contact Officer:	Edwina Lewis	Date brief created: 2 November 2022
Contact Officer number:	47E(d)	Date brief updated: - 13 February 2023
Name of Clearance Officer:	Jodie McAlister	
Clearance Officer number:	47E(d)	
Division or Agency:	IP Australia	

Senate Estimates Questions on Notice

DETAILS	
Hearing:	2022 - 2023 Budget Estimates
PDR Number:	SQ22-000221
Committee Question Number:	BI-18
Question Title:	Indigenous Knowledge Work Plan 2022-23
Division:	IP Australia
Due date to Parliamentary:	05 December 2022
Clearing SES Officer:	Margaret Tregurtha 47E(d)
Contact Action Officer: Acting EL2	Alma Lacken 47E(d)
Noted in Minister's Office:	Redraft Comments (do not sign if redraft required): Signature _____ Date: __/__/__ (once signed this will be tabled at agreed date)

Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Department of Industry, Science, Energy and Resources
2022 - 2023 Budget Estimates

AGENCY/DEPARTMENT: IP Australia

OUTCOME: Agencies

TOPIC: Indigenous Knowledge Work Plan 2022-23

REFERENCE: Written Question – Senator Dorinda Cox

QUESTION DATE: 16 November 2022

QUESTION No.: BI-18

1. What steps are IP Australia taking to consult with a wide variety of First Nations voices about this plan?
2. I note there are 6 ‘work streams’ in this plan, are you able to give us a brief update on the progress of them? In particular the last, which is examining the potential models for stand-alone legislation?
3. This work stream had a timeline of consultations ending in late 2022 with reporting occurring in late 2022/early 2023, when can we expect the report?
4. What are the estimated economic benefits of IP protections for First Nations knowledges?
5. I want to narrow in on First Nations botanicals, which are integral to First Nations culture, has IP Australia examined the potential benefits of protecting these for First Nations communities?
6. What are the benefits of IP protection outside of economics, such as cultural protection?
7. Would this protection come under the Plant Breeders Rights or what might this look like?

ANSWER

1. IP Australia works with Aboriginal and Torres Strait Islander consultants to identify and connect with stakeholders across the country, to ensure First Nations voices are central to the plan.

A range of consultation options are provided including one-on-one conversations, either in person or virtually, focus groups in various locations, online surveys, or written submissions. Consultations are designed to be coordinated and meaningful for stakeholders and build on input provided on related bodies of work.

IP Australia has engaged additional Aboriginal and Torres Strait Islander staff to develop our Indigenous Engagement Strategy, which will continue to broaden the ways in which we engage with communities and stakeholders.

We will continue to consult on the elements of the work plan as they are progressed and be guided by Aboriginal and Torres Strait Islander peoples’ feedback.

2.

- (1) *An Indigenous Knowledge Panel for IP Australia* – The Panel Terms of Reference are being finalised.
- (2) *Proposals for system enhancements for trade marks and designs* – Potential changes to the *Trade Marks Act 1995* and *Designs Act 2003*, reflecting issues raised in consultations, are being developed. IP Australia will consult on options before any proposals are finalised.
- (3) *Proposals for disclosure of source for patents and plant breeder's rights (PBR)* – Proposals to require disclosure of source for these rights are under development. IP Australia is also engaged in discussions on a potential international standard for patents. We will consult further on potential options for change before any proposals are finalised.
- (4) *Guidance for customers about IK and IP and seeking consent* – We have established a call-back service 'Yarnline,' which allows people to speak to experts about IK and IP. We also present our work at stakeholder events to raise awareness on these issues.
- (5) *Supporting access to the IP system for IK Custodians* – We have published IP and IK information on-line and will develop more education and awareness material in 2023.
- (6) *Scoping study into Stand-alone legislation* - IP Australia, as chair of the cross-government Indigenous Knowledge Working Group, has consulted on a draft report, which is publicly available at <https://consultation.ipaustralia.gov.au/policy/stand-alone-legislation-for-indigenous-knowledge/>. The final report will be presented to government in early 2023 to help inform decision-making on stand-alone legislation.

3. The final report will be presented to the government in early 2023.

4. IP Australia commissioned the Centre for Aboriginal Economic Policy Research to investigate how the market value of IK could be calculated. The report highlights the difficulty in assigning a value to knowledge but noted a range of potential market values in different economic sectors. The report is available at www.ipaustralia.gov.au/tools-and-research/professional-resources/data-research-and-reports/publications-and-reports/2022/09/21/04/32/the-market-value-of-indigenous-knowledge

The difficulty in valuing IK should not be mistaken for a low economic potential. Research by IP Australia has shown businesses that use IP rights are more likely to see growth and business success overall, and intangible assets can contribute twice as much to a product's value when compared with tangible assets. This highlights the potential of IP rights as a tool for First Nations businesses that are building a brand, developing new and inventive products, or entering into agreements with partners for further research based on their knowledge.

5. While plant breeder's rights protect new varieties, current IP rights do not protect existing or traditional knowledge about plants and their uses. This is a gap discussed in our consultations with the First Nations botanicals industry. The Government's work on stand-alone legislation to protect IK is a potential mechanism to protect this type of knowledge.

6. The existing IP rights system provides a limited mechanism to stop others from using culture. Where an Aboriginal or Torres Strait Islander person or business holds an IP right over an element of culture, for example a trade mark for a word in a First Nations language, this can provide a way to stop commercial use by others that is not sanctioned by the IP right owner.

Our consultations have highlighted that existing IP rights are not well-suited to protecting underlying cultural practice, stories, or knowledge. For example, a registered design right protects the overall appearance of a product but does not protect the knowledge of techniques and styles used in the design. In the case of patents, First Nations peoples' knowledge of traditional medicinal remedies cannot be protected if it is already in the public domain. Stand-alone legislation that protects IK could assist in providing protection for culture and knowledge.

7. Plant Breeder's Rights (PBR) provides a mechanism to protect a new plant and derive benefits from growing, selling, or licensing others to grow or sell that plant. While IP Australia has not specifically examined the potential benefits of PBR for First Nations communities, PBR are likely to help those developing new plant varieties.

PBRs do not protect the underlying knowledge about plants and their uses, other mechanisms need to fill the gap in protection. The Government's work on stand-alone legislation to protect IK is one potential mechanism. Other changes that encourage transparency about knowledge use, particularly regarding disclosure, could also support the use of knowledge with prior and informed consent and lead to agreements where benefits are shared.

FINANCE & BUDGET REPORTING

FINANCIAL OVERVIEW

For the 2021-22 financial year, IP Australia recorded an operating surplus of \$21 million (9% of total income). This is the result of higher-than-expected demand for IP rights services over the last two financial years. Over this period expenses have remained relatively stable, growing by less than 4%.

The careful management of expenses and IP Australia's capital investment budget over the period of uncertainty relating to Covid-19 saw an increase of cash reserves of more than \$26 million, resulting in a closing total nearing \$80 million. This outcome has improved the agency's balance sheet and reinforced our financial sustainability. We are now well placed for longer-term strategic financial planning to ensure we can balance our obligations as an efficient cost recovery agency, whilst delivering successful outcomes for stakeholders.

IP Australia is budgeting for a small operating surplus of \$5 million in 2022-23 with further small surpluses forecast across the forward estimates. IP Australia's cash reserves are predicted to remain stable and above our minimum 3-month cash reserve balance.

With the global economic environment continuing to be uncertain, the future impact on IP rights demand and the cost of delivering services is unclear. IP Australia will commence a fee review in 2023, with the objectives to ensure the organisation remains financially sustainable, has the workforce profile and capacity required to meet our Customer Service Charter commitments, and continues to meet the requirements of the Australian Government's cost-recovery framework.

2021-22 Financial Outcome (as published in IP Australia's Annual Report 2021-22)

- IP Australia's 2021-22 financial statements reported an actual operating surplus of \$21.2 million against a planned surplus of \$11.0 million as published in the 2021-22 PBS.
- Total revenue was \$248.3 million, \$13.9 million (6%) above the budget of \$234.3 million. This was largely due to higher Trade Marks filing volumes, via the Madrid Treaty and also higher than forecast Patent renewals.
- Total expenses were \$227.1 million, \$3.7 million (1.7%) above the budget of \$223.3 million. This was largely due to the net impacts of the following:
 - Suppliers expense was \$8.3 million (14.3%) higher than budgeted due to increased expenditure on contract effort towards the delivery of IP Australia's technology and infrastructure investment roadmap.
 - Employee benefits expense was \$5.5 million (4.0%) lower than budgeted due to impact of long-term bond rate movements on the discounting of leave liabilities.
- Capital expenditure was \$22.4 million, \$1.1 million (4.8%) below budget largely due to less than planned resource utilisation towards the delivery of projects on IP Australia's Investment Plan.
- During 2021-22, IP Australia's Cash reserves balance increased to \$79.9 million, an increase of \$27.0 million, from a balance of \$52.9 million as at 30 June 2021. The increase largely reflects cash receipts from strong demand for IP Rights administration services.

- IP Australia's 2021-22 actual Average Staffing Level (ASL) position was 1,053 when compared to IP Australia's approved ASL cap of 1,054.

2022-23 Budget (as published in the October Portfolio Budget Statements 2022-23)

- IP Australia has budgeted for an operating surplus of **\$5.0 million** in 2022-23. Declining operating profits are forecasted across the forward estimates of \$4.5 million in 2023-24, \$4.5 million in 2024-25 and \$1.5 million in 2025-26 (*page 171, 2022-23 October PBS*).
- Total revenue in 2022-23 is budgeted at \$251.8 million, representing 1.4% growth (\$3.5 million) on the 2021-22 actual of \$248.3 million. The growth in revenue over the forward estimates (average 2.3% per annum) reflects moderate growth in demand for IP Rights services. *Note: Total revenue comprises of 'Own-source revenue' and 'Revenue from Government'* (*page 171, 2022-23 October PBS*).
- Total expenses in 2022-23 is budgeted at \$246.8 million, 8.7% growth on the 2021-22 actual of \$227.1 million. The increase in expenditure reflects IP Australia's strong financial performance and robust balance sheet achieved over the last two years, which has provided financial capacity to deliver on IP Australia's Corporate and Investment Plan objectives and growing operational requirements in delivering our services to customers. Growth in total expenses over the forwards years (average 2.8% per annum) largely reflects the combined impacts of compounded annual wage rises of 2.7% on employee expenses and moderate year on year average growth on supplier expenses of just under 1% (*page 171, 2022-23 October PBS*).
- Average Staffing Level (ASL) is budgeted to a position of 1,100 in 2022-23, representing a 4% increase (47 ASL) on the 2021-22 ASL actual result of 1,053 (2021-22, ASL cap 1,054). This represents the first budgeted ASL increase since the 2015-16 Budget and is required in order to manage the increased demand for IP services and meet our Customer Service Charter commitments (*page 165, 2022-23 October PBS*).
- Capital investment in 2022-23 and across each of the forward estimate years is estimated to be \$30 million per annum (*page 175, 2022-23 October PBS*). IP Australia's capital budget requirements in 2022-23 will largely be prioritised in the following five core areas:
 1. Improvement of our patents administration systems,
 2. Enhancing and modernising our customer service channels,
 3. Uplifting the Cyber security position of our IT environment,
 4. Continued development of our data analytics capabilities as aligned to our Data Matters Strategy, and
 5. Upgrading our general technology infrastructure and hardware.
- Cash Reserves are budgeted to be \$74.4 million, a decrease of \$5.5 million against the 2021-22 actual closing balance of \$79.9 million, that largely reflects accrual and cash timing differences at year end 30 June 2022. Cash reserves over each of the forward estimate years are forecasted to hold steady, on average at approximately \$76.3 million (*page 172, 2022-23 October PBS*).

BACKGROUND

- IP Australia is a listed non-corporate Commonwealth entity and recovers more than 98% of its costs by charging fees for its IP rights services in accordance with the Australian Government Charging Framework.

- IP Australia reviews its fees on a periodic basis to ensure they are set in accordance with the Australian Government Charging Framework, in particular the Cost Recovery Guidelines. Final outcomes of a fee review are captured in IP Australia's published Cost Recovery Implementation Statement (CRIS). IP Australia last implemented fee changes in October 2020 and is scheduled to undertake its next fee review in 2023. Any fee changes stemming from this review would commence in the 2024-25 financial year.
- As a cost recovered entity, IP Australia has a minimum target cash reserve policy of approximately 3 months reserve (currently approximately \$60 million) to support its financial sustainability and investment life cycles.
- IP Australia's cash receipts and cash payments are administrated via the PGPA Act established, 'Intellectual Property Special Account 2017'.
- Over the last five completed financial years, IP Australia has achieved the following financial outcomes as published in its financial statements:

IP Australia Actual Financial Outcomes - 2017-18 to 2021-22

	2017-18	2018-19	2019-20	2020-21*	2021-22
ITEM	\$'M	\$'M	\$'M	\$'M	\$'M
Revenue (A)	213.312	200.724	202.154	231.405	248.275
Expenses (B)	211.371	218.823	211.500	208.538	227.072
Changes in Asset Revaluation Reserve (C)	(6.810)	-	-	1.003	-
Operating Result (A-B+C)	(4.869)	(18.099)	(9.346)	23.870	21.203
Capital Investment	31.179	48.160	33.716	17.349	22.379
Cash Reserve	84.568	45.209	22.992	52.937	79.923
ASL	1,026	1,047	1,058	1,038	1,053
PBS Budgeted Operating Result	(4.900)	(5.000)	(5.000)	(5.000)	11.000

*2020-21 incorporates the introduction of approved fee changes from October 2020.

SENSITIVITIES

- Due to timing, the 2022-23 October PBS budgeted annual wage rises of 2.7% in employee expenses consistent with the prior Government's Wage Bargaining Policy, providing pay rises in line with the June 2022 quarter release of the Wage Price Index (private sector) as published by the Australian Bureau of Statistics (ABS).
- IP Australia is due to provide a wage rise of 3% in May 2023 consistent with the 'Public Sector Interim Workplace Arrangements 2022' (released 6 October 2022).

CONTACT OFFICER

Name of Contact Officer:	Kieran Sloan	Date brief created: 9 February 2023
Contact Officer number:	47E(d)	Date brief updated: 9 February 2023
Name of Clearance Officer:	Doug Pereira	
Clearance Officer number:	(02) 6283 2048 / 47E(d)	
Division or Agency:	IP Australia	

ATTACHMENTS

Attachment A: Financial Summary Tables

Attachment B: Demand Forecast

Financial Summary Tables**Table 1: 2021-22 Actual Financial Outcome vs. 2021-22 PBS Budget Outcome**

ITEM	PBS BUDGET 2021-22*	ACTUAL RESULT 2021-22	VARIANCE	VARIANCE
	(A) \$'M	(B) \$'M	(B-A) \$'M	%
Revenue (A)	234.333	248.275	13.942	5.9%
Expenses (B)	223.333	227.072	3.739	1.7%
Operating Result (A-B)	11.000	21.203	10.203	92.8%
Capital Investment	23.500	22.379	(1.121)	-4.8%
<i>Average Staffing Level (ASL)</i>	<i>1,054</i>	<i>1,053</i>	<i>(1)</i>	<i>-0.1%</i>

*Budget reported in the 2021-22 Portfolio Budget Statements published in May 2021

Table 2: IP Australia Detailed Financial Forecast - 2022-23 October PBS (page 171)

	Est Actual	BUDGET	FORECAST	FORECAST	FORECAST
	2021-22	2022-23	2023-24	2024-25	2025-26
TOTAL REVENUE	\$ 248.275	\$ 251.818	\$ 257.382	\$ 264.044	\$ 269.405
Patents	\$ 155.143	\$ 158.067	\$ 161.171	\$ 163.832	\$ 166.117
Trade Marks	\$ 84.717	\$ 82.186	\$ 84.881	\$ 88.543	\$ 91.830
Designs	\$ 4.485	\$ 4.374	\$ 4.407	\$ 4.477	\$ 4.533
Plant Breeder's Rights	\$ 1.477	\$ 1.410	\$ 1.410	\$ 1.410	\$ 1.410
Trans-Tasman IP Attorney Board	\$ 0.678	\$ 0.986	\$ 0.712	\$ 0.974	\$ 0.704
Appropriation	\$ 0.356	\$ 0.360	\$ 0.370	\$ 0.373	\$ 0.376
Other	\$ 1.420	\$ 4.436	\$ 4.432	\$ 4.436	\$ 4.435
TOTAL EXPENSE	\$ 227.072	\$ 246.817	\$ 252.882	\$ 259.544	\$ 267.905
ASL	1052.7	1100.0	1100.0	1100.0	1100.0
Employees	\$ 133.262	\$ 145.207	\$ 149.956	\$ 155.246	\$ 160.649
Contractor	\$ 18.049	\$ 23.625	\$ 24.546	\$ 25.160	\$ 25.789
Administration	\$ 38.618	\$ 40.184	\$ 38.683	\$ 39.978	\$ 39.588
Accommodation	\$ 4.396	\$ 4.860	\$ 4.851	\$ 4.796	\$ 4.737
Depreciation	\$ 32.748	\$ 32.942	\$ 34.846	\$ 34.364	\$ 37.142
OPERATING RESULT	\$ 21.203	\$ 5.000	\$ 4.500	\$ 4.500	\$ 1.500
TOTAL CAPITAL	\$ 22.379	\$ 30.000	\$ 30.000	\$ 30.000	\$ 30.000
OPA/CASH BALANCE	\$ 79.923	\$ 74.370	\$ 75.418	\$ 76.626	\$ 76.964

ATTACHMENT B

Demand Forecast – 2022-23 October PBS

IP Rights Demand Volumes	2021-22 Estimated	2022-23 Budget	2023-24 Forward	2024-25 Forward	2025-26 Forward
Patents					
International PCT Search requests	2,445	2,453	2,446	2,446	2,446
International PCT Exam – CHII	478	469	465	458	456
Patent applications (Excl. <i>Standard national route</i>)	36,273	31,019	31,178	31,384	31,615
<i>NPE applications</i>	9,090	8,181	8,199	8,219	8,240
<i>Innovation applications</i>	23,243	22,660	22,885	23,115	23,345
Provisional applications	3,940	178	94	50	30
International type search – Article	4,151	4,237	4,245	4,159	4,099
Innovation exam requests	725	688	675	675	675
	345	41	29	29	0
Trade Marks					
TM total application (filings)	88,386	87,180	88,969	90,960	92,940
<i>Standard applications</i>	54,303	54,558	55,338	56,156	56,915
<i>TM Headstart applications (Pt2)</i>	12,877	13,006	13,330	13,795	14,280
<i>Madrid applications</i>	21,206	19,616	20,301	21,009	21,745
TM Headstart requests (Pt1)	15,691	16,605	17,021	17,616	18,235
Designs					
Design applications	8,072	8,265	8,361	8,586	8,750
Design exam requests	1,487	1,501	1,517	1,542	1,572
PBR					
PBR applications	350	350	350	350	350



IP Australia's Fee Categories

The rights administered by IP Australia (2022)

Patents	Trade Marks	Plant Breeder's Rights	Design Rights
32,264 applications, of which 8% Australian	78,832 applications, of which 57% Australian	301 applications, of which 39% Australian	7,836 applications, of which 27% Australian
Duration: up to 20 years	Duration: no limit	Duration: up to 25 years	Duration: up to 10 years
Protects novel, useful, non-obvious invention	Protects words, logos, images, sounds etc.	Protects new plant varieties	Protects shape, look, and feel of a product

PATENTS: (approx. 62% of total revenue)

Patent Renewals: \$300-\$2,650 standard* \$110-\$220 innovation* (45.2% of total revenue, 72.4% of patent revenue)
Standard patent renewals are paid annually from the 4th to 19th anniversary from the filing date, and up to the 24th for pharmaceutical patents (less than 1% of all renewals – \$4,000-\$8,000). Innovation patents are paid annually from the 2nd to 7th year anniversary from the filing date. If the fee is not paid on or before the due date, it can still be paid within six months from that date. If the fee is paid within this grace period, an additional fee will be charged for each month or part month that the payment is late. If you do not pay your fee by the end of this grace period, your patent will no longer be in force. If you miss paying the renewal fee and the six-month grace period has expired, it may be possible to recover your patent by applying for an extension of time to pay the fee. Extensions are only possible in certain circumstances, such as if you unintentionally missed paying the fee before the due date.

Patent Standard Exam: \$490 (4.9% of total revenue, 7.9% of patent revenue)

This fee partially covers the cost of carrying out examination of an application. Examination involves assessing the application for compliance with the Act, searching (if necessary) and issuance of reports. The fee also covers processing of additional reports ('furthers').

National Phase Entry: \$370* (3.5% of total revenue, 5.6% of patent revenue)

National phase entry is a step that allows an PCT application to proceed into domestic processing where the application is assessed against the domestic legislation. The fee covers the cost of the administrative steps of checking that the national phase entry requirements have been met.

International PCT Search: \$2,200 (2.1% of total revenue, 3.8% of patent revenue)

This fee covers the provision of an international search and producing an international search report on a Patent Cooperation Treaty (PCT) application. This gives the applicant an early indication of the newness of their invention.

Patent Excess Claims: \$125 per claim for 21-30 claims, \$250 per claim >30 claims (2.3% of total revenue, 3.6% of patent revenue)

This fee assists in covering the cost of examination and is payable when the application is accepted. If the number of accepted claims exceeds 20, extras fees apply for each claim over 20 claims.

Patent Acceptances: \$250 (1.8% of total revenue, 2.8% of patent revenue)

This fee assists in covering the cost of examination. A patent application will be accepted once all objections raised in the examination report have been overcome and the acceptance fee paid. Before an accepted patent is granted, other parties will be given the opportunity to oppose the decision to accept the application.

Patent Standard Application: \$370* (1.4% of total revenue, 2.2% of patent revenue)

This fee covers the cost of the administrative steps of receiving a new filing (of a standard application), including preliminary checks, and entering it into our systems, publication, and classification.

Patent Provisional Applications: \$110* (0.2% of total revenue, 0.3% of patent revenue)

* Fee charged to customers that file using IP Australia's preferred means (an additional \$200 is applied to applications or \$50 to renewals when paid using any other means).

This fee covers the cost of the administrative steps of receiving a new filing (of a provisional application), including preliminary checks and entering it into our systems and publication. Provisional applications establish a priority date for a patent and signal an applicant's intention to file a full patent application. To claim the priority date of a provisional application, the applicant must apply for a patent (standard or innovation) or file a PCT application within 12 months of filing the provisional application.

International Type Search - Art 15(5): \$950 (0.3% of total revenue, 0.4% of patent revenue)

A request for an international type search can be filed if the applicant has a provisional application with IP Australia and is thinking of filing a patent application under the PCT. The search fee covers the cost of producing a report that identifies other similar inventions. This report can indicate the uniqueness of the invention and its chance of gaining patent protection. The applicant can choose to have the search conducted by either asking IP Australia to search the claims of the provisional application or the applicant can provide a search statement detailing the subject matter on which to base the search.

Patent Innovation Application: \$180* (0.3% of total revenue, 0.5% of patent revenue)

This fee covers the cost of the administrative steps of receiving a new filing (of an application for an innovation patent), including preliminary checks and entering it into our systems, publication, and classification. The innovation application will no longer be available after 25 August 2021 because of legislative amendments.

International PCT Transmittal: \$200 (0.1% of total revenue, 0.2% of patent revenue)

This fee covers the cost of the administrative steps of receiving and checking a new filing under the PCT and sending the application documents to WIPO.

International PCT Exam: \$590-\$820 (0.1% of total revenue, 0.2% of patent revenue)

This fee covers the provision of a preliminary examination of a PCT application. This gives the applicant an early indication of the objections they will encounter in the national phase, and an opportunity to address them before they enter the national phase.

Patent Innovation Exam: \$500 (0.1% of total revenue, 0.1% of patent revenue)

This fee covers the cost of carrying out examination of an innovation patent. Examination involves assessing the application for compliance with the Act, searching (if necessary) and issuance of reports. The fee also covers processing of additional reports ('furthers').

Patent Hearing Fees: \$500 - \$1,000 (0.1% of total revenue, 0.1% of patent revenue)

Includes fees charged for the administrative steps for filing a notice of opposition, for appearing at a hearing and requests for extension of time.

Patent Other Fees: Various fees (1.0% of total revenue, 1.6% of patent revenue)

TRADE MARKS: (approx. 34% of total revenue)

TM Applications: (21.4% of total revenue, 62.8% of TM revenue)

This fee covers the cost of the administrative steps of receiving a new filing, including preliminary checks, examination and entering it into our systems, publication, and classification.

TM Standard Application (<i>paper filing</i>)	\$450	TM Series Application No Pick List	\$550
TM Series Application (<i>paper filing</i>)	\$600	TM Series Application Pick List	\$400
TM Standard Application No Pick List	\$400	TM Headstart Part 2 fee	\$130
TM Standard Application Pick List	\$250	Madrid Import Application	\$400

TM Renewals: \$400* (9.1% of total revenue, 26.7% of TM revenue)

Trade mark registration lasts for 10 years from filing date with ongoing 10-year renewal terms in perpetuity. After your trade mark expires, a six-month grace period for payment will apply. During this grace period, you may still renew the registration of your trade mark for a further 10 years by paying the renewal fee plus any applicable extension fees. Once the expiry date has passed, your trade mark will no longer have the benefit of any rights arising from registration. At the end of the six-month grace period, if your renewal fee has not been paid, your trade mark will be removed from the register and cannot be restored.

* Fee charged to customers that file using IP Australia's preferred means (an additional \$200 is applied to applications or \$50 to renewals when paid using any other means).

TM Headstart Request – Part 1 fee: \$200 (2.3% of total revenue, 6.7% of TM revenue)

The TM Headstart service provides a quick turnaround assessment indicating whether a trade mark is likely to encounter any problems to its registration before its publicly filed. The TM Headstart service is a 2-part payment process. Once a Part 1 fee is paid and the applicant receives an assessment result, they are given the option to formally file a standard application and receive a filing date by paying the Part 2 fee (refer to TM application section above).

Trade Mark Hearing Fees: \$250 - \$800 (0.5% of total revenue, 1.4% of TM revenue)

Includes fees for 'Notice of Intention to Oppose' a registered trade mark for similarity or non-use, requesting or attending a trade mark hearing, and requests for extension of time.

TM Other Fees: Various fees (1.1% of total revenue, 3.4% of TM revenue)

DESIGNS: (approx. 2% of total revenue)

Design Applications: \$250* (0.8% of total revenue, 42.6% of Design revenue)

This fee covers the cost of the administrative steps of receiving a new filing, including preliminary checks, and entering it into our systems, publication, and checking formalities.

Design Renewals: \$400* (0.7% of total revenue, 40.0% of Design revenue)

A design right can be registered for a maximum of 10 years. A design right initially lasts for 5 years from the date you apply. You may choose to renew your design right so that it lasts for a further 5 years. You can only renew your design right once. If the renewal fee is not paid the Right will cease 5 years from the filing date. There is a 6-month grace period after the ceasing date, and it is still possible to renew a registration during this period. However, additional fees will be payable for each month overdue. If the Design is not renewed within the 6-month grace period, it will cease.

Design Exam Request: \$210-\$420 (0.3% of total revenue, 13.9% of Design revenue)

This fee covers the cost of carrying out examination of an application. Examination involves assessing the application for compliance with the Act, searching (if necessary) and issuance of reports. The fee also covers processing of additional reports ('furthers').

Design Other Fees: Various fees (0.1% of total revenue, 2.9% of Design revenue)

PLANT BREEDER'S RIGHTS: (less than 1.0% of total revenue)

PBR Renewals: \$400*

Annual renewal fees maintain a PBR or an application in force (a PBR ceases to be in force if the fee is not paid). PBR protection applies for 20 years for most plant species and 25 years for vines (Actinidia (Kiwifruit), Bougainvillea, Campsis, Hedera and Vitis (grapevine)) and trees.

PBR Application: \$345*

This fee covers the cost of the administrative steps of receiving a new filing (of a standard application), including preliminary examination, and searching to establish *prima facie* case for distinctness and entering it into our systems, publication, and classification (under UPOV Code).

PBR Exam: \$1,610

This fee covers the cost of carrying out examination of an application. Examination involves assessing the application for compliance with the Act, searching (if necessary), publication of detailed description of the variety and issuance of reports.

TRANS-TASMAN IP ATTORNEYS BOARD: (less than 1.0% of total revenue)

TTIPA Annual Renewal: \$400 / \$600 (dual registration as a patent and TM attorney) *

Annual renewal fees maintain the registration in force (an attorney registration will cease to be in force if the fee is not paid).

TTIPA Application: \$250 TM Attorney / \$350 Patent Attorney*

This fee covers the cost of the administrative steps of receiving a new application for registration, including preliminary checks, entering details into the Register, and adding selected attorney contact details onto the Board's website

** Fee charged to customers that file using IP Australia's preferred means (an additional \$200 is applied to applications or \$50 to renewals when paid using any other means).*

UPDATE: February 2023

TABLE 1 - NEW CONSULTANCIES ENTERED INTO: 1 JULY 2021 - 30 JUNE 2022 BY VALUE (INCLUDING DETAILED DESCRIPTION OF SERVICES FOR THE TOP 5 CONSULTANCIES BY VALUE)

Count	Value (AUD)	
Consultancy - 24	2,186,671.34	
Non-Consultancy - 295	109,173,730.16	
TOTAL - 319	111,360,401.50	

CN ID	Supplier Name	Supplier ABN	Description	Category	Procurement Method	Consultancy Reason(s)	Start Date	End Date	Value (AUD)
CN3875562	Nous Group Pty Ltd	66 086 210 344	Evaluation Services (The Supplier is required to undertake a post-commencement evaluation of IPA's Information Matters Strategy to identify baseline measures and track progress against the Strategy's objectives and establish an evaluation service for IP Australia in order to build evaluation capability within IPA and develop an evaluation framework). Total expenditure in the 2021-22 Financial Year has been \$102,025.00 (GST inc).	Management advisory services	Open tender	Need for specialised or professional skills	12-May-22	24-Dec-22	291,500.00
CN3864897	Blend Studio Pty Ltd	72 613 469 864	Cultural Change Management (The Supplier is required to define a future workplace culture and develop a roadmap and implementation plan to ensure IPA is a competitive employer in an increasingly competitive labour market. The Supplier is required to define a future state culture for the Customer Services Division (that aligns with IPA's vision for workforce engagement and high quality customer service delivery) and develop a reform roadmap that includes tailored cultural change initiatives and an evaluation plan for measuring the effectiveness of the cultural change initiatives). Total expenditure in the 2021-22 Financial Year has been \$83,754.55 (GST inc).	Management advisory services	Open tender	Need for specialised or professional skills	4-Apr-22	2-Aug-22	254,640.00
CN3827787	Swinburne University of Technology	13 628 586 699	Reform Research Services (The Supplier is required to perform economic analysis to help IPA understand the role and value of Plant Breeders Rights (PBR), including a description of the plant breeding sector; the economic activity of PBR applicant firms; the use of alternate mechanisms of appropriation (i.e. patents); and an estimate of the economic impact of new cultivars on downstream sectors). Total expenditure in the 2021-22 Financial Year has been \$79,197.01 (GST inc).	Management advisory services	Open tender	Need for specialised or professional skills	3-Nov-21	30-Jun-23	245,358.60
CN3811535	Bevington Consulting Pty Ltd	12 080 534 005	Provision of Dispute process review (IPA has identified several opportunities to improve the efficiency of the trade mark and design dispute process and a program of work has been established to develop and implement efficiency measures. IPA requires the Supplier to contribute to the planning, development and implementation of the program outputs). Total expenditure in the 2021-22 Financial Year has been \$107,537.50 (GST inc).	Management advisory services	Open tender	Need for specialised or professional skills	18-Aug-21	30-Jun-22	170,884.70
CN3823177	Malik Legal Consulting Pty Ltd T/A Malik	24 652 987 972	Data and reporting services (The Supplier is required to support IPA gain a better understanding of the scale and impact of IP infringement in Australia and to identify and analyse potential solutions for Government in obtaining robust and comprehensive evidence on the scale and impact of IP infringement in order to inform effective IP enforcement policy development). Total expenditure in the 2021-22 Financial Year has been \$165,000.00 (GST Inc).	Management advisory services	Limited tender	Need for independent research or assessment	13-Oct-21	31-May-22	165,000.00
CN3875571	Data-Driven AI Pty Ltd	58 635 718 455	Data Analytic Capability Services	Management advisory services	Open tender	Need for specialised or professional skills	11-Apr-22	11-Jul-22	163,020.00
CN3883741	Altis Consulting Pty Ltd	85 081 942 609	Automation of Patent Analytics Reports	Management advisory services	Open tender	Skills currently unavailable within agency	21-Jun-22	30-Sep-22	105,875.00
CN3869288	The University of Queensland	63 942 912 684	Plant Breeder's Rights research project	Management advisory services	Limited tender	Need for independent research or assessment	19-Apr-22	31-Oct-22	100,000.04
CN3850989	Deloitte Touche Tohmatsu	74 490 121 060	IT Operating Model Review Services	Temporary personnel services	Open tender	Need for independent research or assessment	17-Feb-22	31-Mar-22	95,766.00
CN3813410	Vivienne Joyce Thom	73 422 163 798	Trans Tasman IP Attorneys Board Regime Review	Management advisory services	Limited tender	Need for specialised or professional skills	10-Sep-21	31-May-22	92,400.00
CN3886699	Value Management Consulting Pty Ltd t/as	75 706 358 048	Group Planning Day Facilitation	Temporary personnel services	Open tender	Need for specialised or professional skills	1-Jun-22	31-Aug-22	79,200.00
CN3799420	Andrew Frederick Christie	33 261 572 166	Professional Advice	Temporary personnel services	Limited tender	Need for independent research or assessment	15-Jul-21	31-Dec-21	50,000.01
CN3875573	Andrew Frederick Christie	33 261 572 166	Patents Accessibility Review - analyse and report	Management advisory services	Limited tender	Need for independent research or assessment	9-May-22	30-Jun-22	49,999.99
CN3805863	Sheehan Solutions Pty Ltd	84 079 193 481	Independent Audit Committee Member	Management advisory services	Limited tender	Need for independent research or assessment	10-Aug-21	30-Jun-23	47,064.00
CN3810141	True North Content Pty Ltd	67 628 722 083	Communications Plan	Business administration services	Limited tender	Need for independent research or assessment	18-Aug-21	30-Nov-21	43,208.00
CN3823173	SAP Australia Pty Ltd	26 003 682 504	SAP HANA Technical Support	Temporary personnel services	Open tender	Need for specialised or professional skills	7-Oct-21	4-Apr-22	40,177.50
CN3883729	MakeSense Pty Ltd	40 634 799 483	API Program Advisory Services	Management advisory services	Open tender	Skills currently unavailable within agency	31-May-22	30-Jun-22	38,445.00
CN3891248	Andrew Frederick Christie	33 261 572 166	Trans-Tasman Patent & TA Attorneys Advisory Servic	Management advisory services	Limited tender	Need for specialised or professional skills	24-Jun-22	30-Nov-22	35,062.50
CN3827781	Meld Studios Pty Ltd	70 141 246 611	Workforce Workshops	Management advisory services	Open tender	Need for specialised or professional skills	28-Oct-21	30-Nov-21	30,690.00
CN3847869	Altis Consulting Pty Ltd	85 081 942 609	Analytics Process Automation	Management advisory services	Limited tender	Need for specialised or professional skills	1-Feb-22	1-May-22	22,550.00
CN3883745	Holan Group Pty Ltd	47 649 610 220	Management Advisory Services	Management advisory services	Limited tender	Need for specialised or professional skills	1-Jun-22	31-Aug-22	20,020.00
CN3839065	Terrace Services Pty Ltd	44 054 453 897	Independent committee member 2022	Management advisory services	Limited tender	Need for independent research or assessment	1-Jan-22	31-Dec-22	16,170.00
CN3864887	Bija Pty Ltd	76 645 729 326	Leadership and Teamworking Consulting Services	Management advisory services	Limited tender	Need for specialised or professional skills	8-Apr-22	6-Jun-22	15,340.00
CN3854586	Department of the Treasury	92 802 414 793	Actuarial Services	Business administration services	Limited tender	Need for independent research or assessment	16-Feb-22	30-Jun-22	14,300.00

TABLE 2 - ONGOING CONSULTANCIES - EXPENDITURE 2021-22 FY (INCLUDING DETAILED DESCRIPTION OF SERVICES FOR THE TOP 5 CONSULTANCIES BY VALUE)

CN ID	Supplier	ABN	Description	Category	Procurement Method	Consultancy Reason	Start Date	End Date	Expenditure (GST In
CN3768581	Proximity Advisory Services Pty Ltd	92 147 937 844	Smart Trade Mark Forward Plan (The Supplier is required to develop a roadmap for scaling the Smart Trade Mark beta into production; analyse frameworks that could support or inhibit the future product; develop commercial pathways for Smart Trade Mark; outline the benefits and risks of the scaled solution and develop recommendations for a commercial pathway).	Management advisory services	Open tender	Skills currently unavailable within agency	4-May-21	30-Jun-21	254,321.93
CN3749895	Ninti One Limited	28 106 610 833	Indigenous Knowledge Services (The Supplier is required to work in partnership with Aboriginal and Torres Strait Islander (ATSI) people to develop a scoping study to help ATSI people protect and commercialise their Indigenous Knowledge. The Supplier will take part in a working group to facilitate the study; undertake research for the development of Indigenous Knowledge legislation; and support IP Australia consultations on four policy issues).	Management support services	Open tender	Need for specialised or professional skills	12-Feb-21	20-Dec-21	30,000.00
CN3668045	GLOBAL-MARK PTY LTD	55 108 087 654	ISO Certification Services (In order to maintain ISO 9001 and 14001 certifications, the Supplier must conduct conduct re-certification assessments and surveillance assessments).	Audit services	Open tender	Need for independent research or assessment	11-Mar-20	31-Mar-23	27,239.16
CN3736018	David Bryant Consulting Pty Ltd	86 154 893 660	Independent Member Audit Committee (The Supplier is required to provide specified personnel to participate as an independent member on IP Australia's Audit Committee and provide independent advice to the DG and Audit Committee on matters within the Committee's charter).	Management advisory services	Limited tender	Need for independent research or assessment	1-Dec-20	29-Sep-23	23,531.99
CN3738214	Anne Maree O'Donnell	19 958 489 073	Independent member of Audit Committee (The Supplier is required to provide specified personnel to participate as an independent member on IP Australia's Audit Committee and provide independent advice to the DG and Audit Committee on matters within the Committee's charter).	Management advisory services	Limited tender	Need for specialised or professional skills	9-Dec-20	31-Dec-22	17,649.00
CN3654896	Morison Consulting Pty Ltd	28 052 195 481	Independence member of IPA Audit Committee	Management advisory services	Limited tender	Need for independent research or assessment	1-Jan-20	31-Dec-21	11,766.00
C2021/10404	The Boston Consulting Group Pty Ltd	70 007 347 131	Transactional Digital Services Program Board	Management advisory services	Limited tender	Need for independent research or assessment	1-Jul-21	30-Jun-22	9,240.00
C2019/11470	JJM Holdings Pty Ltd trading as Terrace Services	44 054 453 897	Independent Committee Advisor	Management advisory services	Limited tender	Need for independent research or assessment	11-Dec-19	14-Dec-21	5,170.00
CN3773495	CollectiveIQ	81 199 868 088	Leadership and Teamworking Consulting Services	Management advisory services	Limited tender	Need for specialised or professional skills	14-May-21	30-Jun-22	4,400.00
CN3696816	The Trustee for Axium Solutions Trust	49 687 998 051	Financial Management Advisory services - Joshua Rischin	Management advisory services	Limited tender	Need for specialised or professional skills	1-Jul-20	30-Jun-21	3,542.00
CN3746826	PricewaterhouseCoopers	52 780 433 757	Forensic Investigation of Fraud Allegations	Management advisory services	Open tender	Need for specialised or professional skills	1-Feb-21	20-Jan-22	-

386,860.07

ATTACHMENT D: Total value of all non-consultancies (295) entered into and reported on AusTender for the 2021-2022 Financial Year

295 Non-consultancies	109,173,730.16
24 Consultancies	2,186,671.34
Total value of all 319 contracts	111,360,401.50

CN ID	PROCUREMENT PANEL ID	Supplier Name	Supplier ABN	Description	Category	Start Date	End Date	Value (AUD)
CN3869286	SON3588479	Amazon Web Services Australia Pty Ltd	63605345891	AWS 2.0 Enterprise Arrangement (This volume sourcing arrangement was entered into via a WoAG mandatory arrangement. Total expenditure in the 2021-22 Financial Year was \$315,282.75 GST Inc).	Software as a Service (SaaS - Cloud)	1-May-22	30-Apr-25	7,628,911.76
CN3891235	SON3438903	THE BOSTON CONSULTING GROUP PTY LTD	70007347131	TM Embed Beta and Capability Uplift (See Attachment B for further information. Total expenditure in the 2021-22 Financial Year was nil).	Management advisory services	1-Jun-22	30-Oct-22	4,950,000.00
CN3883728	SON3541738	HP PPS AUSTRALIA PTY LTD	16603480628	Computer Equipment and Accessories (The Supplier is required to deliver laptops (+ warranty), enterprise setup services and docking stations as part of IPA's Hardware Refresh Program. Total expenditure in the 2021-22 Financial Year has been nil).	Computer Equipment and Accessories	9-Jun-22	8-Jun-25	4,099,137.35
CN3810142	SON3413842	Deloitte Touche Tohmatsu	74490121060	Implementation of PMI Cloud and API Platforms (The Supplier is required to build and integrate new patent processing features for business and support the new capabilities as they are released)	Temporary personnel services	18-Aug-21	30-Jun-23	4,008,125.40
CN3859842	SON3438903	THE BOSTON CONSULTING GROUP PTY LTD	70007347131	Total expenditure in the 2021-22 Financial Year has been \$2,302,114.67 GST Inc. Operating Model for Innovation and Investment (See Attachment B for further information. Total expenditure in the 2021-22 Financial Year for CN3859842 and CN3836447 was \$4,899,000 GST Inc).	Management advisory services	14-Feb-22	29-Jul-22	2,864,000.00
CN3847872	SON3413842	The Pearson Corporation Pty Ltd	20114746075	ICT Cyber Security & Infrastructure Project	Temporary personnel services	11-Jan-22	30-Jun-23	2,470,751.20
CN3864892	SON3668352	BT Automation Pty Ltd	70619362104	ServiceNow Cloud Software Solution	Software as a Service (SaaS - Cloud)	23-Mar-22	30-Jun-23	2,673,511.83
CN3836447	SON3438903	THE BOSTON CONSULTING GROUP PTY LTD	70007347131	Operating Model for Innovation and Investment (See CN3859842 for expenditure)	Management advisory services	1-Dec-21	30-Jun-22	2,035,000.00
CN3799419	SON3413842	Deloitte Touche Tohmatsu	74490121060	Delivery of digital experience platform	Software maintenance and support	1-Aug-21	30-Jun-22	2,032,544.01
CN3790261	SON3413842	Thesoco Pty Ltd	87166205287	Microsoft 365 support	Temporary personnel services	1-Jul-21	30-Jun-23	1,979,711.81
CN3854573	SON3441941	Wilson Security Pty Ltd	90127406295	Guarding Services	Security surveillance and detection	28-Feb-22	28-Feb-24	1,790,590.36
CN3836451	SON3413842	Clarivate Analytics (UK) Ltd	ABN Exempt	Derwent API, DWPI, CPI and DI subscriptions 2022	Online database information retrieval systems	1-Jan-22	31-Dec-22	1,667,831.00
CN3847864	SON3413842	BloomIT Consulting Pty Ltd	52123077047	PEPPOL implementation incl procurement workflow	Computer hardware maintenance or support	28-Jan-22	31-Mar-23	1,294,537.70
CN3786683	SON3413842	Corroboree ICT Indigenous Corporation	36838088729	Project Manager	Temporary personnel services	1-Jul-21	30-Jun-24	1,230,896.17
CN3817755	SON3413842	Ignite Limited	43002724334	Senior Pega Developer	Temporary personnel services	27-Oct-21	26-Oct-24	1,211,056.00
CN3823167	SON3413842	MTP Services Pty Ltd	61610143863	Senior Solutions Architect	Temporary personnel services	8-Nov-21	7-Nov-24	1,208,960.96
CN3833914	SON3413842	Momin & Gabriel Pty Ltd	51642193931	Senior Java Integration Developer	Temporary personnel services	17-Nov-21	16-Nov-24	1,195,876.00
CN3840957	SON3413842	IT Alliance Australia Pty Ltd	86616577023	Full Stack Developer	Temporary personnel services	17-Jan-22	16-Jan-25	1,187,692.00
CN3773486	SON3413842	Ignite Limited	43002724334	Senior Pega Developer	Temporary personnel services	1-Jul-21	30-Jun-24	1,118,308.00
CN3833916	SON3413842	Softsmart Pty Ltd	52601673296	Senior Java Integration Developer	Temporary personnel services	17-Nov-21	16-Nov-24	1,046,144.00
CN3833942	SON3413842	World Intellectual Property Organisation	ABN Exempt	WIPO Contribution 2022	Online database information retrieval systems	1-Jan-22	31-Dec-22	1,040,530.00
CN3854568	SON3413842	Clicks Recruit (Australia) Pty Ltd	87078625242	Release Engineer	Temporary personnel services	21-Feb-22	20-Feb-25	1,034,772.96
CN3786686	SON3413842	Paxus Australia Pty Ltd	35004609616	Senior Business Analyst	Temporary personnel services	1-Jul-21	30-Jun-24	1,028,464.80
CN3823169	SON3413842	Corroboree ICT Indigenous Corporation	36838088729	Change and Communication Manager	Temporary personnel services	1-Nov-21	30-Jun-24	1,014,956.80
CN3854575	SON3413842	Clean Energy Regulator	72321984210	Discovery House Lease payment	Lease and rental of property or building	18-Apr-22	20-Sep-32	1,000,000.00
CN3786694	SON3413842	Paxus Australia Pty Ltd	35004609616	Senior Business Analyst	Temporary personnel services	1-Jul-21	30-Jun-24	908,582.40
CN3859852	SON3413842	Corroboree ICT Indigenous Corporation	36838088729	Project Manager	Temporary personnel services	28-Mar-22	30-Jun-24	906,224.00
CN3810139	SON3413842	Sitecore Australia Pty Limited	56126733864	SiteCore Licence FY21/22 - 22/23	Software	16-Aug-21	16-Aug-24	880,356.40
CN3854579	SON3413842	Deloitte Touche Tohmatsu	74490121060	Managed Services	Software maintenance and support	1-Mar-22	28-Feb-23	868,320.20
CN3788378	SON3413842	Talent International (ACT) Pty Ltd	95121819305	Test Lead	Temporary personnel services	1-Jul-21	30-Jun-24	822,395.20
CN3805868	SON3413842	Human Resource Solutions Australia Pty	50149856940	HR Policy Review 2021	Management advisory services	26-Jul-21	31-Dec-22	816,072.00
CN3833926	SON3751667	PricewaterhouseCoopers Consulting	20607773295	Internal Audit Services	Management support services	15-Nov-21	15-Nov-23	782,400.00
CN3839062	SON3413842	Towcha Technology Pty Ltd	74158075275	Senior Front End Developer	Temporary personnel services	17-Jan-22	16-Jan-24	779,812.00
CN3783768	SON3413842	Cirrus Networks (ACT) Pty Ltd	85143561291	ICT Infrastructure Professional Services	Computer hardware maintenance or support	1-Jul-21	30-Jun-23	761,604.00
CN3854578	SON3413842	Infront Systems Pty Limited	72084698699	Enhanced Window 11 SOE Build	Software or hardware engineering	2-Mar-22	31-Dec-22	728,940.56
CN3833921	SON3668352	SmartComms Pty Ltd	31110278521	SmartIQ Software as Service (SaaS)	Software as a Service (SaaS - Cloud)	30-Sep-21	29-Sep-24	719,341.60
CN3833937	SON3413842	MTP Services Pty Ltd	61610143863	AWS DevOps Engineer	Temporary personnel services	10-Jan-22	9-Jan-24	718,520.01
CN3786690	SON3413842	Alpine Logix Pty Ltd	43649056226	Senior Business Analyst	Temporary personnel services	1-Jul-21	30-Jun-23	704,572.00
CN3790263	SON3413842	HARSHA CONSULTANTS PTY LTD	13133969865	Automation and Performance Test Lead	Temporary personnel services	1-Jul-21	30-Jun-23	694,056.00
CN3810133	SON3413842	Compas Pty. Ltd.	90008615745	Cloud DevOps Engineer	Temporary personnel services	9-Oct-21	8-Oct-23	686,963.20
CN3847867	SON3413842	1448 Pty Ltd	17607486920	Change and Communications Manager	Temporary personnel services	14-Feb-22	13-Feb-24	674,432.00
CN3827782	SON3413842	Agara Consulting	62645560783	Senior Java Integration Developer	Temporary personnel services	17-Nov-21	16-Nov-23	670,920.80
CN3810137	SON3413842	MTP Services Pty Ltd	61610143863	Pega Developer	Temporary personnel services	23-Aug-21	22-Aug-23	670,480.26
CN3883748	SON3622041	Sparke Helmore Lawyers	78848387938	Legal Services	Legal services	20-Jun-22	19-Jun-23	665,000.00
CN3833935	SON3413842	Effective People Pty Ltd	79063100201	AWS DevOps Engineer	Temporary personnel services	7-Feb-22	6-Feb-24	663,564.00
CN3817758	SON3413842	Bridge IT Engineering Pty Ltd	11087255472	Technical Project Manager	Temporary personnel services	18-Oct-21	30-Jun-23	659,279.84
CN3847866	SON3413842	Department of Defence	68706814312	Cloud Software and Related Services	Software	15-Dec-21	31-Dec-24	641,300.00
CN3817759	SON3413842	Data#3 Limited	31010545267	Delivery Manager	Temporary personnel services	1-Oct-21	30-Jun-23	628,813.81
CN3773499	SON3413842	Objective Corporation Limited	16050539350	Objective Upgrade and Support Program	Software maintenance and support	1-Jul-21	30-Jun-22	610,962.00
CN3823179	SON3413842	Elysium Digital Pty Ltd	17649341613	System Analyst	Temporary personnel services	1-Nov-21	31-Oct-23	609,928.00
CN3833929	SON3413842	Ignite Limited	43002724334	Storage Administrator	Temporary personnel services	4-Jan-22	3-Jan-24	608,275.36
CN3799421	SON3413842	Paxus Australia Pty Ltd	35004609616	Project Manager CODE	Temporary personnel services	26-Jul-21	30-Jun-23	601,986.00
CN3786685	SON3413842	FUJITSU AUSTRALIA LTD	19001114227	Hardware Support 21-24	Computer hardware maintenance or support	1-Jul-21	1-Jul-24	582,498.41
CN3775651	SON3413842	Peoplebank Australia Pty Ltd	42003995748	Automated Test Engineer	Temporary personnel services	1-Jul-21	30-Jun-23	572,070.40
CN3775652	SON3413842	Peoplebank Australia Pty Ltd	42003995748	Automated Test Engineer	Temporary personnel services	1-Jul-21	30-Jun-23	569,125.92
CN3810135	SON3413842	Ignite Limited	43002724334	Data Visualisation Specialist	Temporary personnel services	27-Sep-21	30-Jun-22	568,545.02
CN3799417	SON3413842	SRA Information Technology Pty Ltd	13055972908	Ai/ML Developer	Temporary personnel services	1-Sep-21	31-Jul-23	565,760.80
CN3840963	SON3413842	Corroboree ICT Indigenous Corporation	36838088729	Delivery Manager	Temporary personnel services	24-Jan-22	30-Jun-22	557,216.00
CN3864896	SON3413842	The Recruitment Hive Pty Ltd	13155397541	Data Engineer	Temporary personnel services	11-Apr-22	10-Oct-23	550,950.40
CN3810134	SON3413842	Clicks Recruit (Australia) Pty Ltd	87078625242	Data Visualisation Specialist	Temporary personnel services	6-Sep-21	30-Jun-23	548,136.66
CN3799423	SON3413842	FDM Group Australia Pty Ltd	27613184099	Graduate IT Developer	Temporary personnel services	7-Jul-21	30-Jun-23	538,945.08
CN3810143	SON3413842	The Architecture Practice Pty Ltd	97169445354	Senior IT Governance & Delivery Manager	Temporary personnel services	16-Aug-21	31-Dec-22	526,400.00
CN3833944	SON3413842	The Recruitment Hive Pty Ltd	13155397541	Full Stack Developer	Temporary personnel services	10-Jan-22	30-Jun-23	515,460.00
CN3839067	SON3413842	MTP Services Pty Ltd	61610143863	Senior Business Analyst	Temporary personnel services	10-Jan-22	30-Jun-23	515,460.00
CN3779353	SON3413842	Finite IT Recruitment Solutions	43085406300	Data Engineer	Temporary personnel services	1-Jul-21	30-Jun-23	510,776.64
CN3836452	SON3413842	Remote Pty Ltd	21086319146	Full Stack Developer	Temporary personnel services	31-Jan-22	30-Jun-23	496,584.00
CN3869284	SON3413842	SMS Consulting Group Ltd	17006515028	Data Engineer	Temporary personnel services	26-Apr-22	28-Oct-23	496,496.00
CN3823181	SON3413842	Data#3 Limited	31010545267	Adobe Maintenance and Support	Software maintenance and support	10-Oct-21	9-Oct-24	477,642.00
CN3854577	SON3413842	YNOT Consulting Services Pty Ltd	82614082183	Data Scientist	Temporary personnel services	14-Mar-22	30-Jun-22	461,485.44
CN3833934	SON3413842	HITECH GROUP AUSTRALIA LIMITED	41062067878	ITSM Project Manager	Temporary personnel services	4-Jan-22	30-Jun-23	456,104.00
CN3827791	SON3413842	Dialog Pty Ltd t/as Dialog Information	16010089175	Senior Business Analyst	Temporary personnel services	8-Nov-21	30-Jun-23	453,244.00
CN3786693	SON3413842	Red Hat Asia-Pacific Pty Ltd	35090438485	Software Licencing and Support FY21/22	Software maintenance and support	1-Jul-21	30-Jun-22	426,606.40
CN3786698	SON3413842	Hays Specialist Recruitment (Australia)	47001407281	Data analyst	Temporary personnel services	1-Jul-21	23-Dec-22	424,864.00
CN3864899	SON3413842	Bowler Hat Consulting Pty Ltd	96631237673	Senior Program/Project Manager	Temporary personnel services	11-Apr-22	11-Apr-23	414,656.00
CN3883733	SON3413842	Canberra Agile PTY LTD	48628246533	Technical Lead	Temporary personnel services	30-May-22	30-Jun-23	414,656.00
CN3805869	SON3413842	MANNORTH PTY LTD	74167857294	Technical Delivery Manager	Temporary personnel services	9-Aug-21	8-Aug-22	399,608.00
CN3854572	SON3413842	MTP Services Pty Ltd	61610143863	Senior Pega Developer	Temporary personnel services	21-Mar-22	20-Mar-23	398,398.98
CN3813413	SON3413842	Talent International (ACT) Pty Ltd	95121819305	Data Engineer	Temporary personnel services	13-Sep-21	24-Dec-22	395,519.80
CN3775654	SON3413842	Department of Finance	61970632495	Comcover Insurance Premium	Business administration services	1-Jul-21	30-Jun-22	386,200.00
CN3886703	SON3413842	Agara Consulting	62645560783	Senior Developer Manager	Temporary personnel services	1-Jun-22	30-Jun-23	379,493.86
CN3786688	SON3413842	eCONNECT SOLUTIONS PTY LTD	34115058350	Technical Delivery Manager	Temporary personnel services	1-Jul-21	30-Jun-22	368,808.00
CN3810136	SON3413842	Informatica Australia Pty Limited	52114300686	Software Maintenance and Support	Software maintenance and support	3-Sep-21	2-Sep-22	366,986.71
CN3840959	SON3464296	SAP Australia Pty Ltd	26003682504	SAP Expert on Demand Services	Temporary personnel services	1-Jan-22	30-Jun-22	366,954.50
CN3833940	SON3413842	Scion Essential Services Pty Ltd	62615346962	Full Stack Developer	Temporary personnel services	13-Dec-21	12-Dec-22	361,548.00
CN3883742	SON3413842	Experis Australia Pty Ltd (Greythorn)	57071352031	Senior Integration Developer	Temporary personnel services	21-Jun-22	30-Jun-22	358,644.00
CN3875565	SON3413842	The Recruitment Hive Pty Ltd	13155397541	Delivery Manager	Temporary personnel services	6-Feb-22	5-Jun-23	357,544.00
CN3881383	SON3413842	Aspirante	65625825514	Full Stack Developer	Temporary personnel services	19-May-22	18-May-23	355,440.80
CN3827778	SON3413842	NIAD Australia Pty Ltd	80646978823	Senior Java Integration Developer	Temporary personnel services	22-Nov-21	16-Nov-22	349,184.00
CN3869282	SON3413842	GMT Canberra Pty Ltd	81103672439	Senior Business Analyst	Temporary personnel services	23-May-22	22-May-23	347,028.00
CN3869289	SON3413842	GMT Canberra Pty Ltd	81103672439	Senior Java Integration Developer	Temporary personnel services	19-Apr-22	18-Apr-23	344,924.80
CN3854566	SON3413842	MODIS STAFFING PTY LTD	14007145637	DevOps Lead Engineer	Temporary personnel services	21-Feb-22	20-Feb-23	342,720.24
CN3847865	SON3413842	The Recruitment Hive Pty Ltd	13155397541	Change and Communications Manager	Temporary personnel services	21-Feb-22	20-Feb-23	335,460.40

CN3836448		Pageup People Pty Ltd	71005630740	Recruitment and Performance Management Solution	Software	16-Dec-21	15-Dec-23	330,537.23
CN3847871	SON3413842	CTOG Pty Ltd ATF CTOG Unit Trust	32867906135	ICT Cyber Security Infrastructure Services	Temporary personnel services	20-Jan-22	30-Jun-22	330,134.20
CN3787004	SON3774631	ActewAGL	46221314841	Supply of Electricity	Electric utilities	1-Jul-21	30-Jun-24	329,931.80
CN3875558	SON3413842	Softsmart Pty Ltd	52601673296	Full Stack Developer	Temporary personnel services	23-May-22	22-May-23	325,996.00
CN3883743	SON3413842	Cosmic Tech Solutions Pty Ltd	74120044484	Senior Integration Developer	Temporary personnel services	14-Jun-22	30-Jun-23	319,334.40
CN3883725	SON3413842	Nisus Australia Pty Ltd	91622344218	Full Stack Developer	Temporary personnel services	1-Jun-22	31-May-23	313,376.80
CN3854581	SON3413842	Velan Consulting Pty Ltd	58632474394	Change Manager	Temporary personnel services	7-Mar-22	23-Dec-22	308,154.00
CN3869287	SON3413842	Strategic Partners Australia Pty Ltd	86649727542	Content writer	Temporary personnel services	26-Apr-22	26-Apr-23	306,768.00
CN3854571	SON3413842	Peoplebank Australia Pty Ltd	42003995748	Business Analyst	Temporary personnel services	7-Mar-22	6-Mar-23	303,600.00
CN3839060		Australian Government Solicitor	69405937639	Legal Services	Legal services	22-Dec-21	22-Dec-22	301,594.45
CN3883730	SON3460620	Jones Lang Lasalle (ACT) Pty Ltd	69008585260	Facilities Manager	Temporary personnel services	30-May-22	30-Jun-22	299,999.99
CN3850987	SON3413842	MTP Services Pty Ltd	61610143863	Senior SAP Database Administrator	Temporary personnel services	7-Mar-22	6-Mar-23	294,448.00
CN3836450	SON3413842	Clicks Recruit (Australia) Pty Ltd	87078625242	System Analyst	Temporary personnel services	10-Jan-22	9-Jan-23	292,928.10
CN3783416	SON3413842	Peoplebank Australia Pty Ltd	42003995748	Windows Desktop Engineer	Temporary personnel services	5-Jul-21	30-Jun-22	279,725.60
CN3823178	SON3413842	Content Group Pty Ltd	40056881844	Content Writer	Temporary personnel services	13-Oct-21	12-Oct-22	271,700.00
CN3864890	SON3413842	CYOS Solutions Pty Ltd	41606165075	Content Writer	Temporary personnel services	4-Apr-22	4-Apr-23	261,888.00
CN3775659	SON3295723	Data#3 Limited	31010545267	NetApp AFF Hardware Support	Computer hardware maintenance or support	1-Jul-21	30-Jun-22	243,716.65
CN3817753	SON3413842	Peoplebank Australia Pty Ltd	42003995748	Senior Integration Developer (Java)	Temporary personnel services	1-Nov-21	30-Jun-22	229,500.06
CN3850988	SON3413842	Being Group International Pty Ltd	38631801940	Communications, Multimedia, graphic design, design	Audio and visual presentation and composing equipment	18-Feb-22	13-Feb-23	220,000.00
CN3859844	SON3413842	Data#3 Limited	31010545267	Procurement Officer	Temporary personnel services	28-Mar-22	30-Jun-23	218,944.00
CN3775657	SON3490955	CATALINK PTY LTD	96620187653	Digital.ai Licencing	Software	1-Jul-21	30-Jun-22	214,304.20
CN3883736	SON3541738	Kirra Services	43205269375	Bluecoat Renewal	Software	23-Jun-22	22-Jun-23	210,370.84
CN3786682	SON3557594	Hays Specialist Recruitment (Australia)	47001407281	Finance Business Partner	Temporary personnel services	1-Jul-21	30-Jun-22	206,164.92
CN3844178		IPdojo Pty Ltd	30655249497	Hearings Officer	Temporary personnel services	17-Jan-22	1-Feb-24	200,801.01
CN3854583		DYNATRACE ASIA-PACIFIC PTY LTD	23063641510	Software as a Service	Software as a Service (SaaS - Cloud)	26-Feb-22	25-Feb-23	200,759.43
CN3817756	SON3413842	Dialog Pty Ltd t/as Dialog Information	16010089175	System Analyst	Temporary personnel services	5-Oct-21	26-Sep-22	189,288.00
CN3833939		Thomson Reuters (Professional) Australia	64058914668	Subscription Services	Online database information retrieval systems	1-Jan-22	31-Dec-23	188,785.37
CN3864885	SON3413842	Astryx Pty Ltd	26632802236	Procurement Administration Officer	Temporary personnel services	19-Apr-22	30-Jun-23	188,652.26
CN3891246	SON3751667	Callida Pty Ltd t/as Callida Consulting	40154007664	Cost Recovery Research and Data collection	Market research	1-Jun-22	30-Aug-22	188,000.00
CN3833923	SON3413842	Chartertech Pty Ltd	30617464990	Senior Business Analyst	Temporary personnel services	22-Nov-21	30-Jun-22	186,120.00
CN3900215	SON3726074	Oracle Corporation Australia Pty Ltd	80003074468	Oracle Hardware Support	Computer hardware maintenance or support	1-Jan-22	31-Jul-23	185,072.94
CN3775663		Gulanga Group Pty Ltd	59606954992	Software Maintenance and Support - F5	Software maintenance and support	1-Jul-21	30-Jun-22	184,958.18
CN3827783	SON3413842	Ignite Limited	43002724334	Senior Business Analyst	Temporary personnel services	13-Dec-21	30-Jun-22	179,678.40
CN3883727	SON3541738	HP PPS AUSTRALIA PTY LTD	16603480628	Computer Equipment and Accessories	Computer Equipment and Accessories	6-Jun-22	31-May-25	176,662.20
CN3813409	SON3713272	TPG Network Pty Ltd	85003064328	Fixed Lines and Carriage Services	Data services	13-Sep-21	30-Jun-23	170,618.80
CN3883732	SON3413842	Chartertech Group	30617464990	Test Lead Learning Experience Platform (LXP)	Management support services	30-May-22	30-Sep-22	170,600.01
CN3840965	SON3413842	HITECH GROUP AUSTRALIA LIMITED	41062067878	Senior Business Analyst	Temporary personnel services	10-Jan-22	30-Jun-22	168,432.00
CN3783415	SON3413842	Robinson Ryan Pty Limited t/a	62126118269	System analyst FY21/22	Temporary personnel services	1-Jul-21	23-Dec-21	165,000.00
CN3886697		BloomIT Consulting Pty Ltd	52123077047	SpenConsole Cloud Solutions and Associated Support	Software as a Service (SaaS - Cloud)	2-May-22	1-May-25	165,000.00
CN3864895	SON3541738	Amnesium Pty Ltd	63608314978	HP Elitebook 1030	Computer hardware maintenance or support	1-Apr-22	3-Apr-25	161,186.85
CN3805870	SON3726074	Oracle Corporation Australia Pty Ltd	80003074468	Oracle Hardware Support	Computer hardware maintenance or support	1-Aug-21	31-Jul-22	158,486.82
CN3859840	SON3490955	NTT Australia Pty Ltd	65003371239	Software Maintenance and Support	Software maintenance and support	21-Mar-22	20-Mar-24	157,421.20
CN3827784	SON3413842	Talent International (ACT) Pty Ltd	95121819305	Communication and Change Manager	Temporary personnel services	29-Nov-21	30-Jun-22	157,301.76
CN3864888	SON3610710	Onpoint 365 Pty Ltd	58611021884	WHS specialist services	Temporary personnel services	8-Apr-22	7-Apr-23	153,555.23
CN3864891	SON3413842	GMT Canberra Pty Ltd	81103672439	Content Writer	Temporary personnel services	4-Apr-22	4-Oct-22	148,579.20
CN3805859		WV Technologies Pty Ltd	11168651189	Asset Disposal Services	Business administration services	11-Aug-21	30-Jun-23	146,500.00
CN3833938	SON3413842	Pearl Aus Pty Ltd	92152346140	Cloud Database Engineer	Temporary personnel services	4-Jan-22	17-Jun-22	141,240.00
CN3886696	SON3413842	Hays Specialist Recruitment (Australia)	47001407281	Service Desk/ Desktop Engineer	Temporary personnel services	20-Jun-22	17-Nov-24	346,720.00
CN3864884	SON3557594	Compas Pty. Ltd.	90008615745	Hearings Officer	Temporary personnel services	2-May-22	2-May-23	138,881.39
CN3823175	SON3637213	Apricot Zebra Pty Ltd	51143574930	Authoring and Editorial Services	Management advisory services	15-Oct-21	1-May-22	137,940.00
CN3783419		Commonwealth Superannuation Corporation	48882817243	Commonwealth Superannuation Corporations Fees	Public administration and finance services	1-Jul-21	30-Jun-22	135,000.00
CN3823176		ACE INFO SYSTEMS PTY LTD	81159078092	Patent Examiner services	Temporary personnel services	7-Nov-21	6-Nov-23	134,949.00
CN3869290		Karika Recruiting Group Pty Ltd	78167536978	Property and Facilities manager	Temporary personnel services	19-Apr-22	31-Dec-22	134,301.96
CN3827785	SON3413842	Content Group Pty Ltd	40056881844	Communication Advisor	Temporary personnel services	8-Nov-21	7-May-22	134,200.20
CN3840958	SON3538332	Hays Specialist Recruitment (Australia)	47001407281	Executive Assistant Support	Temporary personnel services	18-Jan-22	20-Feb-23	132,992.00
CN3854570	SON3413842	Peoplebank Australia Pty Ltd	42003995748	Business Architect	Temporary personnel services	15-Mar-22	30-Jun-22	132,396.00
CN3790262	SON3385995	Orima Research Pty Ltd	77076347914	Analyse and Report Findings from Survey	Management advisory services	1-Jul-21	30-Jun-23	125,845.00
CN3813416	SON3413842	The Recruitment Hive Pty Ltd	13155397541	Data Engineer	Temporary personnel services	13-Sep-21	21-Feb-22	122,249.60
CN3786689		Department of Education, Skills and	12862898150	Independent Internet Gateway FY21/22	Data services	1-Jul-21	30-Jun-23	120,266.27
CN3833925		Springer Nature Customer Service Center	ABN Exempt	Online database information retrieval systems	Online database information retrieval systems	1-Jan-22	31-Dec-24	118,959.79
CN3799425		Australian Government Solicitor	69405937639	Legal Services	Legal services	2-Jul-21	2-Jul-23	116,000.00
CN3799418	SON3622041	CLAYTON UTZ	35740217343	Legal Services	Legal services	19-Jul-21	19-Jul-22	115,500.00
CN3827790		Karika Recruiting Group Pty Ltd	78167536978	Facilities Manager	Temporary personnel services	1-Nov-21	30-Jun-22	115,202.34
CN3805864	SON3622041	Sparke Helmore Lawyers	78848387938	Legal Services	Legal services	5-Aug-21	30-Jun-23	115,000.01
CN3827793		Reed International Books Pty Ltd	70001002357	Legal Reference Subscription Services	Online database information retrieval systems	12-Dec-21	9-Dec-24	113,975.41
CN3805860		Australian Government Solicitor	69405937639	Legal Services	Legal services	10-Aug-21	10-Aug-22	105,500.00
CN3850991		Amnesium Pty Ltd	63608314978	Premium Support and maintenance	Computer hardware maintenance or support	24-Feb-22	23-Feb-23	104,540.44
CN3813412	SON3490955	PURSUIT TECHNOLOGY AUSTRALIA PTY LTD	47600787139	Subscription Services	Software	1-Jan-22	31-Dec-23	102,960.00
CN3808803	SON3538332	Capital Recruit	77600244040	Case Manager Services	Temporary personnel services	19-Jul-21	20-Jan-22	101,621.52
CN3833918	SON3417327	Move Dynamics Pty Ltd	83098988348	Domestic and International Removal Services	Relocation services	12-Nov-21	12-Nov-22	100,000.00
CN3833919	SON3415292	Grace Worldwide (Australia) Pty Ltd	90070345845	Domestic and International Relocations	Relocation services	12-Nov-21	12-Nov-22	100,000.00
CN3869285	SON3295723	Data#3 Limited	31010545267	Netapp E-series Support	Computer hardware maintenance or support	1-May-22	30-Apr-23	95,326.42
CN3827786		Department of Finance	61970632495	Subscription Services	Platform as a Service (PaaS - Cloud)	12-Nov-21	11-Nov-22	93,000.00
CN3833941	SON3538332	Capital Recruit Pty Ltd	77600244040	Recruitment Support Officer	Temporary personnel services	1-Dec-21	30-Jun-22	92,596.42
CN3810138		SmartBear (Ireland) Limited	ABN Exempt	Software Maintenance and Support	Software maintenance and support	8-Sep-21	7-Sep-23	91,395.18
CN3827796	SON3413842	Hays Specialist Recruitment (Australia)	47001407281	Web Officer	Temporary personnel services	27-Oct-21	26-Apr-22	89,556.54
CN3864889	SON3413842	Integral Technology Solutions (Pty) Ltd	38097602901	Content writer	Temporary personnel services	4-Apr-22	4-Oct-22	88,088.00
CN3813411	SON3413842	ComBase Pty Limited	54078949121	Classification of Patent applications into CPC classes	Software	13-Sep-21	12-Nov-21	88,000.00
CN3859846		Objective Corporation Limited	16050539350	Objective Connect Enterprise	Software maintenance and support	8-Apr-22	7-Apr-23	87,918.31
CN3840962	SON3610710	First Grade Group Pty Ltd	19154150508	Recruitment Support Officer	Temporary personnel services	19-Jan-22	30-Jun-22	86,253.38
CN3817760	SON3610710	Onpoint 365 Pty Ltd	58611021884	Work Health and Safety Advisor	Temporary personnel services	30-Sep-21	31-Mar-22	82,065.98
CN3833943		UPOV	ABN Exempt	UPOV Contribution 2022	Online database information retrieval systems	1-Jan-22	31-Dec-22	81,638.50
CN3813414		ForgeRock Limited	ABN Exempt	Open AM and IDM Modules	Software	5-Sep-21	31-Dec-21	78,903.94
CN3833922	SON3413842	Altis Consulting Pty Ltd	85081942609	Data Literacy Toolkit	Temporary personnel services	24-Jan-22	8-Apr-22	76,230.00
CN3883734		Gulanga Group Pty Ltd	59606954992	Tenable Nessus Subscription	Software maintenance and support	7-Jul-22	6-Jun-23	75,372.11
CN3869291		Web Active Corporation Pty Ltd	32086209403	Banking Gateway Services	Business administration services	19-Apr-22	18-Apr-25	75,000.00
CN3833936		Arrilla Indigenous Consulting Pty Ltd	55606241203	Cultural Awareness Training	Education and Training Services	19-Nov-21	19-Nov-22	74,900.00
CN3786691		Gartner Australasia Pty Ltd	69003708601	HR articles subscription	Management advisory services	1-Jul-21	30-Jun-22	74,500.00
CN3883723		Venafi, Inc.	ABN Exempt	Venafi Trust Authority FY 22/23	Software maintenance and support	29-Jun-22	28-Jun-23	74,138.08
CN3839063		LinkedIn Singapore Pte Ltd	73615253408	LinkedIn Learning 2022 subscription	Software	1-Jan-22	31-Dec-22	72,930.00
CN3833927		BUREAU VAN DIJK ELECTRONIC PUBLISHING	38169036417	Database Subscription Services - Orbis	Data services	18-Dec-21	17-Dec-22	71,610.00
CN3864894	SON3541738	Data#3 Limited	31010545267	HP Elitebook Laptops	Computer hardware maintenance or support	1-Apr-22	31-Mar-23	70,641.56
CN3833933	SON3557594	Hudson Global Resources (Aust) Pty Ltd	21002888762	Temporary Personnel Executive Assistant	Temporary personnel services	20-Dec-21	30-Jun-22	67,625.71
CN3859850	SON3385995	Orima Research Pty Ltd	77076347914	Customer Satisfaction Survey	Management advisory services	11-Mar-22	30-Jun-22	67,150.00
CN3875566	SON3413842	CyberCX Pty Ltd	90629363328	Cyber Security Compliance and Assurance Activities	Management advisory services	12-May-22	30-Jun-22	66,000.00
CN3875559		SWINBURNE UNIVERSITY OF TECHNOLOGY	13628586699	Provision of Data Services	Management support services	11-Apr-22	25-Nov-22	65,560.00
CN3869283		SmartComms Pty Ltd	31110278521	SmartIQ Migration Services	Infrastructure as a Service (IaaS - Cloud)	4-Apr-22	30-Jun-22	65,340.00
CN3854567		Australian Government Solicitor	69405937639	LEX 4965 legal Services	Legal services	12-Feb-22	12-Jan-23	65,197.90
CN3833945		Microsoft Pty Ltd	29002589460	Microsoft Unified Enterprise Support	Software maintenance and support	10-Dec-21	9-Dec-22	64,707.78
CN3827779	SON3557594	Hudson Global Resources (Aust) Pty Ltd	21002888762	Executive Assistant	Temporary personnel services	22-Nov-21	21-May-22	63,868.73
CN3827794	SON3413842	FinXL Professional Services Pty Ltd	74104804793	Technical Support	Temporary personnel services	25-Oct-21	31-Mar-22	63,360.00
CN3833928		Auth0, Inc.	ABN Exempt	Identity Management Software	Software as a Service (SaaS - Cloud)	11-Dec-21	10-Dec-22	61,847.00
CN3805865		Mintel (Consulting) Singapore Pte Ltd	ABN Exempt	Global New Products Database (GNPD) access	Online database information retrieval systems	1-Aug-21	31-Jul-24	61,625.00
CN3788376	SON3386051	MLCOA	32141219785	Associated Medical Services	Occupational health or safety services	1-Jul-21	30-Jun-23	60,000.00
CN3775653	SON3490955	Data#3 Limited	31010545267	Fortinet Maintenance (co-termed)	Software maintenance and support	1-Jul-21	30-Jun-22	59,463.83

CN3883738		Optus Networks Pty Limited	92008570330	Plantronics B8200 UC Headsets	Components for information technology or broadcasting or telecommunications	14-Jun-22	13-Jun-23	59,340.60
CN3799422	SON3413842	Nisus Australia Pty Ltd	91622344218	Full Stack Developer	Temporary personnel services	1-Aug-21	31-Jul-22	59,320.80
CN3859841		Australian Government Solicitor	69405937639	Legal Services	Legal services	21-Mar-22	20-Mar-25	57,000.00
CN3839061	SON3541738	Enigma Indigenous Peoples Pty Ltd	52623122458	HP Laptops	Office machines and their supplies and accessories	21-Dec-21	20-Dec-22	56,666.50
CN3823182		Australian Government Solicitor	69405937639	Legal Services	Legal services	6-Oct-21	6-Oct-22	56,000.00
CN3827788		Macquarie Psychology Asia Pacific Pty Lt	29117177741	Candidate Assessments 2021	Personnel recruitment	3-Nov-21	30-Jun-22	55,000.00
CN3823170		Future Women Pty Ltd	84613288403	Future Women Leadership course 2022	Education and Training Services	1-Jan-22	31-Dec-22	52,800.00
CN3783418	SON3490955	Data#3 Limited	31010545267	Enterprise maintenance renewal	Software maintenance and support	1-Jul-21	30-Jun-22	52,556.26
CN3859849		Realtimeboard, Inc. dba Miro	ABN Exempt	Visual Collaboration Platform Licence	Software maintenance and support	12-Mar-22	11-Mar-23	52,153.80
CN3788377	SON3538332	Hays Specialist Recruitment (Australia)	47001407281	Patent Hearings Officer	Temporary personnel services	1-Jul-21	31-Dec-21	51,929.17
CN3840960	SON3413842	INTELLIGENT BUSINESS RESEARCH SERVICES	98107618404	Advisory Services	Management advisory services	5-Jan-22	30-Jun-22	50,820.00
CN3844174	SON3541738	Dell Computer Pty Limited	46003855561	Laptops	Computer Equipment and Accessories	20-Jan-22	30-Apr-22	50,270.00
CN3844176	SON3490955	Sentify Pty Limited	15161854422	Confluence software	Software	31-Jan-22	17-Feb-23	50,035.68
CN3805867		Universal Express	93781631845	Local courier services 2021/2022	Postal and small parcel and courier services	1-Jul-21	30-Jun-23	50,000.00
CN3773490	SON3490955	Amnesium Pty Ltd	63608314978	Citrix Xendesktop and Netscaler Maintenance	Software maintenance and support	1-Jul-21	30-Jun-22	49,415.53
CN3883731		NTT Australia Pty Ltd	65003371239	Cisco Switch with support	Computer hardware maintenance or support	27-May-22	26-May-23	49,317.59
CN3891247		Jones Lang Lasalle (ACT) Pty Ltd	69008585260	Lease Services 2021-2024	Building construction and support and maintenance and repair services	30-May-22	30-Jun-24	48,468.75
CN3886694		Australian Government Solicitor	69405937639	Legal Services	Legal services	20-Jun-22	20-Jun-23	48,000.00
CN3786684		Elsevier B.V	ABN Exempt	Online database information retrieval systems	Online database information retrieval systems	1-Jul-21	30-Jun-22	47,468.34
CN3836449	SON3490955	Data#3 Limited	31010545267	Software Maintenance and Support-Service Desk	Software maintenance and support	21-Dec-21	20-Dec-22	46,150.71
CN3864893		CoreSight Pty Ltd	95104059234	Software Maintenance and Support - SecureEnvoy	Software maintenance and support	13-Apr-22	12-Apr-23	45,518.33
CN3775661		Australian Public Service Commission	99470863260	Business administration services	Business administration services	1-Jul-21	30-Jun-24	45,000.00
CN3850993		Tableau International, U.C.	ABN Exempt	Software maintenance 2022/2023	Software maintenance and support	1-Mar-22	28-Feb-23	45,000.00
CN3859837		ILX Group Pty Ltd	73141075336	Education and Training Services	Education and Training Services	4-Apr-22	8-Apr-22	42,652.50
CN3883737	SON3713272	Optus Networks Pty Limited	92008570330	Mobile Phones	Mobile phones	5-Jun-22	30-Jun-22	41,818.88
CN3833915		SWINBURNE UNIVERSITY OF TECHNOLOGY	13628586699	Training Centre Project	Management advisory services	10-Nov-21	10-Nov-25	40,000.00
CN3859843	SON3622041	Maddocks	63478951337	Legal Services	Legal services	17-Mar-22	17-Mar-23	40,000.00
CN3786687	SON3490955	Data#3 Limited	31010545267	Software Licencing and Support FY21/22	Software maintenance and support	17-Jul-21	16-Jul-22	39,751.25
CN3875561		SITEIMPROVE AUSTRALIA PTY LT	57605418764	Software Maintenance and Support - SiteImprove	Software maintenance and support	1-Jun-22	31-May-23	38,872.10
CN3799424		Australian Government Solicitor	69405937639	Legal Services	Legal services	5-Jul-21	5-Jul-22	38,500.00
CN3823180	SON3648736	Ebsco Australia Subscription Services	51002260602	Subscription - IEEE Enterprise	Online database information retrieval systems	28-Oct-21	28-Oct-22	38,077.90
CN3864886		Altius Group Pty Ltd	87123631676	Wellbeing support program	Human resources services	11-Apr-22	10-Apr-23	38,060.00
CN3823439		GitHub Inc	ABN Exempt	GitHub Enterprise Licence Renewal 2021/22	Software	25-Oct-21	23-Oct-22	37,213.45
CN3859838		Dell Computer Pty Limited	46003855561	Dell Poweredge Support	Software	14-Apr-22	19-May-24	36,960.00
CN3883726	SON3490955	Kirra Services	43205269375	Protection Suite and Cloud protection	Software maintenance and support	19-Jun-22	22-Jun-23	36,037.33
CN3805862		The Hatchery (HUB) Pty Ltd	15641236722	Women in STEM summit FY21/22	Education and Training Services	16-Aug-21	20-Aug-21	34,624.92
CN3875563		Australian Cultivar Registration	37410355117	Australian Cultivar Reg Authority agreement	Business administration services	13-May-22	13-May-23	33,444.55
CN3859847		Excel Consulting Solutions Pty Ltd t/as	88600429212	PowerBI Training	Education and Training Services	8-Mar-22	30-Jun-22	32,810.40
CN3810132	SON3490955	indiGroup Pty Ltd	67638048423	Software and Maintenance Support - Altassian	Software maintenance and support	8-Sep-21	21-Sep-22	32,444.50
CN3779351		Integral Technology Solutions (Pty) Ltd	38097602901	EDB PostGres Enterprise Subscription	Software	1-Jul-21	30-Jun-22	31,460.00
CN3817757	SON3648736	Ebsco Australia Subscription Services	51002260602	Journal and Magazine Subscription	Online database information retrieval systems	1-Jan-22	31-Dec-22	30,000.00
CN3840964		Kensington Software Management Ltd	ABN Exempt	Subscription Services	Software	6-Feb-22	5-Feb-23	28,890.73
CN3844175		Australian Government Solicitor	69405937639	Legal Services	Legal services	10-Jan-22	10-Jan-23	26,090.00
CN3827780		Springer Nature Customer Service Center	ABN Exempt	Online database information retrieval systems	Online database information retrieval systems	1-Dec-21	30-Nov-23	25,714.14
CN3875567	SON3422135	Sonic Healthplus Pty Ltd	39100261265	Pre and Post Deployment Medical Services	Occupational health or safety services	10-May-22	30-Jun-23	25,000.00
CN3850992		Wiley Subscription Services Inc.	ABN Exempt	Online database information retrieval systems	Online database information retrieval systems	1-Mar-22	1-Mar-23	23,700.00
CN3859853	SON3490955	Data#3 Limited	31010545267	Server Software	Software maintenance and support	1-Apr-22	31-Mar-23	23,349.70
CN3854574		Qualtrics LLC	ABN Exempt	Survey Tool	Software	8-Mar-22	7-Mar-23	23,152.50
CN3788375		Intellex Pty Ltd	55054161456	Software Support and Maintenance July-Sept 2021	Software maintenance and support	1-Jul-21	30-Sep-21	22,555.83
CN3817754		Excel Consulting Solutions Pty Ltd t/as	88600429212	PowerBI Training	Education and Training Services	8-Oct-21	22-Oct-21	22,017.00
CN3850990		Executive Intelligence Group Pty Ltd	88088137071	Recruitment Services	Personnel recruitment	19-Jan-22	20-Apr-22	22,000.00
CN3883746		Gowrie NSW	57001894659	Discovery House Garden Refurbishment	Building construction and support and maintenance and repair services	14-Jun-22	30-Jun-22	22,000.00
CN3805861	SON3538332	THINKPLACE AUSTRALIA PTY LTD	56625156845	EL2 Strategy Sessions FY21/22	Education and Training Services	10-Aug-21	30-Jun-22	21,975.00
CN3827795		Dimension Data Learning Solutions	55133222241	Agile project management certification 2021	Education and Training Services	28-Oct-21	28-Dec-21	21,945.00
CN3783417		Department of Education, Skills and	12862898150	LMS Subscription Jun-Dec 2021	Software	1-Jul-21	31-Dec-21	21,914.19
CN3823174	SON3557594	Horizon One Recruitment Pty Ltd	98129885838	Scribing Services - PBR qualitative research 2021	Management support services	18-Oct-21	31-Dec-21	20,648.25
CN3839066		Axway Pty Limited	60102390045	Secure Transport Linux	Software maintenance and support	1-Jan-22	31-Dec-22	20,395.85
CN3779354		OXFORD UNIVERSITY PRESS	ABN Exempt	Online Library Resources	Online database information retrieval systems	1-Jul-21	30-Jun-24	20,262.30
CN3775656		Hearne Scientific Software Pty Ltd	34171098934	ChemDraw Professional Licence	Software	7-Jul-21	6-Jul-22	20,240.00
CN3875560		NSW Business Chamber Limited	63000014504	Management Advisory Services	Management advisory services	9-May-22	30-Sep-22	20,075.00
CN3833920		GBG ANZ Pty Ltd	67111307361	Document Verification system	Business administration services	19-Nov-21	31-Oct-22	20,000.00
CN3875572		Australian Vaccine Services Pty Ltd	16155058585	2022 Flu Vaccinations	Occupational health or safety services	5-Apr-22	30-Jun-22	20,000.00
CN3859839		Ivanti UK Limited	ABN Exempt	Ivanti Service Desk Upgrade and Support Services	Software maintenance and support	1-Apr-22	30-Jun-22	18,290.00
CN3833931		Unearth Analytics Pty Ltd	98628789533	Video production	Telecommunications media services	26-Nov-21	31-Jan-22	18,284.11
CN3833930		The Exhibition Centre Pty Ltd	79611177952	Professional Signage Services	Building construction and support and maintenance and repair services	20-Nov-21	20-Dec-21	18,150.00
CN3859845	SON3490955	Kirra Services	43205269375	Sophos Protection Enterprise	Software maintenance and support	30-Apr-22	29-Apr-23	17,701.20
CN3854580		Hellenic Club of Canberra	44008485523	Function room hire	Hotels and lodging and meeting facilities	26-May-22	30-May-22	17,495.01
CN3823166	SON3622041	Maddocks	63478951337	Legal Services	Legal services	14-Oct-21	13-Oct-22	16,500.00
CN3847870	SON3538332	Capital Recruit Pty Ltd	77600244040	Recruitment Placement	Personnel recruitment	6-Jan-22	30-Jun-22	16,443.43
CN3833917		RELATBL Recruiting Pty Ltd	98129885838	Temporary Personnel Placement Fee	Temporary personnel services	22-Nov-21	22-Nov-22	15,971.33
CN3823172		THINKPLACE AUSTRALIA PTY LTD	56625156845	Facilitated Culture Workshops	Education and Training Services	12-Oct-21	31-Oct-21	15,632.10
CN3833932		Department of Foreign Affairs and Trade	47065634525	Beijing Counsellor Security Upgrades	Building construction and support and maintenance and repair services	17-Nov-21	17-Dec-21	15,181.00
CN3810140		Tailored HR Solutions Pty Ltd as Trustee	55625831706	Work Value Assessments 2021	Management advisory services	20-Aug-21	30-Sep-21	15,000.01
CN3833913	SON3322756	See-Out Pty Ltd	77150521574	IP Rights Register Search Solution	Software maintenance and support	15-Nov-21	30-Jun-22	15,000.00
CN3813415	SON3538332	THINKPLACE AUSTRALIA PTY LTD	56625156845	Collaborative Masterclass	Education and Training Services	30-Aug-21	31-Dec-21	14,938.00
CN3891241		Jones Lang Lasalle (ACT) Pty Ltd	69008585260	Feasibility Assessment Solar Panel Installation	Building construction and support and maintenance and repair services	11-Jan-22	30-Jun-22	14,850.00
CN3854601	SON3557594	Paxus Australia Pty Ltd	35004609616	Recruitment Services	Personnel recruitment	25-Feb-22	30-Jun-22	14,828.00
CN3859851		Jeff Whalan Learning group	81138658429	Membership fee	Education and Training Services	14-Mar-22	14-Mar-23	14,410.00
CN3775655		IBM Australia Limited	79000024733	IBM Software Maintenance	Software maintenance and support	1-Jul-21	30-Jun-22	14,075.60
CN3847868		CATALINK PTY LTD	96620187653	Software	Software	7-Feb-22	6-Feb-23	13,811.61
CN3847873		Lenovo (Australia & New Zealand) Pty Ltd	70112394411	Laptops	Computer Equipment and Accessories	13-Dec-21	13-Feb-22	13,592.04
CN3839064		Thesoco Pty Ltd	87166205287	ShareGate Productivity Licence	Software	17-Dec-21	16-Dec-22	13,530.00
CN3779355		Institute of Public Administration	24656727375	Corporate membership	Education and Training Services	1-Jul-21	30-Jun-22	13,282.50
CN3786696		PAN MACMILLAN AUSTRALIA PTY LTD	28001184014	Macquarie Dictionary Licence FY21/22	Software	1-Jul-21	30-Jun-22	13,282.50
CN3854582		Work Science Pty Ltd	49118332880	Training program development and facilitation	Education and Training Services	1-Feb-22	30-Mar-22	12,848.00
CN3875564		Australian Government Solicitor	69405937639	Legal Services - LEX 5541	Legal services	10-May-22	10-May-23	12,700.00
CN3844177		The Federation of Australian Scientific	71626822845	Science Meets Parliament Sponsorship	Sponsorship of event or celebrity	10-Jan-22	30-Jun-22	12,650.00
CN3883724		SURVEY DESIGN AND ANALYSIS SERVICES PTY.	37051831826	Stata Maintenance	Software maintenance and support	12-Jun-22	11-Jun-23	12,365.00
CN3864898		Waitt Services Australia Pty Ltd	72616762077	Security Zone remediation works 2022	Building construction and support and maintenance and repair services	30-Mar-22	30-Jun-22	11,946.00
CN3833946		Ephox Corporation DBA Tiny Technologies,	ABN Exempt	Subscription Services	Software	29-Sep-21	28-Sep-22	11,939.27
CN3827792		Prime Recognition	ABN Exempt	Software Maintenance and Support	Software maintenance and support	12-Dec-21	12-Dec-22	11,742.41
CN3840961		MTP Services Pty Ltd	61610143863	Subscription Services	Software	3-Feb-22	3-Feb-23	11,721.60
CN3803227		Royal Society of Chemistry	ABN Exempt	Royal Society of Chemistry Select Journal Download Pack	Online database information retrieval systems	1-Jul-21	30-Jun-23	11,603.16
CN3836453		SearchBlox Software, Inc.	ABN Exempt	Software Maintenance and Support	Software maintenance and support	11-Dec-21	10-Dec-22	11,556.35
CN3827789		Jeff Whalan Learning group	81138658429	Learning Group membership	Education and Training Services	25-Oct-21	25-Dec-22	11,440.00
CN3875570		IOP Publishing Ltd	ABN Exempt	Institute of Physics Downloads - credit card	Online database information retrieval systems	20-Apr-22	19-Apr-23	10,887.60
CN3805866	SON3538332	Omni Executive Pty Ltd	31160925413	Recruitment testing review 2021	Human resources services	19-Jul-21	30-Aug-21	10,800.01

CN3859836

Digital Transformation Agency

96257979159

SAP Learning Hub Licences

Software

8-Feb-22

8-Feb-23

10,209.78

NON-CONSULTANCIES AND CONSULTANCIES

This brief provides an overview of the value and expenditure of IP Australia's consultancy and non-consultancy arrangements for the 2021-2022 Financial Year.

KEY POINTS

- Regular confusion occurs between non-consultant and consultant activities. The difference generally depends on the nature of the services and the level of direction and control over the work that is performed to develop the output.
- The Department of Finance (**Finance**) has developed guidance (**Attachment A refers**) that describes the common characteristics of consultancy arrangements. IP Australia relies upon this guidance when determining whether to classify an arrangement as a consultancy.
- IP Australia must use Finance's Management Advisory Services Panel (SON3751667) for consultancies relating to 'Financial Management Advisory Services' (from 12 July 2021), 'Corporate Management Advisory Services' (from 14 February 2022) and 'Commercial Management Advisory Services' (from 11 October 2022).
- In 2021/2022, IP Australia entered into a number of non-consultancy arrangements with The Boston Consulting Group Pty Ltd ABN 70 007 347 131 (BCG), **Attachment B** refers. IP Australia's expenditure with BCG was reported by InnovationAus in an article on their website on the number and value of Commonwealth contracts with BCG.

BACKGROUND

Consultancies

Consultancy Expenditure as reported in the Annual Report

Financial Year	Total number of new consultancies entered into	Total number of consultancies (new and existing)	Total consultancy expenditure (new and existing) [GST Inc]
2021-22	21 ¹	32	\$1,434,433
2020-21	15	32	\$1,533,703

Eleven existing consultancies continued in the 2021-22 Financial year as outlined in **Attachment C, Table 2** (which includes a detailed description of the services procured for the five highest consultancy value procurements). The total value of all existing consultancies continuing in the 2021-22 Financial Year is \$386,860 (GST inc).

Consultancy Value as reported on AusTender

¹ In the 2021-22 Financial Year, IP Australia entered into new consultancy arrangements with 21 suppliers (as reported in the Annual Report). Two of these supplier's had more than 1 consultancy arrangement with IP Australia. Whilst there were 21 new consultants engaged, there were 24 new consultancy arrangements that were entered into during the period.

IP Australia must report contracts and amendments on AusTender within 42 days of entering into (or amending) a contract if they are valued at or above the reporting threshold of \$10,000 (GST Inc).

Attachment C, Table 1 lists the new consultancies entered into in the 2021-22 Financial Year by total value and includes a detailed description of the services procured for the five highest consultancy value procurements. The total value of all new consultancies entered into in the 2021-22 Financial Year is \$2,186,671.34 (GST inc).

Non-Consultancies

The total value of all non-consultancies (295) entered into and reported on AusTender for the 2021-2022 Financial Year is \$109,173,730.16 (GST Inc) (**Attachment D** refers). These non-consultancies consist of the following spend categories:

- temporary personnel services (\$56,134m);
- business administration services (\$706k);
- software maintenance and support (\$6.182m);
- software (\$2.944 million);
- computer hardware, maintenance and support (\$3.947m);
- building construction and maintenance (\$130k);
- lease and property rental (\$1m); and
- other (\$38,127,719.86).

As reported in the Annual Report, there were 177 on-going, non-consultancies in the 2021-22 Financial Year – with a total expenditure of \$52,523,647 (GST Inc).

High Value Non-Consultancies

Further background on the non-consultancy arrangements entered into with The Boston Consulting Group Pty Ltd, is provided at **Attachment B**.

The top five non-consultancies, entered into in the 2021-22 Financial Year are listed in **Attachment D** (along with a description of the services procured).

Non-consultancies entered into in the 2021-22 Financial Year with the ‘Big Four Accounting Firms’ were:

Supplier	Description of Services	Method	Contract Value (GST Inc)	Total expenditure - 2021-22 FY
Deloitte Touche Tohmatsu	Implementation of PMI Cloud and API Platforms: The Supplier is required to build and integrate new patent processing features for business and support the new capabilities as they are released.	Open Tender	\$3,403,125.40	\$2,302,114.67 (GST inc)
Deloitte Touche Tohmatsu	Delivery of Digital Experience Platform to replace GOVCMS and provide a flexible, intuitive and consistent digital experience for IP Australia’s customers.	Open Tender	\$2,032,544.01	\$2,032,544.02 (GST Inc)

Price Waterhouse Coopers Consulting	Provide internal audit services and prepare internal audit reports, attend Audit Committee meetings, provide guidance on assurance activities and best practice activities.	Open Tender	\$391,200.00	\$230,180.21 (GST Inc)
Deloitte Touche Tohmatsu	Managed services support of IP Australia's corporate website and TTIP Attorney website. The Supplier is required to transition the management and support of IP Australia's Sitecore DXP platform back to BAU.	Open Tender	\$318,331.20	\$26,400 (GST Inc)
Deloitte Touche Tohmatsu	The Supplier is required to review IP Australia's IT Operating Model to understand what adjustments are needed to reflect changes in strategy and context; assess how aligned ITG are to the Model defined in 2019 and how to approach key changes to the Model.	Open Tender	\$95,766.00	\$93,120.72 GST Inc)

Non-Consultancies – Temporary Personnel

From 1 July 2021 to 30 June 2022, there were a total of 177 temporary personnel engaged at IP Australia. The total number of temporary personnel, as at the following dates, were:

- 1 July 2021 – 89 contractors;
- 1 September 2021 – 94 contractors;
- 1 December 2021 – 108 contractors;
- 31 March 2022 – 124 contractors; and
- 30 June 2022 - 131 contractors.

Note: The above figures are derived from IP Australia's central time-sheeting system, SAP CATS.

CONTACT OFFICER

Name of Contact Officer:	Jolene Reece	Date brief created: 2 November 2022
Contact Officer number:	47E(d)	Date brief updated: 7 February 2023
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ATTACHMENTS

Attachment A

Department of Finance – Characteristics of Consultancy and Non-Consultancy Arrangements

Attachment B

Recent Non-Consultancy Arrangements with The Boston Consulting Group

Attachment C

Table 1: New consultancies entered into in the 2021-22 Financial Year

Table 2: Ongoing consultancies in the 2021-22 Financial Year – Expenditure

Attachment D

New non-consultancy arrangements entered into in the 2021-22 Financial Year

Attachment A – Characteristics of Consultancy and Non-Consultancy Arrangements

The table below outlines the key characteristics of consultancy and non-consultancy arrangements. This information is available on the Department of Finance’s website.

Characteristics of consultancy contracts	Characteristics of non-consultancy contracts (only some may apply)
<p>Nature of Services</p> <ul style="list-style-type: none"> • Involves specialist professional knowledge or expertise that may not be maintained in-house. • There is a need for independent research or assessment. • Involves development of an intellectual output, e.g. research, evaluation, advice, and recommendations, to assist with entity decision-making. <p>Involves a one-off task, a set of tasks or irregular tasks (making employment of permanent staff impractical or undesirable).</p>	<p>Nature of Services</p> <ul style="list-style-type: none"> • Services performed are the day-to-day duties of the entity – e.g. a recruitment firm providing personnel to fill a temporary vacancy for a personal assistant, or in a program area. The skills required to perform the services would normally be maintained within the entity. <p>Involves professional or expert services to implement an existing proposal or strategy – e.g. training specialists to deliver training in line with an existing strategy.</p>
<p>Direction and Control</p> <ul style="list-style-type: none"> • Performance of the services is left largely up to the discretion and professional expertise of the consultant. • Performance is without the entity’s direct supervision. • The output reflects the independent views or findings of the individual or organisation. • The output is being produced for the entity. <p>The output may not belong to the entity.</p>	<p>Direction and Control</p> <ul style="list-style-type: none"> • Services are performed under supervision of the entity. The entity specifies how the work is to be undertaken and has control over the final form of any resulting output. • Professional or expert services provided under non-consultancy contracts are generally delivered without a high level of supervision and direction from the entity, however, the output produced will not necessarily represent the independent views of the service provider – i.e. the entity controls the form of the output. • The output is being produced on behalf of the entity. <p>The output is generally regarded as an entity product.</p>
<p>Integration or Organisation Test</p> <p>Work performed is an accessory to the entity’s business.</p>	<p>Integration or Organisation Test</p> <p>Work is an integral part of the entity’s business.</p>
<p>Use of Equipment and Premises</p> <ul style="list-style-type: none"> • The Consultant provides their own equipment. <p>The Consultant may work from their own premises for some or all of the assignment.</p>	<p>Use of Equipment and Premises</p> <ul style="list-style-type: none"> • The entity provides all equipment and supplies. <p>The Contractor will usually be engaged to work in the entity’s premises.</p>
<p>Remuneration</p> <p>Consultancy payments are usually made when agreed milestones are reached or when a task or project is completed.</p>	<p>Remuneration</p> <p>Remuneration is based on the time worked, usually calculated on an hourly rate.</p>

Attachment B – Recent Non-Consultancy Arrangements with The Boston Consulting Group

IP Australia has recently engaged The Boston Consulting Group Pty Ltd ABN 70 007 347 131 (BCG) for the following services:

Contract Number	Term of Contract	Scope of services/role	Total Contract Price
C2022/11102	October 2022 to November 2022	TM Embed training and development services post-transition	\$1,100,000 (GST Inc)
C2022/10527	June 2022 to October 2022	Build and test the beta of TM Embed and to progress the sustainable innovation model for IP Australia in the form of IPAVentures	\$4,900,000 (GST Inc)
C2021/10516	February 2022 to July 2022	Minimum viable definition and alpha build	\$2,864,000 (GST Inc)
	November 2021 to May 2022	Design and piloting of innovation operating model	\$2,035,000 (GST Inc)
C2021/10092	May 2021 to June 2021	High level blueprint for implementation of venture type models	\$522,500 (GST Inc)

Background

- A world leading IP system requires IP Australia to continually test whether its current suite of offerings and services are still relevant for a changing economy, changing roles/responsibilities and changing customer preferences.
- A sustainable innovation model is needed to explore and implement new opportunities that are emerging or that involve more than just enhancing existing activities.
- An Approach to Market process was undertaken to procure the services of a supplier to develop, test and embed a sustainable innovation model within IP Australia and to help build the necessary capability to run such a model in the future. Three responses were received: BCG, Ernst & Young and PricewaterhouseCoopers Consulting (Australia) Pty Ltd.
- On 14 October 2021, the Director General provided approval to engage BCG (following the Approach to Market process) to develop a sustainable innovation model for IP Australia (C2021/10516 refers).
- On 1 December 2021, IP Australia and BCG entered into a work order under the Department of Infrastructure, Transport, Regional Development and Communications Infrastructure Advisory Services Panel SON3438903 (**IAS Panel**) for BCG to assist IP Australia to mature its innovation capability and to enable and embed a sustainable innovation operating model so that IP Australia can explore and execute new opportunities.
- The work order required BCG to design an Innovation Operating Model and to run a pilot to test innovative ideas and proposals (**Phase 1 and 2 Services**). The pilot sought to develop an investment case for 1-2 concepts that IP Australia could build in a later phase (**Phase 3 Services**). Only Phase 1 and 2 Services were required to be delivered under the December 2021 work order. The work order for Phase 1 and 2 Services states that if Phase 3 were to proceed (ramping up the Innovation Operating Model to full operation), the parties would enter into a new work order, based on the fees quoted by BCG in the original Approach to Market process.
- Through the work order for the Phase 1 and 2 Services, the pilot innovation sprint developed the concept for TM Embed. TM Embed seeks to support small and medium enterprises in engaging with the trade mark registration process by embedding an accessible and engaging

prompt in the form of an AI-aided availability check for trade marks within the logical sequence of the business lifecycle through third party services and platforms.

- On 14 February 2022, IP Australia and BCG entered into a new work order for some of the Phase 3 Services, to define and build the alpha version of a Minimum Viable Product identified and selected as part of the Phase 2 Services (i.e. TM Embed). These Phase 3 Services were a continuation of the Phase 1 and 2 Services and therefore form part of the same procurement process as the Phase 1 and 2 Services. The maximum work order value for the two work orders executed for the Phase 1 and 2 and Phase 3 Services was \$4,899,000 (GST Inc).
- On 31 May 2022, the Director General provided approval for IP Australia to enter into a procurement arrangement and work order with BCG to build and test the beta version of TM Embed, transition TM Embed to IP Australia and to enable BCG to progress IP AVentures as an operating innovation model. Via the resulting work order (C2022/10527), BCG was required to embed the innovation operating model within IP Australia, take the alpha version of TM Embed (developed under C2021/10516) and build a beta version that could be delivered to IP Australia if approval was provided by the Director General and IP Australia's Venture Board. BCG was also required to set-up TM Embed entity operations, including providing recruitment activity support.
- IP Australia has established a dedicated team to manage and improve the TM Embed product, which has now transitioned to IP Australia to manage. To equip this team with the necessary skills to successfully deliver on the objectives of this product, a new procurement arrangement (C2022/11102) was entered into with BCG, so BCG could provide training and development to the TM Embed team to ensure the team has the necessary capabilities to drive the product forward, meet IP Australia's goals and deliver positive outcomes for our customers. This procurement has been conducted via Open Tender in accordance with the Digital Transformation Agency's Digital Marketplace Panel SON 3413842.

Procurement Method

- Whilst BCG has been engaged via panel arrangements (i.e. Open Tender), even if there were no suitable panel arrangements available, clause 10.3(g) of the Commonwealth Procurement Rules permits IP Australia to conduct a procurement above the procurement threshold via limited tender where '*a relevant entity procurements a prototype or a first good or service that is intended for limited trial or that is developed at the relevant entity's request in the course of, and for, a particular contract for research, experiment, study or original development*'.

Value for Money

The following value for money arguments were made in support of the above procurement activities:

- BCG's original proposal provided a rigorous but flexible project approach that was reflective of the experimental and exploratory nature of the services, with due regard to IP Australia's operating and strategic environment;
- BCG provided a large number of specified personnel with significant experience to deliver the services;
- BCG has demonstrated experience in customer-facing product delivery and in delivering innovation models;
- TM Embed has the potential to deliver significant benefits to IP Australia and Australian small businesses;
- It would be difficult for another supplier to develop a competitive proposal - particularly given the exploratory and experimental nature of the services and the background BCG has acquired. Had IP Australia sought to engage another supplier for these services, IP Australia would need to spend considerable time and resources to bring the supplier 'up to speed';

- Whilst the service fees are significant, the services to be delivered are complex. For example:
 - Handing over the management of TM Embed and the Innovation Operation Model to IP Australia to operate on an on-going basis;
 - Developing a governance structure for TM Embed, creating job descriptions for TM Embed roles and supporting recruitment processes; and
 - Conducting qualitative research and analysis, developing a product roadmap, building and deploying working software, building AI models, assessing latent business demand for products, developing pathways for funding and securing beta partners.
- IP Australia did not have the skills or capability to develop TM Embed ‘in-house’; and
- BCG were able to meet IP Australia’s ambitious timeframes.

TM CHECKER PRODUCT AND CAPABILITY UPLIFT

SUBJECT / ISSUE

IP Australia engaged Boston Consulting Group to assist with developing a sustainable innovation model for the agency, with a significant learning by doing component resulting in the TM Checker product.

KEY POINTS

- IP Australia’s vision is to have a world leading IP system that builds prosperity for Australia. In order to be world leading, we need to experiment and try new things, and go beyond what we have tried before.
- Some of this experimentation is about pushing ourselves as an agency to build new capabilities and to apply approaches new to world and new to us, such as AI and semantic search.
- All experimentation involves a degree of risk, and so we need to build our capabilities to manage and navigate those risks. This is not always easy for the public sector.
- IPA has tried this in the past with great ideas that withered and died because we didn’t have the right staff and institutional capability. We worked up an anti-counterfeiting “Trust Badge” which the NRL is delighted with, but which has not been developed with savvy private sector product development principles. We did not want to let this happen again. So we tendered for a product development innovation lab, with significant staff capability uplift, and BCG (and BCG DV) were the best value for money in the procurement process.
- BCG Digital Ventures (now BCG X) are a firm with a proven track record of helping private sector actors introduce and build a ventures. Partnering with them has helped us to build a playbook for a sustained and repeatable process to uncovering new opportunities and building a product to address them.
- The first product, ‘TM Checker’ is a streamlined AI-assisted check for trade marks that can be incorporated with third party must-use business services (e.g. Amazon, MYOB, ATO, ABR) to reach small businesses. Not every small business needs a trade mark, however our research has indicated that many small businesses initially believe that it is either too complex, costly, or cumbersome. Instead we need to ensure they make an active decision about whether it is right for them.
- So, TM Checker was selected as an innovation fast-track project candidate because:
 - Small businesses need to consider whether or not a trade mark is appropriate for them (especially with e-commerce). Businesses with a trade mark enjoy a range of benefits including:
 - SMEs that own IP rights on average employ 2.5 times as many people as their peers with no IP rights and pay a higher median wage.
 - After filing for an IP right, SMEs are 16% more likely to experience high employment growth than their peers with no recent filings.
 - SMEs that file for patents, trade marks and design rights are more than 2 times more likely to achieve high turnover growth than their peers with no recent filings.
 - It is estimated that a trade mark may benefit or be suitable for over 700k registered small to medium enterprises. From this, only about 28k (or less than 5%) currently have one or more trade marks.
 - The aim of TM Checker is to massively increase accessibility to the IP rights system for the people who would most benefit. It does this by helping businesses to decide whether to pursue one, and if their preferred trade mark is available at the right time in their business development, and for free.

- IPA cannot reach these 700K+ businesses by ourselves. By partnering with third party must-use business services, the TM Checker product will increase awareness of the trade marks system by reaching small businesses at touch points most relevant to their stage of the business cycle.
 - Importantly it will help spread the key message, that firms with a trade mark are more profitable and more likely to succeed in overseas markets.
 - The process of rapid, venture based innovation is a significant learning for IPA as these skills are rare in the APS. It furthers IP Australia's efforts to build staff capability putting our customers at the centre in future products and digital investments.
- User testing has revealed the significant potential of the TM Checker product to help ensure that IP Australia's trade marks are inclusive and accessible. By making it easier for potential users to check the availability of a potential trade mark, and giving confidence about the process and the steps involved, TM Checker can help to empower small businesses to make a considered decision about what is right for them and their business journey. For instance, research with small businesses has shown:
 - Participants assumed that trade marks are time and cost intensive and expected that trade marks would be expensive (\$1000 - \$10,000) and require a lawyer due to complexity
 - Goods and services classes for trade marks are seen as complex with participants finding it difficult to understand the concept of 'goods and services' classes, and many gave up once they couldn't find their specific classes
 - A general lack of confidence in the process, with participants unsure whether they would be able to get a trade mark or not, due to a lack of feedback, leading them to hesitate and drop off.
 - TM Checker has helped with this by providing:
 - Immediate feedback from the trade mark check: As one user said in user research, "This is so great and simple. I now know whether or not I can go ahead." (Vidhita, SME participant)
 - Semantic search making it easy to search goods and services classes: As another user said, "I found what I was looking for, it seemed pretty easy." (Gavin, SME participant)
 - Process transparency, making it easier for users to know the timeline of the application process and clarifying the two part pricing structure - "Ah yes, I like that the process is broken down like this." (Dave, SME participant).
 - Other early feedback about the product has included:
 - "I just paid a lawyer to do my trade mark. I wish I knew about this earlier, it so easy!" (Stani, SME participant)
 - "This was really simple. I'm going to refer this to my business clients in the future." (Gavin, SME participant)
 - "Love that it's so user friendly. It's so easy to read, and it's step by step like a recipe" (Amy, SME participant).
- We assessed TM Checker in September 2022 against a range of criteria and found merit in ongoing investment and support.
 - Partnerships – 8 partners of varying types had been secured, including some key anchor partners such as business.gov.au. Feedback from partners has been consistently positive about the value of this product for their customers/users/stakeholders. Further conversations are happening with several interested groups. We have launched with a further 13 partners since then.
 - Trade mark awareness – trade mark availability checks were on target, with 3,485 checks having been completed using the tool between May and September. In addition, in the alpha and beta periods, 88 applications had been filed from TM Checker.
 - AI performance – while this is a complex area, the incubation period showed real progress in lifting performance across all the relevant dimensions of ensuring relevant results, and leading to acceptance rates for trade mark applications at least on par with self-filing through TM Headstart, suggesting that risks have been managed with plenty of room for improvement as the technology matures.
 - User experience/user interface – demonstration of a strong conversion rate and high customer satisfaction score.

- Product strategy – along with a roadmap, a range of new use cases and potential benefits of the product were identified and scoped.
- Transition – a team was put in place with the necessary capabilities to run with the product going forward. TM Checker has moved from incubation to pilot, and is now a standalone dedicated team within the agency’s Customer Experience Group.
- Since being in pilot, the tool has now had over 24,000 checks performed on it, just counting those checks coming from traffic external to IP Australia’s website, and over 680 trade mark requests lodged. The tool is continuing to be developed and its capabilities improved, and a decision about whether to take it out of pilot will be made soon.
- A new product such as this will take time to mature, but based on the evidence thus far we have confidence that the TM Checker tool could grow to be of significant benefit. With ongoing development, we expect it will have significant reach in accessing and helping the currently under-served audience of small and medium enterprises, and help more of them make a deliberate decision about whether a trade mark would be beneficial for them. We also hope to help more small businesses avoid potential costs from rebranding or litigation or concerns about trade mark infringement that can come from not thinking about their trade mark strategy early on.
- At scale we hope to process more applications without increasing processing costs, paying for the investment over time.
- We have had a number of ongoing discussions with the trade mark attorney profession regarding this product. Our approach with TM Checker builds on earlier practices – such as self-filing and the TM Headstart program and previous attempts to assist customers with advanced search functionality – however, we appreciate that some still have questions about the product. Ultimately, TM Checker is about making our internal processes as transparent as possible, to ensure that those seeking to register a trade mark are as informed as possible as to the relevant trade marks already on the register. We will have ongoing discussions with the trade mark attorney profession, as well as other interested stakeholders, as we continue to iterate and evolve the product and its underlying capabilities.
- The work with BCG (and BCG Digital Ventures) allowed IP Australia to rapidly test, research and develop a new approach to serving our customers, bringing new thinking and new skills that can be leveraged for the benefit of the IP Rights system. It has combined:
 - A disciplined and rigorous approach for innovation, including ideation and prioritisation, as well as turning ideas into reality through a structured stage gated incubation process, providing a replicable process and methodologies that can be applied in the future
 - Deep expertise and appreciation of the customer perspective, including a research approach for exploring, testing and understanding user and customer needs in new areas
 - Extensive on the job training and capability building of IP Australia staff through a real-world practical and applied innovation and incubation process
 - Ongoing reflection and capturing of real time learning through artefacts such as diary studies, replicable processes and applied methods (e.g. use cases, quantifying customer experience dimensions, hypothesis validation, product strategy)
 - Regular showcases to share learning and demonstrate different ways of working to the wider organisation
 - Advice and support to build the necessary governance and institutional components for a sustainable innovation approach that can be responsible and judicious in the use of resources.
- The capability uplift has been demonstrated across IP Australia’s core competency framework:
 - Agility and innovation:
 - Venturing approach to keeping momentum in ambiguity
 - Ideation methodology and stimulus
 - Ways of working, mindset

- Customer centric:
 - Methodology introduced around ethnography, user-testing (qualitative research)
 - Methodology introduced around quantitative research and lean tests
 - Data literacy:
 - Creating a collaborative model between data scientists and examiners
 - Using product analytics tools to test hypotheses and gain insights.
 - Engage with risk:
 - Using stage-gates and clear upfront KPIs to measure success
 - Managing downside risks through thoughtful guardrails and staging
 - Iterative product launches for learning
 - People, network and self-leadership:
 - Team alignment and priority management with Kanban and timeboxed stand-ups
 - Creating psychological safety and continuous improvement with retrospectives.
- Ongoing work is being done from an enterprise change management perspective to embed these lessons and capabilities and to explore how other parts of the learning, including mindset, culture and perspective, can be captured and embedded on an ongoing basis.
 - The attributes, value and ‘how to’s’ of each of the key tools, approaches and methods that were used are being captured and shared across the agency. Workshops using the tools are being run with other teams, and a number of areas have already started to adopt and integrate some of these new ways of working into their business-as-usual operations.
 - The IPA Ventures team within the agency has embarked on a second innovation process to explore what new opportunities could be explored by the agency. This second round is looking at how to ensure that the agency and its operation remains fit for purpose in a rapidly changing technological and economic landscape,
 - The two areas currently being tested and validated relate to:
 - How might we ensure quality of the IP rights system is maintained in a world where the IP landscape is potentially fragmenting? (e.g. with the introduction of the metaverse)
 - How might we recognise non-economic values in how IP is enforced? (i.e. are there levers in the IP system that can be used to better leverage particular types of IP?)
 - With an annual ICT project budget at approximately 10% of revenues, IP Australia is always looking to innovate in the way ICT investments can bring value for customers and help to grow the Australian economy through our role in the administration of IP Rights.

CONTACT OFFICER

Name of Contact Officer:	Alex Roberts	Date brief created: 5 July 2022
Contact Officer number:	(02) 47E(d)	Date brief updated: 14 February 2023
Name of Clearance Officer:	Doug Pereira	
Clearance Officer number:	(02) 6283 2048 47E(d)	

IP Australia Staffing – 31 December 2022

ISSUE

This brief provides an overview of IP Australia’s employee numbers including workforce location. Also included are headline figures from IP Australia’s 2022 APS Census results.

KEY POINTS

- 23.3 per cent of IP Australia employees have Out Posted telework arrangements, with working locations in each state and territory. 60.3 per cent of employees are also accessing Regular telework arrangements, working between home and their designated office location (Discovery House or MIPO). The remaining 16.4 per cent are office-based workers.
- IP Australia’s Employee Engagement and Wellbeing index scores have remained at 73 per cent and 75 per cent respectively, and we continue to see positive results in employee wellbeing in 2022.

BACKGROUND

Headcount, FTE and ASL

As of 31 December 2022, IP Australia had a total of 1,178 APS employees (ongoing & non-ongoing), and 139 contractors (10 per cent of total workforce).

IP Australia has primarily ongoing employees, representing 87 per cent of our total workforce.

Table 1: Headcount by engagement type

	Ongoing	Non-ongoing	Contractor	Total
Headcount	1,143	35	139	1,317
Percentage of total workforce	87%	3%	10%	

Full-time Equivalent (FTE) (excluding contractors) was 1,142.1, showing 10.5 per cent of employees undertaking part-time work arrangements.

Average Staffing Level (ASL) cap is 1,100. Actual ASL in December 2023 was 1,105.20 (difference of 5.2).

Table 2: Headcount by gender work arrangements

	Female		Male		Non-binary	
	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time
ACT	426	95	555	18	2	0
VIC	26	8	45	2	1	0
Total	452	103	600	20	3	0

- First Nations Peoples currently represent 1.3 per cent of our total employee profile.
- People with a disability represent 3.5 per cent of our total employee profile.

APS Workforce Position Locations – 31 December 2022

As per APSED reporting requirements all positions are required to be allocated to an agency office. All Melbourne Intellectual Property Office (MIPO) employee's positions are identified, and all other positions are allocated to IP Australia's home office (Discovery House)

Table 3: IP Australia – APS employment type by position location

Position Location	Ongoing	Non-ongoing	Total	%
Discovery House	1063	33	1096	93%
MIPO	80	2	82	7%
Total	1143	35	1178	

Table 4: IP Australia – Gender by position location

Position Location	Female	Male	Non-binary	Total
Discovery House	521	573	2	1096
MIPO	34	47	1	82
Total	555	620	3	1178
%	47.1%	52.6%	0.3%	

APS Teleworking Details – 31 December 2022

The employee's teleworking type is sourced from their completed Aurion Teleworking Form and the default teleworking type is Office Based/Ad Hoc worker for all new employees.

Working location is based on teleworking type and an employee's home address details as follows:

If Teleworking Type is...	And Home Address State is...	Then Working Location is...
Office Based/Ad Hoc or Regular Teleworker	ACT or NSW	Discovery House
Office Based/Ad Hoc or Regular Teleworker	VIC	MIPO
Office Based/Ad Hoc	NOT ACT, NSW or VIC	their Home Address State
Out Posted Worker	Not Applicable	their Home Address State

Table 5: IP Australia – Teleworking Agreement by Working Location

Working Location	Office Based/Ad Hoc	Out Posted Worker	Regular Teleworker	Total
Discovery House	166		655	821
MIPO	27		55	82
ACT		24		24
NSW		84		84
NT		2		2
QLD		72		7
SA		24		24
TAS		7		7
VIC		45		45
WA		17		17
Total	193	275	710	1,178

Table 6: IP Australia – Teleworking Agreement by Working Location (percentage of agency total headcount)

Working Location	Office Based/Ad Hoc	Out Posted Worker	Regular Teleworker	Total
Discovery House	14.1%		55.6%	69.7%
MIPO	2.3%		4.7%	7%
ACT		2%		2%
NSW		7.1%		7.1%
NT		0.2%		0.2%
QLD		6.1%		6.1%
SA		2%		2%
TAS		0.6%		0.6%
VIC		3.8%		3.8%
WA		1.4%		1.4%
Total	16.4%	23.3%	60.3%	

Table 7: IP Australia – Teleworking Agreement by Gender

Gender	Office Based/Ad Hoc	Out Posted Worker	Regular Teleworker	Total
Female	76	112	367	555
Male	115	163	342	620
Non-binary	2	0	1	3

More than 83 per cent of IP Australia employees are accessing formal telework arrangements; either working all of their ordinary hours from home as an Out Posted worker or working between home and the office as Regular Teleworkers.

For the 60 per cent of employees that are Regular Teleworkers, there is an almost even split between male and female identifying employees, indicating employees, regardless of their gender, feel there is equal access to flexible working arrangements.

Table 8: IP Australia – Teleworking Agreement by Gender (percentage of agency total headcount)

Gender	Office Based/Ad Hoc	Out Posted Worker	Regular Teleworker
Female	6.5%	9.5%	31.2%
Male	9.8%	13.8%	29%
Non-binary	0.2%	0.0%	0.1%

IP Australia’s 2022 APS Census Results

IP Australia has maintained high results in engagement and wellbeing and made improvements in innovation. 56 per cent of employees feel inspired to produce new or better ways of doing things (improved by six percentage points).

There is high level of awareness of how employees’ roles contribute and align with APS overarching outcome.

Table 9: IP Australia – Census Highlight Report

Index	Score
Employee Engagement	73%
Enabling Innovation	67%
Wellbeing Policies and Support	75%

Table 10: IP Australia – Census Highlights

Highlights	Score
Staff who understand how their role contributes to achieving an outcome for the Australian public	93%
Staff happy to go the extra mile at work when required	90%
Staff who agree IP Australia supports and actively promotes an inclusive workplace culture	87%

CONTACT OFFICER

Name of Contact Officer:	Matthew Parker	Date brief created: 31 January 2023
Contact Officer number:	47E(d)	Date brief updated: - 13 February 2023
Name of Clearance Officer:	Doug Pereira Chief Financial Officer and General Manager, Finance and People Services Group	
Clearance Officer number:	(02) 6283 2048	
Division or Agency:	IP Australia	

PROCUREMENT REPORTING

Procurement encompasses the whole process of procuring goods and services. Irrespective of the size or nature of the procurement, officials must seek to achieve value for money in accordance with the Commonwealth Procurement Rules (CPRs).

IP Australia officials conduct procurements in accordance with the Accountable Authority Instructions and operational guidelines which are consistent with the CPRs.

KEY POINTS

- AusTender is the Australian Government's procurement information system which publishes contracts awarded and future procurement opportunities.
- IP Australia complies with the procurement policy framework of AusTender, including contract reporting requirements, Annual Procurement Plans (APPs) and reporting consultancies and confidentiality clauses.
- All procurement contracts (including consultancies) are reported on AusTender with the exception of non-procurement contracts (i.e. grants) which are reported on an agency's website. IP Australia does not enter into any grant agreements.

AusTender Reporting Requirements

Annual Procurement Plans

APPs provide information on significant procurements IP Australia plans to undertake over the coming 12 months. The CPRs require entities to maintain a current APP to draw supplier's early attention to potential procurement opportunities. There are no Open Tenders currently planned.

Contracts and Entity Arrangements

IP Australia must report contracts and amendments on AusTender within 42 days of entering into (or amending) a contract if they are valued at or above the reporting threshold of \$10,000 (GST inc).

Note: The 'Non-Consultancy and Consultancy' paper lists all new procurements entered into in the 2021-22 financial year, as reported on AusTender.

Procurement Method

Limited Tender

A limited tender involves an entity approaching one or more potential suppliers to make submissions when the process does not meet the rules for open tender.

In the 2021-2022 Financial Year, IP Australia entered into 132 limited tender arrangements valued at \$23,971,695.77, of which 42 of those arrangements were valued at or above \$80,000 (GST inc) or above.

IP Australia's Limited Tender Report for 1 July 2021 - 30 June 2022 is provided at **Attachment A.**

Senate Order

The Senate Order report includes a list of reported contracts valued at or above \$100,000 (GST inc) and that were active during the relevant period.

The Senate Order is produced at the conclusion of two reporting periods each year, the financial year and calendar year. IP Australia's Senate Order report for the 2021-2022 is publicly available on AusTender.

Indigenous Procurement Policy (IPP)

The Indigenous Procurement Policy requires agencies to first consider whether an Indigenous business (any business that is 50 per cent or more Indigenous owned) can supply the required goods or services, before approaching any other potential suppliers. The IPP applies to all procurements between the value of \$80,000 and \$200,000 (GST inc) and procurements in a remote location.

IP Australia must comply with annual IPP portfolio volume and value targets. The 2021-22 targets require that 3% of Industry portfolio contracts (by number - 75) and 1.5% of the value of eligible Industry portfolio contracts (\$6.48 million) must be awarded to Indigenous businesses each financial year.

IP Australia's IPP report for 1 July 2021-30 June 2022 is provided at **Attachment B**.

CONTACT OFFICER

Name of Contact Officer:	Jolene Reece	Date brief created: 7 February 2023
Contact Officer number:	47E(d)	Date brief updated: 7 February 2023
Name of Clearance Officer:	Doug Pereira	
Clearance Officer number:	(02) 6283 2048 / 47E(d)	

ATTACHMENTS

Attachment A: Limited Tender Report: 1 July 2021 - 30 June 2022

Attachment B: Indigenous Procurement Policy Report: 1 July 2021 - 30 June 2022



Australian Government
Department of Industry,
Science and Resources

Senates Estimates Information

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PARLIAMENT
OF AUSTRALIA

HEARING PROGRAM

Supplementary Estimates 2022–23 Economics Legislation Committee

Wednesday 15 February & Thursday 16 February 2023
Committee Room 2R1, Parliament House, Canberra

Times listed are indicative only



Hearing location

Committee Room 2R1,

Parliament House, Canberra

Waiting room: Committee Room 2R2

Overflow waiting room: Committee Room 1S1



Committee members

Senator Jess Walsh (Chair)

Senator Andrew Bragg (Deputy Chair)

Senator Deborah O'Neill

Senator Jana Stewart

Senator Nick McKim

Senator Dean Smith



Broadcasts of proceedings

Television channel 109

Radio 98.3

https://www.aph.gov.au/News_and_Events/Watch_Parliament

Ministers attending

Senator the Hon Katy Gallagher, Minister for Finance

Senator the Hon Tim Ayres, representing the Minister for Industry and Science and representing the Minister for Resources



Contact

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Secretariat

Mr Alan Raine, Committee Secretary

Ms Taryn Morton, Estimates Officer

Ms Tegan Scott, A/g Principal Research Officer

Ms Rachel Benzie, Senior Research Officer

Ms Ashlee Hill, Senior Research Officer

Ms Joti Saini, Administrative Officer

Committee rooms

Committee Room 2R1: (02) 6277 2986

Committee Room 2R2: (02) 6277 2270

Wednesday, 15 February

Treasury Portfolio

9.00am (120)	Department of the Treasury Macroeconomic Group Corporate and Foreign Investment Group (Incl. Foreign Investment Division) (Including the Treasury Secretary)
11.00am	Break (15)
11.15am (90)	Reserve Bank of Australia
12.45pm	Lunch (60)
1.45pm (60)	Australian Prudential Regulation Authority
2.45pm (90)	Australian Competition and Consumer Commission
4.15pm	Break (15)
4.30pm (90)	Markets Group
6.00pm (60)	Revenue, Small Business and Housing Group Australian Taxation Office Tax Practitioners Board Australian Charities and Not-for-Profit Commission
7.00pm	Dinner (60)
8.00pm (45)	(Cont.) Revenue, Small Business and Housing Group Australian Taxation Office Tax Practitioners Board Australian Charities and Not-for-Profit Commission
8.45pm (30)	Fiscal Group Job Summit and Employment White Paper Task Force
9.15pm	Break (15)
9.30pm (45)	Productivity Commission
10.15pm (45)	Australian Bureau of Statistics
11.00pm	Adjournment

Thursday, 16 February

Treasury Portfolio

9.00am (60)	Australian Securities and Investments Commission
10.00am (30)	Australian Reinsurance Pool Corporation
10.30am (30)	Australian Small Business and Family Enterprise Ombudsman
11.00am (30)	National Housing Finance and Investments Corporation
11.30am	Break (15)

Industry, Science, and Resources Portfolio

11.45am (30)	Department of Industry, Science and Resources Corporate
12.15pm (45)	Outcome 1: Support economic growth, productivity, and job creation for all Australians by investing in science, technology and commercialisation, growing innovative and competitive businesses, industries and regions, and supporting resources. Program 1.3: Supporting a strong resources sector Minerals and Resources Oil and Gas Australian Radioactive Waste Agency (ARWA)
1.00pm	Lunch (60)
2.00pm (135)	Outcome 1: Cont. Program 1.3: Supporting a strong resources sector (Cont.) Minerals and Resources Oil and Gas Australian Radioactive Waste Agency (ARWA)
4.15pm	Break (15)
4.30pm (60)	National Offshore Petroleum Safety and Environmental Management Authority
5.30pm (30)	Australian Nuclear Science and Technology Organisation
6.00pm (30)	Outcome 1: (Continued) Program 1.1: Investing in science, technology, and commercialisation National Measurement Institute Science Technology and Digital Questacon Chief Scientist Commercialisation
6.30pm (30)	IP Australia

7.00pm	Dinner (60)
8.00pm (60)	<p>Outcome 1: (Continued)</p> <p>Program 1.2: Growing innovative and competitive businesses, industries and regions</p> <ul style="list-style-type: none"> Manufacturing and National Reconstruction Fund (NRF) Industry Growth Sovereign Capability and Supply Chains Anti -Dumping Commission Australian Building Codes Board Industry Innovation and Science Australia Australian Space Agency
9.00pm (60)	Commonwealth Scientific and Industrial Research Organisation
10.00pm	Adjournment

**GOVERNMENT GUIDELINES FOR OFFICIAL WITNESSES
BEFORE PARLIAMENTARY COMMITTEES AND
RELATED MATTERS**

Department of the Prime Minister and Cabinet

Canberra

February 2015

**GOVERNMENT GUIDELINES FOR OFFICIAL WITNESSES
BEFORE PARLIAMENTARY COMMITTEES AND
RELATED MATTERS – FEBRUARY 2015**

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1. INTRODUCTION

1.1. Application and scope of the *Guidelines*

1.1.1. The *Guidelines* are designed to assist departmental and agency officials, statutory office holders and the staff of statutory authorities in their dealings with the parliament. The term ‘official’ is used throughout the *Guidelines*; it includes all persons employed by the Commonwealth who are undertaking duties within a Commonwealth department or agency (whether employed under the *Public Service Act 1999* or other legislation) and those in government business enterprises, corporations and companies. It is recognised, however, that the role and nature of some statutory office holders and their staff will require the selective application of these *Guidelines*, depending on the individual office holder’s particular statutory functions and responsibilities (see [section 2.9](#)).

1.1.2. Contractors and consultants to departments and agencies and other individuals who are invited to give evidence to a parliamentary committee will also find these *Guidelines* useful.

1.1.3. While the *Guidelines* apply primarily to the preparation of submissions and the giving of oral evidence, parts 7 to 11 cover certain other matters related to the parliament. The *Guidelines* should also generally apply to submissions to and appearances before other public inquiries, such as royal commissions, and to the preparation and presentation of speeches by officials in their official capacity (for further information on the involvement of APS employees in public information initiatives, see *APS Values and Code of Conduct in Practice: a guide to official conduct for APS employees and agency heads* (section 1: Relationship with the Government and the Parliament), published by the Australian Public Service Commission).

1.2. Powers of the parliament

1.2.1. There are obligations and protections that govern anyone who volunteers or is required to provide information to the parliament. These obligations and protections flow primarily from the Constitution and the *Parliamentary Privileges Act 1987*, supplemented by privilege resolutions adopted by both the Senate and the House of Representatives and by the Standing Orders of both houses. While very rarely called upon, the parliament has the power to impose penalties for contempt (see [sections 5.1 and 5.2](#) on parliamentary privilege and contempt of parliament below).

1.2.2. The *Guidelines* detail obligations and protections, providing references and links to primary documents.

1.3. Accountability

1.3.1. A fundamental element of Australia's system of parliamentary government is the accountability of the executive government to the parliament. Ministers are accountable to the parliament for the exercise of their ministerial authority and are responsible for the public advocacy and defence of government policy. Officials are accountable to ministers for the administration of government policy and programmes. Officials' accountability regularly takes the form of a requirement for them to provide full and accurate information to the parliament about the factual and technical background to policies and their administration.

1.3.2. The most common ways that officials will be required to answer directly to the parliament is through submissions to and appearances before committees. They may also be required to support ministers' accountability by, for example, drafting answers to parliamentary questions, advising a minister during the debate on legislation in the parliament or assisting a minister in responding to an order by one of the houses to produce documents.

1.3.3. The Guidelines are intended to assist in the freest possible flow of information to the parliament.

1.4. Types and powers of committees

1.4.1. Parliamentary committees may be established by the Senate, the House of Representatives, jointly by the two houses or by legislation. They have either an ongoing role (statutory and standing committees) or are established for a specific purpose (select committees).

1.4.2. Appearance as a witness before a Senate legislation committee conducting hearings into the Appropriation Bills (i.e. Senate estimates hearings) is the most common situation in which officials will appear before a parliamentary committee.

1.4.3. The functions and powers of parliamentary committees derive from enabling statutes, resolutions or the standing orders of the houses. Committees are generally established and empowered, among other things, to:

- (a) seek submissions and documents and invite persons to give evidence in relation to matters under consideration
- (b) summon witnesses and require the production of documents in relation to those matters.

1.4.4. The operations of joint statutory committees are governed by the relevant legislation (e.g. the *Public Accounts and Audit Committee Act 1951*, the *Public Works Committee Act 1969* and the *Australian Security Intelligence Organisation Act 1979*). Select committees are governed by the resolutions which establish them.

1.5. Types of witnesses

1.5.1. Officials can make submissions and appear as witnesses in an official capacity or in a personal capacity. Within these two broad categories there are distinctions that affect the clearance of submissions, selection of witnesses and preparation for appearances before committees. Depending on the nature of the inquiry that the committee is undertaking, the same officials can fall into either or both of these categories.

Official witnesses

1.5.2. Most often, officials will make submissions or appear before committees as representatives of their departments or agencies to explain the administration and implementation of government policies and programmes. For those witnesses, the Guidelines provide details of procedures for the clearance of submissions, choice of witnesses and consultation ahead of committee hearings.

1.5.3. There are circumstances, however, where those procedures would not be appropriate. On occasion witnesses may choose or be required to give personal accounts of events or conduct that they have witnessed. This situation can arise in the course of any committee hearing but will most often arise when a committee is inquiring into a particular event and the accounts of individual witnesses are required to allow the committee to ascertain the facts surrounding the event. In such cases, witnesses must not have requirements placed upon them that might deter them from giving evidence or cause them to feel constrained about the nature or content of their evidence. [Part 3](#) of the *Guidelines* provides information about the approach to be adopted in cases where witnesses have had direct involvement in or have direct knowledge of events under inquiry.

1.5.4. It is, of course, possible that the same person may appear to explain the way that a particular programme is administered and to provide an account of an event that may have occurred in the administration of the programme.

Personal witnesses

1.5.5. Officials may also make submissions and appear as witnesses in a personal capacity. Guidance on contributions by officials appearing in a personal capacity is in [Part 6](#).

2. PRELIMINARIES TO A COMMITTEE INQUIRY

2.1. Requests for written material and attendance

2.1.1. Without providing an exhaustive list, requests for submissions to or for the attendance of an official at a committee hearing in an official capacity may be made to one of the following:

- (a) the relevant minister
- (b) the relevant departmental secretary or agency head
- (c) an official who previously appeared before the committee in relation to the matter being considered
- (d) an official who has been identified by a committee as a person who could assist the committee in establishing facts about a particular event

2.1.2. There are exceptions to these formal requests e.g. for Senate estimates committees hearings.

2.1.3. Committees often advertise publicly for written submissions from interested persons and organisations.

2.1.4. A witness may first be invited to give evidence or produce documents, but a committee has the power to summon a witness if it considers circumstances warrant such an order. This is a rare occurrence, however, and departments are requested to bring any cases of an official receiving a summons to the attention of the Department of the Prime Minister and Cabinet (see [Part 11](#) for contacts).

2.2. Preparation of submissions

2.2.1. If appropriate, departments and agencies making formal submissions should provide them in a written form; subsequent oral evidence would, if required, be based on the written submission but could also encompass other matters.

2.3. Matters of policy in submissions

2.3.1. Submissions:

- (a) should not advocate, defend or canvass the merits of government policies (including policies of previous Commonwealth governments or state or foreign governments)
- (b) may describe those policies and the administrative arrangements and procedures involved in implementing them

- (c) should not identify considerations leading to government decisions or possible decisions unless those considerations have already been made public or the minister authorises the department to identify them
- (d) may, after consultation with the minister, and especially when the government is encouraging public discussion of issues, set out policy options and list the main advantages and disadvantages, but should not reflect on the merits of any judgement the government may have made on those options or otherwise promote a particular policy viewpoint.

2.4. Clearance of submissions by minister

2.4.1. Submissions should be cleared to appropriate levels within the department or agency, and normally with the minister, in accordance with arrangements approved by the minister concerned.

2.4.2. Where a committee seeks comments on the merits of government policies, it is for ministers to respond by making written submissions, by appearing personally or arranging for ministers representing them to appear personally, or by inviting committees to submit questions on policy issues in writing.

2.4.3. [Part 3](#) provides guidance in relation to officials giving evidence of personal knowledge of or involvement in events. [Part 6](#) covers evidence given in a personal capacity.

2.5. Declining to make a submission

2.5.1. There may be occasions where a department is requested by a committee to make a submission and considers it inappropriate to do so e.g. where the issue being examined is administered by another department. In such cases it would be appropriate for the departmental secretary or agency head, or the official to whom a request was addressed, to write to the committee advising that the department does not intend to make a submission. If a committee persists with its request for a written submission, the department or agency may wish to seek the minister's views.

2.6. Requests for more time to prepare evidence

2.6.1. If the notice is considered insufficient, the minister (or the department on the minister's behalf) may ask a committee for more time to prepare evidence. The Senate resolutions provide for a witness to be given reasonable notice and an indication of the matters expected to be dealt with (Senate resolution 1.3).

2.7. Confidentiality of submissions and draft reports of committees

2.7.1. The release of submissions and the receipt of draft committee reports without the authority of a committee is prohibited by the *Parliamentary Privileges Act 1987* and may be judged as a contempt of the parliament. (See [sections 5.1 and 5.2.](#))

2.7.2. It is sometimes necessary for the executive government to draw on contributions from various departments and agencies in order to provide accurate and comprehensive information. In such cases, draft submissions must be circulated between relevant agencies. The final submission may be made available to contributing departments and agencies at the time the submission is sent to the committee. Once forwarded to a committee, however, written submissions are confidential until the committee authorises their release or publication (see Senate Standing Order 37, House of Representatives Standing Order 242). Material in submissions may be used for other purposes, but the actual submission must not be published without the committee's approval.

2.7.3. Similarly, a draft report of a committee prepared for its own consideration is the property of the committee and must not be received or dealt with except with the committee's authority. If an official receives a draft report, it should be returned promptly to the committee through the committee secretary, either directly or by returning it to the individual who provided it, who should be informed of the requirement to return it.

2.8. Choice of witnesses

2.8.1. A minister may delegate to a departmental secretary or agency head the responsibility for deciding the officials most appropriate to provide the information sought by a committee. It is essential that the officials selected have sufficient knowledge and authority to be able to satisfy the committee's requirements. Where the matter before the committee involves the interests of several departments or agencies, it would be appropriate to inform the committee secretary (after consulting the other departments or agencies) so the committee can arrange for other witnesses to appear if required.

2.8.2. Where a committee specifically requests an official to appear and the official is unavailable or the department considers it more appropriate that another official appear, it is desirable to advise the committee in advance and indicate the reason e.g. that another official or another department is now responsible for the matter in question. That course is likely to be inappropriate if the specified official has direct knowledge of an event under inquiry (see [paragraph 1.5.3](#) and [Part 3](#)).

2.9. Official witnesses from statutory authorities

2.9.1. Both Houses regard statutory office holders and the staff of statutory authorities as accountable to the parliament, regardless of the level of ministerial control of the authority. Most of them should comply with the usual rules about canvassing the merits or otherwise of policies. However, a number of statutory office holders and authorities, particularly those

with statutory responsibilities for promoting good practice in particular fields or protecting the interests of individuals or groups, may provide comment to committees on policies relevant to their areas of responsibility to the extent that the functions of their office properly permit that role. In doing so, they should take care to avoid taking partisan positions.

2.10. How to prepare as a witness

2.10.1. All witnesses should be thoroughly prepared for hearings. Preparation should include ensuring familiarity with probable lines of questioning by discussion with the committee secretariat or by examining Hansard (for parliamentary questions and previous, related inquiries) and other sources, including the media. Officials who have not previously attended committee hearings should be briefed on the requirements and should consider training offered by the Australian Public Service Commission and by the Departments of the Senate and the House of Representatives. Senior officials should satisfy themselves, as far as possible, that all witnesses are capable of giving evidence in a professional manner.

2.11. Senate and House of Representative resolutions

2.11.1. All officials appearing before Senate committees should also make themselves aware of the Senate resolutions relating to the rights of witnesses (Senate resolutions 1.1-1.18) and matters which may be treated as a contempt of the Parliament (Senate resolutions 3 and 6.1-6.16). Officials appearing before the House of Representatives Committee of Privileges and Members' Interests should be aware of the resolution adopted by the House on 25 November 2009 in relation to the protection of witnesses.

2.12. Consultation with ministers ahead of hearings

2.12.1. The extent of consultation with ministers when preparing for hearings may vary depending on the committee and capacity in which a witness is appearing. For Senate estimates committee hearings, it is usual for officials to provide the minister, or the minister's representative in the Senate, with a list of significant matters on which the department or agency is likely to be questioned and with copies of briefing if the minister wishes. Regardless of the type of committee, witnesses should alert the minister before a hearing if it is likely that a claim of public interest immunity (PII) will be required (see [sections 4.4 to 4.11](#)). In most cases, ministers should also be given advance notice by officials of likely requests for the hearing of evidence in camera (see [section 4.12](#)), although official witnesses who will give personal accounts of an event (see [Part 3](#)) are under no obligation to indicate that they intend to request an in camera hearing.

3. OFFICIALS GIVING EVIDENCE OF EVENTS OR CONDUCT

3.1.1. Parliamentary committees are occasionally established to inquire into particular events. Officials whose personal accounts of events or conduct are relevant to the inquiry should prepare themselves for the hearing in much the same way as officials appearing in a representative capacity (see [section 2.10](#)) by, for example, considering what questions might be asked, reviewing files and contemporaneous notes about the event and attempting to recall their experiences as exactly as possible. While these witnesses may choose to advise the minister or the departmental or agency executive before making a submission or attending a hearing, they should not be required to do so, nor should they be required to clear the content of their submissions or intended evidence.

3.1.2. An official who is appearing in relation to a particular event should, like all official witnesses, be aware that they might need to restrict the evidence they give (see [section 4.2](#)). It is possible, for example, that certain information relevant to an inquiry should properly remain confidential (see [sections 4.4 to 4.11](#)). In this situation, the official should discuss the proposed evidence with senior officials familiar with the subject matter so as to ascertain whether the minister should be given an opportunity to consider making a PII claim in respect of the information.

3.1.3. Officials giving evidence about particular events are entitled to request that their submissions and oral evidence remain confidential. This may be appropriate if the subject matter of the inquiry or the proposed evidence is inherently confidential (e.g. if it is related to defence capabilities and a PII claim is not being made), if the evidence would be damaging to personal reputations, or if the witness does not wish his or her identity to be made public.

3.1.4. Officials who intend to give evidence about their personal experiences or observations should be careful, if they discuss their intended evidence with other officials or potential witnesses, to avoid creating the perception that they are trying to influence those other witnesses or being influenced by them.

3.1.5. As indicated in [paragraph 1.5.4](#), it is possible for the same official to be required to give evidence to the same inquiry both to explain the way a programme is administered and to provide an account of an event that might have occurred in the administration of the programme. In such cases, the witness needs to follow the appropriate clearance procedures for evidence relating to his or her evidence as a representative of the department or agency, while at the same time avoiding inappropriate processes in preparing to give evidence about his or her personal knowledge of the event or conduct in question.

4. CONDUCT OF HEARINGS BY COMMITTEES

4.1. General Principles

4.1.1. As indicated above ([paragraph 1.3.3](#)), it is intended, subject to the application of certain necessary principles, that there be the freest flow of information between the public sector and the parliament. To that end, officials should be open with committees and if unable or unwilling to answer questions or provide information should say so and give reasons. It is also incumbent upon officials to treat parliamentary committee members with respect and courtesy. Officials who consider that a question or statement made by a committee member reflects unfairly on them can seek assistance from either the minister or the committee chair. (See also [section 5.7](#) on Right of Reply.)

4.2. Limitations on officials' evidence

4.2.1. There are three main areas in which officials need to be alert to the possibility that they may not be able to provide committees with all the information sought or may need to request restrictions on the provision of such information. These are:

- (a) matters of policy
- (b) material that may be the subject of a PII claim
- (c) information where in camera evidence is desirable.

4.3. Matters of policy in oral evidence

4.3.1. It is not the role of an official witness to give opinions on matters of policy. It is the role of an official witness to speak to any written submission provided to the committee and to provide, in answer to questions, factual and background material to assist the understanding of the issues involved. The detailed rules applying to written submissions also apply to oral evidence. Not all restrictions necessarily apply to statutory officers (see [section 2.9](#)).

4.3.2. The Senate resolutions (see [section 2.11](#)) provide that, "an officer of a department of the Commonwealth or of a State shall not be asked to give opinions on matters of policy, and shall be given reasonable opportunity to refer questions asked of the officer to superior officers or to a Minister" (resolution 1.16).

4.3.3. Senate resolutions also prescribe the procedure by which a witness may object to answering "any question put to the witness" on "any ground" (resolution 1.10). This would include the ground that the question requires the witness to give an opinion on a matter of policy contrary to Senate resolution 1.16. In such a situation an official may ask the person chairing the committee to consider whether questions which fall within the parameters of policy positions are in order.

4.3.4. If an official witness is directed to answer a question that goes to the merits of government policy and has not previously cleared the matter with the minister, the official should ask to be allowed to defer the answer until such clearance is obtained. Alternatively, it may be appropriate for the witness to refer to the written material provided to the committee and offer, if the committee wishes, to seek elaboration from the minister or to request that the answer to a particular question be reserved for submission in writing.

4.4. Public interest immunity

4.4.1. While the parliament has the power to require the giving of evidence and the production of documents, it has been acknowledged by the parliament that the government holds some information which, in the public interest, should not be disclosed.

4.5. Claims to be made by ministers

4.5.1. Only ministers, or in limited circumstances statutory office holders, can claim that information should be withheld from disclosure on grounds of PII. However, committees, and especially Senate estimates committees, receive most of their evidence from officials, and it is officials who are most likely in the first instance to be asked to provide information or documents that might be the subject of a PII claim. Officials need in particular to be familiar with the Senate Order of 13 May 2009 on PII claims (see [Attachment A](#)).

4.5.2. It is important that the public interest is not inadvertently damaged as a result of information or documents being released without a proper assessment of the possible consequences. Officials who consider that they have been asked to provide information or a document (either by way of a submission or in a hearing) that might properly be the subject of a PII claim should either:

- (a) advise the committee of the grounds for that belief and specify the damage that might be done to the public interest if the information or document were disclosed; or
- (b) ask to take the question on notice to allow discussion with the minister. A committee would be expected to allow an official or minister at the table to ascertain the portfolio minister's views on the possible release of the information or document or seek further advice on whether a PII claim was warranted.

4.5.3. If a minister concludes that it would not be in the public interest to disclose the information or document, a statement should be provided to the committee setting out the ground for that conclusion and specifying the harm to the public interest that could result from the disclosure of the information or document.

4.5.4. Where practicable, decisions to claim PII should take place before hearings, so that the necessary documentation can be produced at the time. The normal means of claiming PII is by way of a letter from the minister to the committee chair. The Department of the

Prime Minister and Cabinet should be consulted on the appropriateness of the claim in the particular circumstances and the method of making the claim.

4.5.5. Before making a claim of PII, a minister or, in appropriate circumstances, a statutory office holder, might explore with a committee the possibility of providing the information in a form or under conditions which would not give rise to a need for the claim (including in camera, see [section 4.12](#)).

4.6. Grounds for a PII claim

4.6.1. There are several generally accepted grounds on which a minister or, in appropriate circumstances, a statutory office holder, may rely when claiming PII. For example, PII claims may be made in relation to information and documents the disclosure of which would, or might reasonably be expected to:

- (a) damage Australia's national security, defence or international relations
- (b) damage relations between the Commonwealth and the States
- (c) disclose the deliberations of Cabinet (other than a decision that has been officially published)
- (d) prejudice the investigation of a possible breach of the law or the enforcement of the law in a particular instance
- (e) disclose, or enable a person to ascertain, the existence or identity of a confidential source or information, in relation to the enforcement or administration of the law
- (f) endanger the life or physical safety of any person
- (g) prejudice the fair trial of a person or the impartial adjudication of a particular case
- (h) disclose lawful methods or procedures for preventing, detecting, investigating, or dealing with matters arising out of breaches or evasions of the law, the disclosure of which would, or would be reasonably likely to, prejudice the effectiveness of those methods or procedures
- (i) prejudice the maintenance or enforcement of lawful methods for the protection of public safety.

4.6.2. The Senate Order of 13 May 2009 made it clear that committees will not accept a claim for public interest immunity based only on the ground that the document in question has not been published, is confidential, or is advice to or internal deliberations of government; a minister must also specify the harm to the public interest that may result from the disclosure of the information or document that has been requested. Further advice on the Senate Order and PII claims is at [Attachment A](#).

4.6.3. If a minister concludes that a PII claim would more appropriately be made by a statutory office holder because of the independence of that office from ministerial direction or control, the minister should inform the committee of that conclusion. A statutory office holder might, for example, consider the disclosure of particular information would be likely to have such a substantial adverse effect on the proper and efficient conduct of the operations of his or her agency that it would be contrary to the public interest to disclose that information.

4.7. Classified documents

4.7.1. Documents, and oral information relating to documents, having a national security classification of ‘confidential’, ‘secret’ or ‘top secret’ would normally be within one of the categories in [paragraph 4.6.1](#), particularly [sub-paragraph 4.6.1\(a\)](#). If, however, a document bearing such a classification is to be provided to a committee, an official should seek declassification of the document in accordance with relevant government policies. (Note that it does not follow that documents without a security classification may not be the subject of a PII claim. Nor does it follow that classified documents may not in any circumstances be produced. Each document should be considered on its merits and, where classified, in consultation with the originator.)

4.8. Legal professional privilege and legal advice

4.8.1. Legal advisers owe a duty to their clients not to disclose the existence or content of any advice. It would therefore be inappropriate for any official who has provided legal advice to government, who has obtained advice from an external lawyer or who possesses legal advice provided to another agency, to disclose that advice. All decisions about disclosure of legal advice reside with the minister or agency who sought and received that advice. The Attorney-General or the Attorney-General’s Department must always be consulted about disclosure of constitutional, international and national security legal advice.

4.8.2. If asked by a committee, it will generally be appropriate for an official to disclose whether legal advice had been sought and obtained on a particular issue and, if asked, who provided the advice and when it was provided, unless there are compelling reasons to keep that information confidential. Where an official has been asked a question about the content of legal advice, it may be appropriate to advise the committee that such information might properly be subject to a public interest immunity claim and refer the question of disclosure to the responsible minister as outlined in [paragraph 4.5.2](#).

4.8.3. While it has not been the practice for the government’s legal advisers to provide advice to parliamentary committees, situations may arise during a hearing where a committee asks an official a question which amounts, in effect, to a request for legal advice. Officials should provide committees with such information as they consider appropriate, consistent with the general understanding that the Government’s legal advisers do not provide or disclose legal advice to the parliament, and consistent more generally with these Guidelines.

(It may be, for example, that officials are in a position to explain in general terms the intended operation of provisions of Acts or legal processes, particularly where this reflects the settled government view on the matter.)

4.9. Freedom of information (FOI) legislation

4.9.1. The *Freedom of Information Act 1982* (FOI Act) establishes minimum standards of disclosure of documents held by the Commonwealth. The FOI Act has no application as such to parliamentary inquiries, but it may be considered a general guide to the grounds on which a parliamentary inquiry may reasonably be asked not to press for particular information. The converse also applies. Any material which would be, or has been, released under the FOI Act should (with the knowledge of the minister in sensitive cases or where the minister has a particular interest or has been involved) be produced or given to a parliamentary committee, on request. However, officials should bear in mind that, because of the Executive's primary accountability to the parliament, the public interest in providing information to a parliamentary inquiry may be greater than the public interest in releasing information under the FOI Act. In addition, the ability to provide information and documents to the parliament on a confidential basis might provide scope to release information that would not be appropriate for release under the FOI Act (see [section 4.12](#)). For a more detailed understanding of the exemption provisions, refer to the FOI Act and separate guidelines on its operation issued by the Australian Information Commissioner and the FOI Guidance Notes issued by PM&C (references and links to these documents are in [Part 12](#)).

4.10. Commercial-in-confidence material

4.10.1. There is no general basis to refuse disclosure of commercial information to the parliament, even if it has been marked 'commercial-in-confidence'. The appropriate balance between the interests of accountability (i.e. the public interest in disclosing the information) and appropriate protection of commercial interests (i.e. the public interest in the information remaining confidential) should be assessed in each case.

4.10.2. A Senate order, adopted on 30 October 2003, states that, 'the Senate and Senate committees shall not entertain any claim to withhold information from the Senate or a committee on the grounds that it is commercial-in-confidence, unless the claim is made by a minister and is accompanied by a statement setting out the basis for the claim, including a statement of any commercial harm that may result from the disclosure of the information.'

4.10.3. As a general guide, it is inappropriate to disclose information which could disadvantage a contractor and advantage competitors in their business operations. Further information about the circumstances in which a PII claim based on commercial-in-confidence information might legitimately be made, and about information that would normally be disclosed, is at [Attachment B](#).

4.10.4. A department or agency receiving commercial information on the basis of undertakings of confidentiality does not automatically preclude release of that information to

the parliament. Agencies should consider where, on balance, the public interest lies as part of their advice to the minister and may wish to seek the views of any person or organisation to whom undertakings were given about the possible release of the document.

4.10.5. In most cases, the sensitivity of commercial-in-confidence material diminishes with time and this should be taken into account when assessing the public interest balance.

4.10.6. As with any other PII claim, a claim around commercial-in-confidence information should be supported by reference to the particular detriment that could flow from release of the information.

4.11. Secrecy provisions in legislation

4.11.1. Some Commonwealth legislation contains secrecy provisions that protect certain information from disclosure except to specified persons or in specified situations. Examples include s.37(1) of the *Inspector-General of Taxation Act 2003*, which protects information relating to a taxpayer's affairs; s.86-2 of the *Aged Care Act 1997* which protects information obtained under or for the purposes of that Act; and s.187(1) of the *Gene Technology Act 2000* which limits the provision of commercial-in-confidence information.

4.11.2. The existence of secrecy provisions in legislation does not provide an automatic exemption from providing information to the parliament unless it is clear from the provision that a restriction has been placed on providing information to a committee or a House of the parliament (section 37 of the *Auditor-General Act 1997* is an example). The fact that the parliament has included secrecy provisions in legislation suggests, however, that an official may be able to put to a committee a satisfactory case for not providing requested information, at least in public hearings. If the official's case is not accepted by the committee and the official remains concerned about providing the information, it would be open to the responsible minister to make a PII claim in the manner outlined in [sections 4.4 to 4.10](#).

4.11.3. In some instances it might be possible to meet a committee's request by removing information that identifies individuals.

4.11.4. Officials may wish to seek legal advice when a request for information covered by secrecy provisions is pressed by a committee.

4.12. In camera evidence

4.12.1. Witnesses may seek a committee's agreement to give evidence in a private session (i.e. in camera). Senate estimates committees, however, must conduct hearings in public.

4.12.2. It would be unusual for an official witness to seek to give evidence in camera, but it may be necessary in situations where:

- (a) a case could be made for a PII claim but the minister considers, on balance, that the public interest lies in making information available to the committee;

- (b) similar or identical evidence has previously been given in camera to other hearings of the committee or other committees of the parliament and has not been made public.

4.12.3. Requests for an in camera hearing would normally be made by the minister or by a witness after consultation with the minister and departmental secretary or agency head. Such consultation might not be appropriate, however, in the case of officials giving evidence of events or conduct, as described in [Part 3](#).

4.12.4. It is important to be aware that committees (or the Senate or House of Representatives) are able to decide that evidence taken in camera or provided in confidential submissions should be published. Committees would usually inform a witness before publication, and possibly seek concurrence, but there is no requirement for that to occur.

4.12.5. If a committee seeks an official witness's concurrence to publish in camera evidence, the witness should ask the committee for time to allow him or her to consult the minister or the departmental secretary or agency head (noting that this may not be necessary if the witness is appearing in a personal capacity – see [Part 6](#)).

4.13. Requests for evidence ‘off the record’

4.13.1. There is no category of ‘off the record’ provision of information to a committee and officials should not offer to brief committees or members in this way. In the event that an official is asked to provide information to members of a committee ‘off the record’ or in any manner that would not appear to be covered by parliamentary privilege, the official should request a postponement until the minister can be consulted, unless the possibility has been clearly foreshadowed with the minister and the official has been authorised to provide the information.

4.13.2. Some committees, such as the Joint Committee on Public Accounts and Audit, frequently hold relatively informal, or roundtable, committee hearings. These hearings are usually recorded by Hansard and are in all cases covered by parliamentary privilege.

4.14. Qualifying evidence

4.14.1. During hearings, committees may seek information which could properly be given, but where officials are unsure of the facts or do not have the information to hand. In such cases, witnesses, if they choose not to take the question on notice, should qualify their answers as necessary so as to avoid misleading the committee and, if appropriate, undertake to provide additional or clarifying information. It is particularly important to submit such further material promptly.

4.15. Taking questions on notice

4.15.1. While it is appropriate to take questions on notice if the information sought is not available or incomplete, officials should not take questions on notice as a way of avoiding further questions during the hearing. If officials have the information, but consider it necessary to consult the minister before providing it, they should state that as a reason for not answering rather than creating the impression that the information is not available.

4.16. Written questions and questions taken on notice

4.16.1. Where a committee asks written questions, written replies should be provided through the committee secretary. It is common practice at Senate estimates committee hearings for questions to be taken on notice. Responses should be provided promptly to the minister for clearance so that answers can be lodged with the committee by its deadline. Where answers cannot be provided by the deadline, the committee should be advised when responses are expected to be available.

4.16.2. When the interests of several departments are involved, adequate consultation should take place in preparing material.

4.17. Questions about other departments' responsibilities

4.17.1. It is important that witnesses take care not to intrude on responsibilities of other departments and agencies (see also [paragraph 2.7.2](#)). Where a question falls within the administration of another department or agency, an official may request that it be directed to that department or agency or be deferred until that department or agency is consulted.

5. PROTECTION OF SUBMISSIONS AND WITNESSES

5.1. Parliamentary privilege

5.1.1. The act of submitting a document to a parliamentary committee is protected by parliamentary privilege (subsection 16(2)(b) of the *Parliamentary Privileges Act 1987*). Any publication of the submission other than to the committee, however, is protected by parliamentary privilege only if that publication takes place by or pursuant to the order of the committee, in which case the content of the document is also protected (subsection 16(2)(d) of the Act). The unauthorised disclosure of a document or evidence submitted to a parliamentary committee (that is, a disclosure not authorised by the committee or the House concerned) may be treated as a criminal offence under section 13 of the Act or as a contempt (Senate resolution 6.16.). (See also [section 2.7.](#))

5.1.2. The protection of parliamentary privilege means that a person cannot be sued or prosecuted in respect of the act or the material protected, nor can that act or material be used against a person in legal proceedings.

5.2. Contempt of the parliament

5.2.1. Officials need to be aware that the *Parliamentary Privileges Act 1987* and Senate Resolutions have defined offences against a House. Each House has the power to declare an act to be a contempt of the House and to punish such an act.

5.2.2. The *Parliamentary Privileges Act 1987* creates the following offences in relation to attempts to improperly influence a person about evidence given or to be given:

- (a) a person shall not, by fraud, intimidation, force or threat, by the offer or promise of any inducement or benefit, or by other improper means, influence another person in respect of any evidence given or to be given before a House or a committee, or induce another person to refrain from giving any such evidence (subsection 12(1));
- (b) a person shall not inflict any penalty or injury upon any person, or deprive any person of any benefit, on account of the giving or proposed giving of any evidence, or any evidence given or to be given, before a House or a committee (subsection 12(2)).

5.2.3. As indicated in [paragraph 5.1.1](#) above, section 13 of the *Parliamentary Privileges Act 1987* creates an offence in relation to the disclosure of submissions or evidence without the authority of the parliament or a committee.

5.2.4. The giving of any evidence that a witness knows to be false or misleading is also a contempt (see Senate resolution 6(12)).

5.3. Self incrimination

5.3.1. In general, a witness cannot refuse to answer a question or produce documents on the ground that the answer to the question or the production of documents might incriminate the witness. The exceptions to this are witnesses appearing before the Joint Committee of Public Accounts and Audit or the Parliamentary Standing Committee on Public Works, who are permitted to refuse to give evidence on grounds on which a witness in court is able, including self incrimination.

5.3.2. If concerned about self incrimination, a witness may request that the committee take the evidence in camera (see [section 4.12](#)).

5.4. Access to counsel

5.4.1. A witness may apply to have assistance from counsel in the course of a hearing. In considering such an application, a committee shall have regard to the need for the witness to be accompanied by counsel to ensure the proper protection of the witness. If an application is not granted, the witness shall be notified of reasons for that decision (see Senate resolution 1.14). If an application is granted, the witness shall be given reasonable opportunity to consult counsel during a committee hearing (see Senate resolution 1.15 and p 693 of *House of Representatives Practice* – references and links in [Part 12](#)).

5.4.2. In normal circumstances officials should not need counsel when appearing before parliamentary committees. Should the need arise, however, the Attorney-General's Department should be consulted.

5.5. Publication of evidence

5.5.1. Evidence provided to committees in a public hearing is normally published in the form of a Hansard record.

5.5.2. Authority for the publication of evidence is vested in committees by virtue of ss.2(2) of the *Parliamentary Papers Act 1908*. Evidence taken in camera is confidential and its publication without a committee's consent constitutes a contempt (see s.13 of the *Parliamentary Privileges Act 1987* and Senate resolution 6.16.).

5.6. Correction or clarification of evidence

5.6.1. Witnesses will receive transcripts of their evidence in the days following their appearance. The transcript should be examined promptly to establish whether any evidence needs to be corrected or clarified. On occasions, a witness may become aware of the need for correction or clarification before the receipt of the transcript or, in the case of a written submission, before the commencement of hearings.

5.6.2. Once the need to provide a committee with revised information has been established, it is most important that the committee receive that revised information at the earliest

opportunity. In the case of officials who made submissions or appeared as witnesses in relation to the administration and implementation of government policy (but not necessarily those covered by [Part 3](#)), the departmental secretary or agency head (or senior official who represented the secretary at the hearing) should be informed that revised information is to be provided. Depending on the nature of the correction, it may also be appropriate to inform the minister. Officials need to keep in mind that, while their evidence remains uncorrected or unclarified they are vulnerable to allegations that they have misled a committee.

5.6.3. Supplementary information for a committee should be forwarded to the committee secretary. If uncertain of the most appropriate way to provide a committee with additional or corrected information, officials should seek the guidance of the committee secretary.

5.7. Right of reply

5.7.1. Where evidence taken by a committee reflects adversely on an official, the committee shall provide reasonable opportunity for the official to have access to that evidence and to respond to that evidence by written submission and appearance before the committee (Senate resolution 1(13)).

5.7.2. Officials have the same right as other citizens who have been adversely referred to in a House of the parliament (see Senate resolution 5 and House of Representatives resolution adopted on 27 August 1997 – pp 774-6 of *House of Representatives Practice*). They may make a submission to the President of the Senate or to the Speaker of the House of Representatives requesting that a response be published, and the relevant presiding officer may refer such a submission to the relevant Privileges Committee. The procedures of each House then provide for scrutiny of the submission and for the possibility of it being incorporated in Hansard or ordered to be published.

5.7.3. Officials proposing to exercise their right of reply should inform their departmental secretary or agency head.

6. APPEARANCE IN A PERSONAL CAPACITY

6.1.1. Nothing in these guidelines prevents officials from making submissions or appearing before parliamentary committees in their personal capacity, and the *Parliamentary Privileges Act 1987* makes it clear that an agency has no power to prevent an official from doing so. An official proposing to give evidence in a personal capacity should consult the *APS Values and Code of Conduct in Practice: a guide to official conduct for APS employees and agency heads* (section 1: Relationship with the Government and the Parliament), published by the Australian Public Service Commission. Individual agencies may also have developed advice for their own staff on these matters.

6.1.2. An official giving evidence in a personal capacity might do so in relation to matters entirely unrelated to his or her current or recent responsibilities e.g. an official in the Attorney-General's Department putting forward personal observations or suggestions on aged care accommodation. It would be a matter completely for that official to decide whether to inform either a senior official in his or her own department or anyone in the department responsible for aged care policy. The official should, of course, seek leave to attend the hearing, if necessary.

6.1.3. There is no intention for there to be any restriction arising from these Guidelines on officials appearing before parliamentary committees in their 'personal' capacity. An official so called, however, should pay heed to the guidelines relating to public comment contained in the *APS Values and Code of Conduct in Practice*. As those guidelines emphasise, it is particularly important for senior officials to give careful consideration to the impact, by virtue of their positions, of any comment they might make. Indeed heads of agencies and other very senior officials need to consider carefully whether, in particular cases, it is possible for them realistically to claim to appear in a 'personal' rather than an 'official' capacity, particularly if they are likely to be asked to comment on matters which fall within or impinge on their area of responsibility. An official who is appearing before a committee in a personal capacity should make it clear to the committee that the officer's appearance is not in an official capacity.

6.1.4. An official contemplating giving evidence in a personal capacity in these circumstances might consider discussing his or her intentions with the departmental executive or agency head or other senior officials, as the views that he or she wishes to put forward might be covered in the agency's submission or the evidence of official witnesses. There is, however, no obligation on the official to do so.

6.1.5. An official who gives evidence in his or her personal capacity is protected by parliamentary privilege and must not be penalised for giving that evidence (see [section 5.1](#)).

7. PARTY COMMITTEES

7.1. General issues

7.1.1. Officials may be invited to attend party committees, both government and non-government to, for instance, explain proposed legislation.

7.1.2. Requests for briefing from any party committee should be directed to the minister concerned. It is also open to a minister to initiate proposals for briefing of committees where the minister considers that to be desirable.

7.1.3. Officials will not be expected or authorised to express opinions on matters of a policy or party political nature.

7.1.4. Unlike committees of the parliament, party committees do not have the powers or privileges of parliamentary committees, so officials appearing before them do not have the protection afforded to witnesses appearing before parliamentary committees. Party committee hearings are generally held in private.

7.1.5. Where the minister does not attend the committee proceedings, officials should keep the minister informed of the nature of the discussions and of any matters the officials could not resolve to the committee's satisfaction.

8. REQUESTS FOR INFORMATION FROM NON-GOVERNMENT PARTIES AND MEMBERS OF PARLIAMENT

8.1. Rules at times other than during the caretaker period

8.1.1. Requests for information from members of parliament are usually made to the minister, but direct approaches to officials for routine factual information, particularly on constituency matters, are also traditional and appropriate.

8.1.2. Depending on the nature or significance of a request, an official may judge it appropriate to inform the minister and departmental secretary or agency head of the request and response. Ministers should be informed of any matter which is likely to involve them.

8.1.3. A request should also be referred to the minister if it seeks an expression of opinion on government policy or alternative policies, or would raise other issues of a sensitive nature, or where answering would necessitate the use of substantial resources of the department or agency.

8.1.4. When a request is for readily available factual information, the information should be provided.

8.1.5. Care should be taken to avoid unlawful disclosure of information, for example, unauthorised disclosure of information that is classified or otherwise confidential information such as where a breach of personal privacy or commercial confidentiality could be involved.

8.2. Requests from shadow ministers

8.2.1. Requests from shadow ministers for briefing by officials would normally be made through the appropriate minister and, where this is not the case, the minister should be informed. If the minister agrees to the briefing, it would be normal for him or her to set conditions on the briefing, such as the officials to attend, matters to be covered and whether a ministerial adviser should also be present. These conditions are matters for negotiation between the minister and shadow minister or their offices.

8.2.2. With regard to the substance of such a briefing, officials will not be authorised to discuss advice given to government, such as in Cabinet documents, or the rationale for government policies, or to give opinions on matters of a party political nature. Officials should limit discussions to administrative and operational matters and observe the general restrictions relating to classified or PII material. If these latter matters arise, officials should suggest that they be raised with the minister.

8.2.3. Where a ministerial adviser is not present, it would be usual for officials to advise the minister of the nature of matters discussed with the shadow minister.

8.3. Special rules for pre-election consultation with officials during the caretaker period prior to an election

8.3.1. On 5 June 1987 the government tabled in the parliament specific guidelines relating to consultation by the Opposition with officials during the pre-election period. These guidelines, which are almost identical to the guidelines first tabled on 9 December 1976, are as follows:

- (a) The pre-election period is to date from three months prior to the expiry of the House of Representatives or the date of announcement of the House of Representatives election, whichever date comes first. It does not apply in respect of Senate only elections.
- (b) Under the special arrangement, shadow ministers may be given approval to have discussions with appropriate officials of government departments. Party leaders may have other members of parliament or their staff members present. A departmental secretary may have other officials present.
- (c) The procedure will be initiated by the relevant Opposition spokesperson making a request of the minister concerned, who is to notify the Prime Minister of the request and whether it has been agreed.
- (d) The discussions will be at the initiative of the non-government parties, not officials. Officials will inform their ministers when the discussions are taking place.
- (e) Officials will not be authorised to discuss government policies or to give opinions on matters of a party political nature. The subject matter of the discussions would relate to the machinery of government and administration. The discussions may include the administrative and technical practicalities and procedures involved in implementation of policies proposed by the non-government parties. If the Opposition representatives raise matters which, in the judgement of the officials, call for comment on government policies or expressions of opinion on alternative policies, the officials should suggest that the matter be raised with the minister.
- (f) The detailed substance of the discussions will be confidential but ministers will be entitled to seek from officials general information on whether the discussions kept within the agreed purposes.

9. APPEARANCES BEFORE THE BAR OF A HOUSE OF PARLIAMENT

9.1.1. Only in exceptional circumstances would an official be summoned to the bar of a House of the parliament and each case would need individual consideration.

9.1.2. As a general rule, it would be appropriate for these guidelines to be followed insofar as they apply to the particular circumstances.

10. REQUESTS RELATING TO INQUIRIES OF STATE AND TERRITORY PARLIAMENTS

10.1.1. Commonwealth officials may receive a request to appear before or make a submission to a state or territory parliamentary inquiry. In considering the appropriate response, officials should be aware that it would be rare for Commonwealth officials to participate in such inquiries.

10.1.2. However, there may be cases where, after consulting the minister about the request, it is considered to be in the Commonwealth's interests to participate. Officials should not participate in any state or territory parliamentary inquiry without consulting the minister.

10.1.3. Where additional guidance is required regarding appearances before state or territory inquiries or if an official is summoned to appear at such an inquiry, advice should be sought from the Department of the Prime Minister and Cabinet, the Attorney-General's Department, and the Australian Government Solicitor or the agency's legal service provider¹.

¹ Use of a legal service provider must be consistent with the Legal Service Directions issued by the Attorney-General under the *Judiciary Act 1903*.

12. REFERENCES

12.1.1. The following material is available to assist officials in their contact with parliament:

- (a) [Odgers' Australian Senate Practice](#), 13th Edition, Canberra, 2012.
- (b) [House of Representatives Practice](#), Sixth Edition, Canberra, 2012.
- (c) [Procedures to be observed by Senate Committees for the Protection of Witnesses](#).
Department of the Senate.
- (d) [Procedures for the protection of witnesses before the Committee of Privileges and Members' Interests](#). Resolution adopted by the House of Representatives on 25 November 2009.
- (e) [Standing Orders and other orders of the Senate](#), July 2014.
- (f) [House of Representatives Standing and Sessional Orders](#) (and Resolutions) as at 14 November 2013.
- (g) [Appearing Before Parliamentary Committees](#), Legal Practice Briefing No. 29, 1996, Australian Government Solicitor.
- (h) [How to make a submission to a Senate or Joint Committee inquiry](#). Department of the Senate.
- (i) [Preparing a submission to a Parliamentary Committee Inquiry](#). Department of the House of Representatives, 2011.
- (j) [Notes for the Guidance of Witnesses Appearing before Senate Committees](#).
Department of the Senate.
- (k) [Appearing as a witness at a Parliamentary committee hearing](#). Department of the House of Representatives, 2011.
- (l) [Outline of the Inquiry Process](#). Department of the House of Representatives, 2011.
- (m) [Parliamentary Privileges Act 1987](#)
- (n) [Public Accounts and Audit Committee Act 1951](#)
- (o) [Public Works Committee Act 1969](#)
- (p) [APS Values and Code of Conduct in practice](#). Australian Public Service Commission, 2009.
- (q) [Reports of the Senate Committee of Privileges](#), including the Committee of Privileges *1966-96 History, Practice and Procedures (76th Report)*.

- (r) [Reports of the House of Representatives Committee of Privileges and Members' Interests.](#)
- (s) [Guidelines on exemption provisions of the *Freedom of Information Act 1982*.](#) Australian Information Commissioner 2011.
- (t) [FOI Guidance Notes.](#) Department of the Prime Minister and Cabinet, July 2011.

ATTACHMENT A

Claims of public interest immunity

See also [sections 4.4 to 4.11](#) in the *Guidelines*

On 13 May 2009, the Senate passed an Order setting out the process for making claims of public interest immunity (PII) in committee proceedings. A copy of the order is attached ([Attachment A1](#)).

2. The Senate Procedure Committee reviewed the operation of the Order in August 2009. A copy of the Procedure Committee's [report](#) can be downloaded from the Parliament of Australia website.
3. Officials who are expected to appear at estimates and other parliamentary committee hearings need to be familiar with the requirements of the Order and the grounds for claiming public interest immunity as set out in the Guidelines.
4. The process for claiming public interest immunity described in the Order is largely consistent with the process that is set out in [sections 4.4 to 4.11](#). While the Guidelines explain the process for making public interest immunity claims to protect against the disclosure of information or documents at committee hearings, it has been relatively uncommon in practice for officials appearing as witnesses at committee hearings, particularly estimates hearings, to be asked to provide copies, for example of departmental briefs to ministers. The Order of 13 May 2009 makes it seem more likely that officials and ministers will be asked to provide information or documents of this kind at Senate committee hearings, including estimates hearings, than has been the case in the past.

Summary of advice

5. It is important that the public interest is not inadvertently damaged as a result of information or documents being released without a proper assessment of the possible consequences. Accordingly, if an official is asked to provide information or documents to a Senate committee:
 - if the official is satisfied that its disclosure would not harm the public interest, he or she should advise the minister that the material can be provided;
 - if the official is satisfied that the disclosure of the material would damage the public interest, he or she should advise the committee that the material cannot be provided and explain how its disclosure would damage the public interest; and
 - if the official is uncertain whether the disclosure of the material would damage the public interest, he or she should take the question on notice.

The grounds for claiming public interest immunity and the process for making such a claim at estimates hearings are set out below.

Grounds for a public interest immunity claim

6. While the parliament has the power to require the production of documents, it is acknowledged that the Government holds some information the disclosure of which would be contrary to the public interest. Where the public interest in the information remaining confidential outweighs the public interest in its disclosure, the Government would normally make a public interest immunity claim.

7. There are several recognised and accepted grounds on which ministers may rely when claiming public interest immunity in relation to information or documents requested by the Senate or a Senate committee. These are set out at [section 4.6](#) of the Guidelines. As the Procedure Committee notes in its report, however, it is conceivable that new grounds could arise.

8. By way of example, public interest immunity claims may be made in relation to information or documents whose disclosure would, or might reasonably be expected to:

- damage Australia's national security, defence or international relations;
- damage relations between the Commonwealth and the States;
- disclose the deliberations of Cabinet; and
- prejudice the investigation of a criminal offence, disclose the identity of a confidential source or methods of preventing, detecting or investigating breaches of the law, prejudice a fair trial or endanger the life or safety of any person.

9. It is, of course, possible for more than one ground to apply to the same document, in which case all relevant grounds should be specified.

Public interest conditional exemption – deliberative processes

10. A public interest immunity claim may also be made in relation to material disclosing matters in the nature of, or relating to, opinion, advice or recommendation obtained, prepared or recorded, or consultation or deliberation that has taken place in the course of, or for the purpose of, the deliberative processes involved in the functions of the Government *where disclosure at that time would, on balance, be contrary to the public interest* [emphasis added – see [paragraph 4.6.2](#) of the Guidelines]. Because the Senate Order requires ministers to specify the harm that could result from disclosure of information or a document of this kind, claims for public interest immunity on this ground will involve a greater degree of judgment and subjectivity, and may therefore be less readily accepted, than claims based on the various grounds described in [paragraph 8](#) above.

11. Information and documents whose disclosure would not damage the public interest should be provided to parliamentary committees as soon as possible. It is important, however, that officials and ministers do not inadvertently damage the public interest by disclosing information that ought to remain confidential. Officials and ministers therefore need to consider carefully whether particular documents should be the subject of a public interest immunity claim before they are released. This will frequently not be possible in the relatively short timeframe available for estimates hearings, particularly as the responsible minister and

relevant officials may need to devote their time to the hearings. If the request relates to a small number of documents, it may be possible to respond before the committee completes its hearings. If a large number of documents have been sought, or if the issues involved are complex, the minister may need to advise the committee that it will not be possible to respond until a later date (although it may be possible to provide some documents, or parts of some documents, while the committee is sitting).

12. In briefing ministers on the question whether it is appropriate to disclose information or documents to a committee, officials must assess and balance the public interest in disclosure of the information or document against the public interest, if any, in maintaining its confidentiality. This is a similar process to that which is undertaken when officials provide advice to ministers in relation to a Senate order to produce documents, or in deciding whether to provide access to documents under section 47C of the *Freedom of Information Act 1982* (although it should be noted that the provisions of the FOI Act have no direct application to questions about the provision of information to a Senate committee), or in response to an order to discover documents that are relevant to litigation involving the Commonwealth.

13. It may also be appropriate to decline to provide information or documents if to do so would unreasonably disclose personal information or disclose material that could be the subject of a claim for legal professional privilege.

Process for claiming public interest immunity

14. Public interest immunity claims must be made by ministers. However, Senate committees, particularly estimates committees, receive most of their evidence from officials, and it is they who are most likely in the first instance to be asked to provide information or documents that might be the subject of a public interest immunity claim.

15. The Senate Order describes in some detail the process leading up to a claim for public interest immunity. An official who considers that he or she has been asked to provide information or a document that might properly be the subject of a public interest immunity claim could either:

- advise the committee of the ground for that belief and specify the damage that might be done to the public interest if the information or document were disclosed (paragraph 1 of the Order); or
- take the question on notice.

The official could also refer the question to the minister at the table, but it is unlikely that the minister would be well-placed to make a considered decision on the question at that time.

16. The public interest in not disclosing information or documents on any of the grounds described in [paragraph 8](#) above is self-evident and in many cases the need for such a claim would be readily apparent to officials at the hearing. If it is not, the official should ask if the question can be taken on notice so that it can be properly considered and the minister briefed.

17. It would be reasonable to expect that an official's evidence that a document is a Cabinet document or that, in his or her view, disclosure of the information or document in question might damage Australia's national security, for example, would be accepted by individual senators and committees with the result that the matter would not be taken further.

18. If that is not the case, however, the committee or the senator may request the official to refer the matter to the responsible minister (paragraph 2 of the Order). This would frequently mean that the question would need to be taken on notice. It is possible that the minister at the table, if he or she is not the relevant portfolio minister, may wish to ascertain the portfolio minister's views on the possible release of the information or document.

19. If the minister concludes that it would not be in the public interest to disclose the information or document, he or she "shall provide to the committee a statement of the ground for that conclusion, specifying the harm to the public interest that could result from the disclosure of the information or document" (paragraph 3 of the Order).

20. Paragraph 4 of the Order is not relevant for the purposes of estimates committees, which cannot take evidence in camera, but needs to be considered in the context of other committee hearings.

21. If a committee considers that a minister's statement in support of a public interest immunity claim does not justify the withholding of the information or document, it can report the matter to the Senate (paragraph 5 of the Order). In that event, the Senate would probably consider whether to order that the documents be produced. If the committee decides not to report the matter to the Senate, the senator who sought the information or document may do so (paragraph 6 of the Order).

22. In recent years, officials and ministers have not normally been pressed for copies of deliberative documents, particularly during Estimates hearings, with questions being limited to whether ministers have been briefed on particular issues and, if so, when that occurred. Paragraph 7 of the Order makes it clear, however, that committees will not accept a claim for public interest immunity based only on the ground that the document in question is a deliberative document: a minister must also specify the harm to the public interest that may result from the disclosure of the information or document that has been requested. Again, the need to give careful consideration to the issues involved will frequently mean that the matter has to be taken on notice.

23. Finally, the Order recognises that there may be occasions when it would be more appropriate for the head of an agency, rather than the minister, to make a claim for public interest immunity (paragraph 8 of the Order). This might occur, for example, in relation to information or documents held by agencies that have a significant degree of independence from Government, such as law enforcement agencies, courts and tribunals, the Auditor-General, Commonwealth Ombudsman and some regulatory agencies.

Order of the Senate, 13 May 2009

Public interest immunity claims

That the Senate—

(a) notes that ministers and officers have continued to refuse to provide information to Senate committees without properly raising claims of public interest immunity as required by past resolutions of the Senate;

(b) reaffirms the principles of past resolutions of the Senate by this order, to provide ministers and officers with guidance as to the proper process for raising public interest immunity claims and to consolidate those past resolutions of the Senate;

(c) orders that the following operate as an order of continuing effect:

(1) If:

(a) a Senate committee, or a senator in the course of proceedings of a committee, requests information or a document from a Commonwealth department or agency; and

(b) an officer of the department or agency to whom the request is directed believes that it may not be in the public interest to disclose the information or document to the committee,

the officer shall state to the committee the ground on which the officer believes that it may not be in the public interest to disclose the information or document to the committee, and specify the harm to the public interest that could result from the disclosure of the information or document.

(2) If, after receiving the officer's statement under paragraph (1), the committee or the senator requests the officer to refer the question of the disclosure of the information or document to a responsible minister, the officer shall refer that question to the minister.

(3) If a minister, on a reference by an officer under paragraph (2), concludes that it would not be in the public interest to disclose the information or document to the committee, the minister shall provide to the committee a statement of the ground for that conclusion, specifying the harm to the public interest that could result from the disclosure of the information or document.

(4) A minister, in a statement under paragraph (3), shall indicate whether the harm to the public interest that could result from the disclosure of the information or document to the committee could result only from the publication of the information or document by the committee, or could result, equally or in part, from the disclosure of the information or document to the committee as in camera evidence.

(5) If, after considering a statement by a minister provided under paragraph (3), the committee concludes that the statement does not sufficiently justify the withholding of the information or document from the committee, the committee shall report the matter to the Senate.

(6) A decision by a committee not to report a matter to the Senate under paragraph (5) does not prevent a senator from raising the matter in the Senate in accordance with other procedures of the Senate.

(7) A statement that information or a document is not published, or is confidential, or consists of advice to, or internal deliberations of, government, in the absence of specification of the harm to the public interest that could result from the disclosure of the information or document, is not a statement that meets the requirements of paragraph (1) or (4).

(8) If a minister concludes that a statement under paragraph (3) should more appropriately be made by the head of an agency, by reason of the independence of that agency from ministerial direction or control, the minister shall inform the committee of that conclusion and the reason for that conclusion, and shall refer the matter to the head of the agency, who shall then be required to provide a statement in accordance with paragraph (3).

(d) requires the Procedure Committee to review the operation of this order and report to the Senate by 20 August 2009.

(13 May 2009)

ATTACHMENT B

Provision of commercial-in-confidence material to the Senate

See also [section 4.10](#) in the *Guidelines*

On 30 October 2003 the Senate agreed to the following motion on commercial-in-confidence material:

That the Senate and Senate committees shall not entertain any claim to withhold information from the Senate or a committee on the grounds that it is commercial-in-confidence, unless the claim is made by a minister and is accompanied by a statement setting out the basis for the claim, including a statement of any commercial harm that may result from the disclosure of the information.

Senate committees have not always pressed a request for material when officials have stated the grounds on which they consider material to be confidential-in-confidence. The Senate order set out above does not mean that officials should no longer indicate that they consider that material might appropriately be withheld. However, if the Committee presses its request, officials should refer it to the relevant minister. If the minister determines that a claim of public interest immunity should be made, the procedures set out at [sections 4.4 to 4.11](#) should be followed.

As a general guide, it would be inappropriate to disclose information that could disadvantage a contractor and advantage their competitors in future tender processes, for example:

- (a) details of commercial strategies or fee/price structures (where this would reveal information about the contractor's cost structure or whether the contractor was making a profit or loss on the supply of a particular good or service)
- (b) details of intellectual property and other information which would be of significant commercial value
- (c) special terms which are unique to a particular contract, the disclosure of which may, or could reasonably be expected to, prejudice the contractor's ability to negotiate contracts with other customers or adversely affect the future supply of information or services to the Commonwealth.

The following information would normally be disclosed:

- (a) details of contracting processes including tender specifications, criteria for evaluating tenders, and criteria for measuring performance of the successful tenderer (but not information about the content or assessment of individual tenders)
- (b) a description of total amounts payable under a contract (i.e., as a minimum the information that would be reported in the Commonwealth Gazette or, for consultants, the information that would be reported in an agency's annual report)
- (c) an account of the performance measures to be applied
- (d) factual information about outcomes.



D23/2416

18 January 2023

Heads of all agencies appearing at Senate Estimates

Dear Agency Head

**Supplementary Budget Estimates 13 – 17 February 2023
Requirements of Departments and Agencies**

I am writing to outline procedural matters connected to the Supplementary Estimates hearings scheduled to occur from 13 to 17 February 2023.

Please note that arrangements for witnesses to appear in person, or by video or teleconference, will be advised by each legislation committee secretariat.

Senate Resolutions

I am required by order of the Senate to draw your attention to several resolutions regarding estimates hearings.

On 25 June 2014, the Senate agreed to resolutions about estimates hearings, confirming:

- previous resolutions that there are no areas in connection with the expenditure of public funds where a person has the discretion to withhold details or explanations from the Parliament or its committees unless the Parliament has expressly provided otherwise;
- that an officer shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions to a superior officer or the minister;
- that any claim to withhold information must be on an established ground (noting the Senate [Order of 13 May 2009](#) which sets out the proper process for raising public interest immunity claims);
- the statutory values which Australian Public Service agency heads and employees are required to uphold which include a requirement to be open and accountable; and
- the constitutional framework of checks and balances which places the Parliament in prime position as the agent of accountability.

The resolutions are published on the APH website at the following web page:

[https://www.aph.gov.au/Parliamentary Business/Senate Estimates/Information for departments and agencies](https://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/Information_for_departments_and_agencies)

Please bring them to the attention of officials in your agency who will be appearing at the hearings.

An order for the production of documents agreed by the Senate on 25 June 2014 requires ministers, on behalf of each agency or department, to table not later than 10 days before the estimates hearings (in this case, by Friday, 3 February 2023) a statement showing:

1. the number of questions taken on notice at the previous round of estimates hearings;
2. the number of answers provided to the committee by the date set by the committee for answers; and
3. of those answers not provided to the committee by the due date, the dates on which answers were provided to the approving minister's office.

Staff in the committee secretariats who support the various legislation committees are always available to answer any questions that you or your staff may have about Senate estimates. The Clerk Assistant - Committees (Toni Matulick, ph 02 6277 3371) and Senior Clerk of Committees (ph 02 6277 3506) can also provide further advice if needed.

Yours sincerely

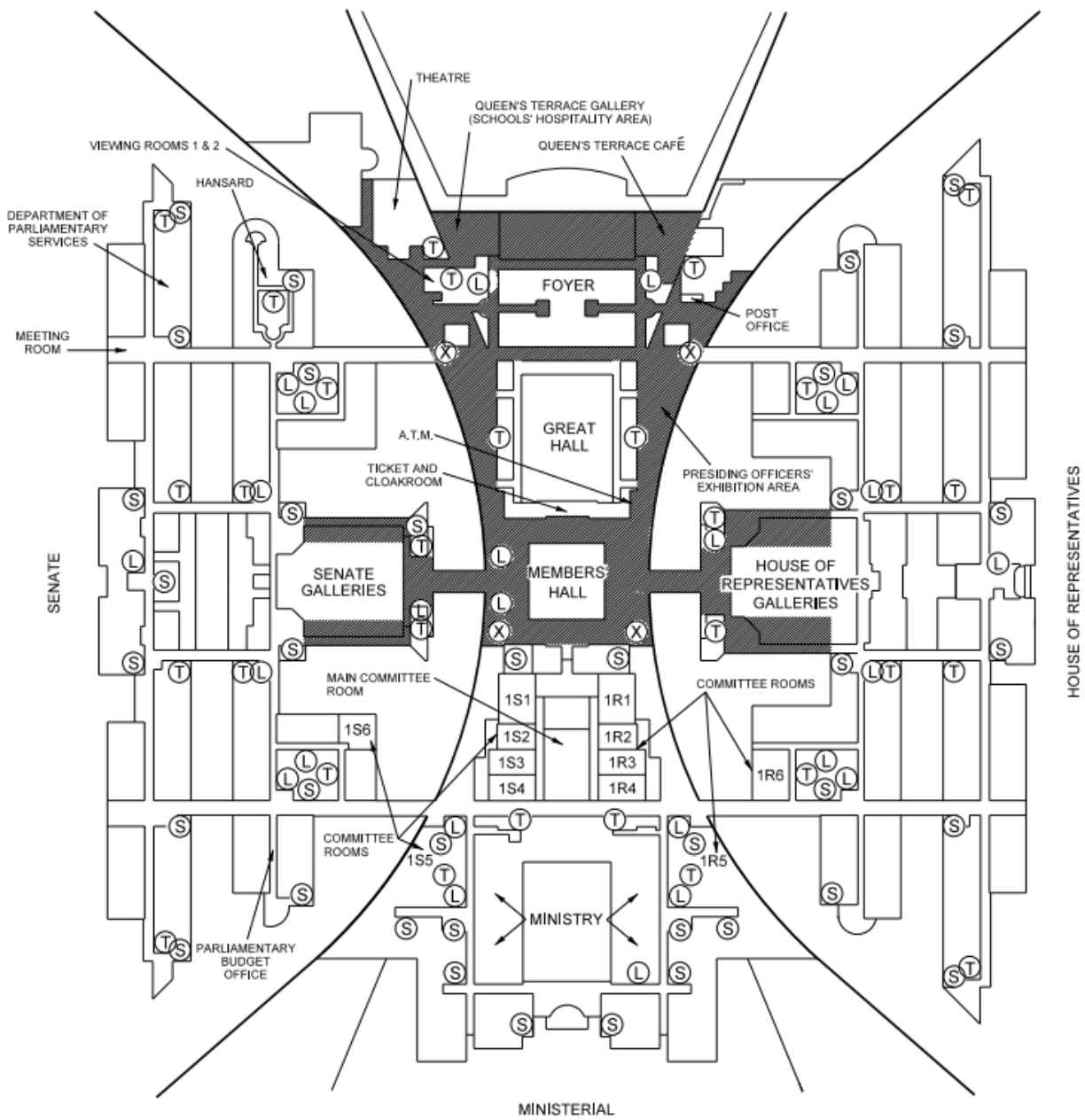


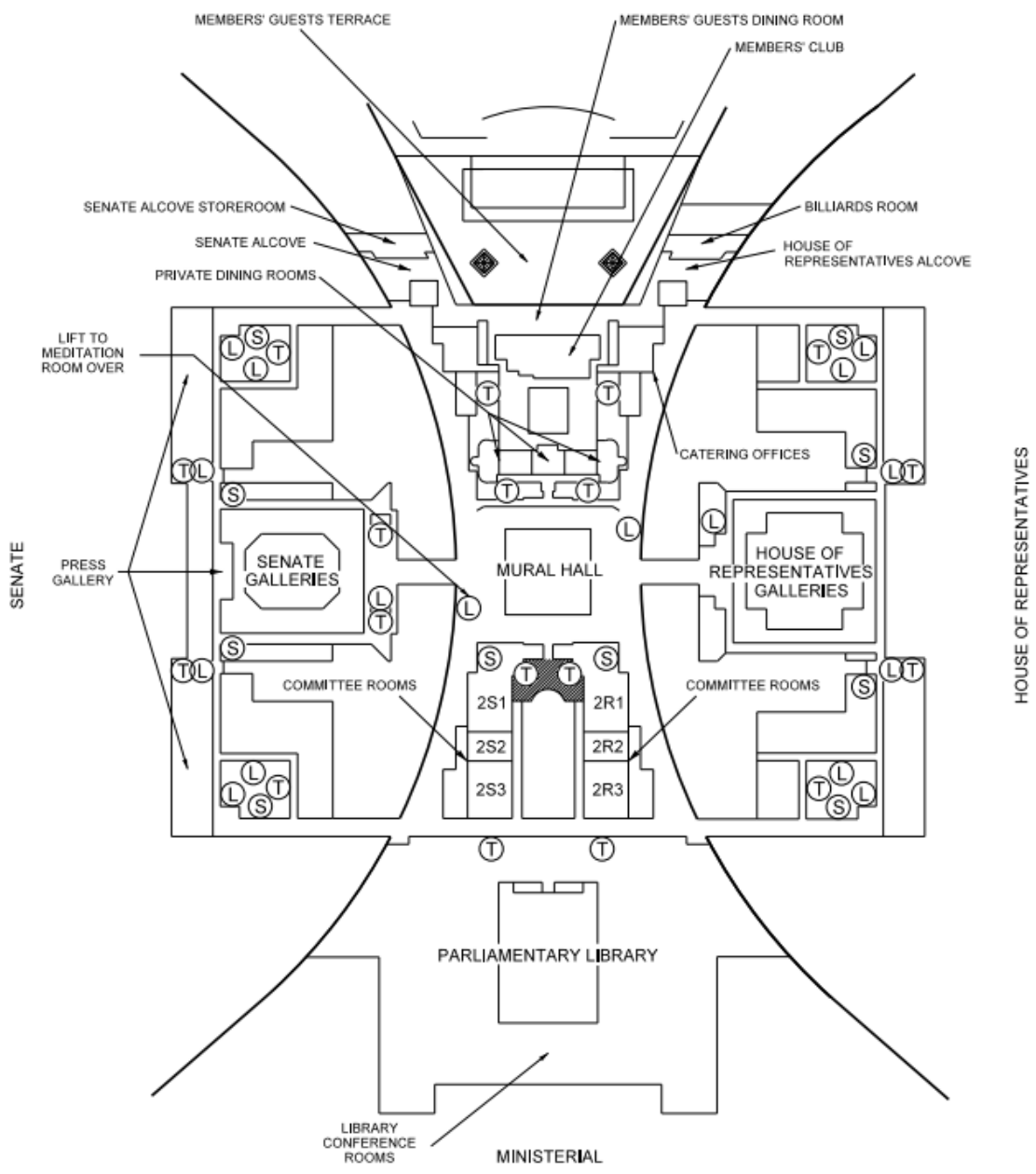
(Richard Pye)

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KEY TO SYMBOLS

- Ⓛ LIFT
- Ⓢ STAIRS
- Ⓣ TOILET

Supplementary Budget Estimates 2022-23 hearing arrangements for Witnesses and Officials

This document provides guidance to witnesses and officials about arrangements to ensure that Supplementary Budget Estimates 2022-23 (13 – 17 February 2023) hearings are conducted safely.

Assumptions

Predominantly, Senators and ministers will attend in-person but it is possible that there will also be remote participation by some senators and ministers.

Witnesses will attend in-person; subject to the committee's agreement for witnesses to attend by video or teleconference.

Committees may vary these arrangements.

Entry to Parliament House, committee rooms and waiting rooms

Secretariats will advise witnesses and officials if there are changes to arrangements for entry to the building.

All visitors and building occupants are expected to:

- stay home if unwell or if they have COVID symptoms (including runny nose, sore throat, cough, fever)
- advise the committee secretariat if you have tested positive to COVID or been a household contact, in the seven days preceding your hearing
- practise good hygiene
- practise physical distancing
- wear a mask where physical distancing is not possible.

By entering the building, officials acknowledge that they do not have COVID-19 symptoms and have complied with all [relevant health orders](#).

Officials attending hearings as witnesses or observers are strongly encouraged to enter via the main front entrance; however, it is likely some passholders will access APH using other entrances. DPS staff will be in place to assist people entering APH with directions.

Commonwealth officials who are not APH passholders will be issued with an estimates pass from the Security Desk located in the Marble Foyer via the main public entrance. This pass will allow them to access certain private areas of the building such as waiting rooms.

For an estimates pass to be issued:

- the Commonwealth official's name must be on the list of witnesses and attendees provided by the secretariat to Security prior to the hearing; and
- the Commonwealth official must produce photographic ID which includes their full name (for example, a current Driver's Licence).

Hand sanitiser will be available upon entry and exit, and throughout the building. Masks will be available from the Senate, House and Ministerial security points but not the main public entrance. Officials are encouraged to bring their own mask. A small number of masks will be available from secretariats on request.

Room capacity

Previous restrictions on **seating capacity** have been lifted. Seating capacity for senators, witnesses and observers will return to pre-COVID capacity. However, physical distancing in hearing and waiting rooms is strongly encouraged. Where physical distancing is not possible, the use of masks is strongly encouraged.

The building will be open to the public and proceedings can also be viewed [online](#).

Videoconferencing and teleconferencing

Webex videoconferencing and teleconferencing facilities - will be available for senators, departments, and agencies. Please refer to the separate [Webex committee hearing explainer document and video](#).

DPS Broadcasting will issue Outlook Calendar invites for each day of a committee's estimates hearings. Each invite will have a Webex join button and a conference link and password. These will initially be received by the Senior Clerk's Office in advance of the hearings and will then be forwarded to secretariats for circulation to departments and agencies.

A **hotline** to support videoconferencing and respond to problems experienced by witnesses will be available through the Senior Clerk's office. Witnesses experiencing difficulty connecting to the hearing can contact the hotline via phone or email. Queries related to the hearing program are to be directed to secretariat.

Hotline contact details – telephone 02 6277 3893; email SeniorClerk.Committees.Sen@aph.gov.au

Hearing rooms

Sanitisation – Wipes and sanitiser will be available at the witness table. The secretariat will be able to assist with sanitising witness tables and chairs between witnesses if required. Surfaces in the hearing rooms will also be cleaned at breaks by DPS cleaners.

Tabling practice – To limit the handling of documents, witnesses are asked to table documents electronically if possible. To table a document electronically, witnesses should advise the committee of their intention to table the document and arrange for it to be emailed to the committee email address. It is preferable that documents intended for tabling be provided to the secretariat in advance. Hard copies can be received and circulated by secretariat if required.

Water – Two water stations, providing both water jugs and glasses, and bottled water, will be located in the hearing rooms: one for senators and secretariat staff towards the front of the room, and another for witnesses towards the rear.

Changeover of departments – It would be appreciated if departing officers are permitted to leave the room before incoming officers enter. Please liaise with the secretariat if you have questions about the time of your appearance. [Estimates Live](#) should be monitored for up-to-date information about the hearing program.

Waiting rooms and photocopier rooms

Catering in waiting rooms – hot water and fridges will be located in the waiting rooms to allow departments and agencies to make tea and coffee. A water station will also be located in the waiting rooms.

Hand sanitiser and wipes – Will be available in waiting rooms and photocopy rooms.

Waste and recycling bins – waste and recycling bins will be provided in waiting rooms.

Media access

In accordance with usual practice, each committee will consider attendance of media.

Food outlets

Witnesses and officials will be advised of arrangements for food outlets.

Thank you for your assistance coordinating the provision of information regarding these arrangements to agencies in your portfolio. The timely provision of information to agencies and witnesses participating in Estimates hearings will assist everyone to discharge their work health and safety obligations, including the duty to consult, co-operate and co-ordinate activities where work health and safety duties are shared between departments and agencies involved. Ensuring agencies are provided with relevant information about proposed arrangements for Estimates hearings will allow agencies to identify any issues or concerns that they wish to raise with the Department of the Senate or relevant committee.

Catering options for estimates

Aussies

Opening hours: 7:30am - 4:45 non sitting days, 7:00am - 6:45pm sitting days

Staff Dining Room

The Staff Dining Room is located on the Ground Floor of Parliament House and serves breakfast, lunch, coffee and cold beverages, as well as dinner during sitting periods. Available to all APH building occupants, choose from a selection of hot meals including daily roasts and meals to order, as well as salads and freshly made sandwiches.

Hours of operation

Sitting	Monday – Wednesday	7:00am – 9:00pm
Sitting	Thursday	7:00am – 8:00pm
Sitting	Friday	7:30am – 4:00pm
Non-sitting	Monday – Friday	7:30am - 4:00pm

Members' Guests Dining Room

P 6277 5132

Located on the second floor of Parliament House, Members' Guests Dining room is a 120 seat dining facility for Members, Senators and senior Commonwealth officials at the Senior Executive Service level (or equivalent) to dine and entertain guests. Offering a full a la carte menu and hot and cold buffet, the dining room also offers efficient service that is mindful of Members' and Senators' limited time frames during sitting.

The Members' Club is located on the upper level of Members' Guests Dining Room, and is reserved exclusively for Members' and Senators' dining.

Hours of operation

Sitting Lunch	Monday – Friday	12 noon – 2:00pm
Sitting Dinner	Monday – Thursday	6:00pm – 9:00pm

<http://dpsstaffportal.parl.net/your-services/retail/catering>