

04

Appendices



Appendix 1

Portfolio agency contact details

Australia Business Arts Foundation Ltd

Tel: 03 9616 0300
Fax: 03 9614 2550
information@abaf.org.au
www.abaf.org.au

Australia Council

Tel: 02 9215 9000
Fax: 02 9215 9111
mail@ozco.gov.au
www.ozco.gov.au

Australian Broadcasting Corporation

Tel: 02 8333 1500
Fax: 02 8333 5344
www.abc.net.au

Australian Communications and Media Authority

Tel: Canberra 02 6219 5200,
Melbourne 03 9963 6899,
Sydney 02 9334 7799
www.acma.gov.au

Australian Film Commission

Tel: 02 9321 6444
Fax: 02 9357 3737
info@afc.gov.au
www.afc.gov.au

Australian Film, Television and Radio School

Tel: 02 9805 6611
Fax: 02 9887 1030
infonsw@aftrs.edu.au
www.aftrs.edu.au

Australian National Maritime Museum

Tel: 02 9298 3777
Fax: 02 9298 3780
www.anmm.gov.au

Australian Postal Corporation

Tel: 03 9204 7171
Fax: 03 9663 1160
www.auspost.com.au

Australian Sports Commission

Tel: 02 6214 1111
Fax: 02 6251 2680
asc@ausport.gov.au
www.ausport.gov.au

Australian Sports Anti-Doping Authority

Tel: 02 6206 0200
Fax: 02 6206 0201
asada@asada.org.au
www.asada.org.au

Bundanon Trust

Tel: 02 4422 2103
Fax: 02 4422 7190
visits@bundanon.com.au
www.bundanon.com.au

Film Australia Limited

Tel: 02 9413 8777
Fax: 02 9416 5672
web@filmaust.com.au
www.filmaust.com.au

Film Finance Corporation Australia Limited

Tel: 02 9268 2555
Fax: 02 9264 8551
ffc@ffc.gov.au
www.ffc.gov.au

National Archives of Australia

Tel: 02 6212 3600
Fax: 02 6212 3699
archives@naa.gov.au
www.naa.gov.au

National Gallery of Australia

Tel: 02 6240 6502
Fax: 02 6240 6529
information@nga.gov.au
www.nga.gov.au

National Library of Australia

Tel: 02 6262 1111
Fax: 02 6257 1703
www.nla.gov.au

National Museum of Australia

Tel: 02 6208 5000
Fax: 02 6208 5099
information@nma.gov.au
www.nma.gov.au

NetAlert Limited

Tel: 03 6234 3312
Fax: 03 6234 1430
enquiries@netalert.net.au
www.netalert.net.au

Special Broadcasting Service Corporation

Tel: 02 9430 2828
Fax: 02 9430 3700
comments@sbs.com.au
www.sbs.com.au

Telstra Corporation Limited

Tel: 1300 368 387
Fax: 03 9634 3958
www.telstra.com

Appendix 2

Parliamentary Committees

The Department's involvement in the following Parliamentary Committees ranged from preparing or providing input to Australian Government responses, to appearing before and/or making written submissions to the Committees.

Senate Select Committee on Information Technologies

*In the public interest
—monitoring Australia's media*

Tabled: 13 April 2000.
No Government response
as at 30 June 2006.

The Australian Government deferred responding to this report while the Australian Broadcasting Authority's investigations into the disclosure requirements of commercial radio broadcasters continued and pending the deliberations on the establishment of the Australian Communications and Media Authority. The Australian Government is finalising its response to the Committee's report which will be tabled in due course.

House of Representatives Standing Committee on Communications, Information Technology and the Arts

From reel to unreal: inquiry into the future opportunities for Australia's film, animation, special effects and electronic games industries

Tabled: 21 June 2004.
No Government response
as at 30 June 2006.

This report examines the future opportunities for Australia's film, animation, special effects and electronic games industries. The Australian Government is considering its response taking account of the Digital Content Industry Action Agenda Report which was released on 13 March 2006.

Inquiry into the uptake of digital television in Australia

Tabled: 13 February 2006.
No Government response
as at 30 June 2006.

This report examines the rollout, uptake and technological issues relating to digital television. The Australian Government is considering its response.

Inquiry into community broadcasting

The report is yet to be tabled.

On 19 January 2006, the Minister for Communications, Information Technology and the Arts, Senator the Hon. Helen Coonan, asked the Committee to inquire into and report on issues pertaining to community broadcasting in Australia.

The Department appeared before the Committee on 1 March 2006 to provide a private briefing. The Department made a submission to the inquiry about the community broadcasting sector and the legislation that governs it.

Public hearings are still being held and it is expected the Committee will complete its report late 2006 or early 2007.

Senate Environment, Communications, Information Technology and the Arts References Committee

Telstra (Transition to Full Private Ownership) Bill 2005 and related bills

Tabled: 12 September 2005.

The Department appeared before the Committee on 9 September 2005. The Committee recommended that the *Telecommunications Legislation Amendment (Future Proofing and Other Measures) Bill 2005* be amended to specifically require that \$2 billion in cash be transferred to the fund account and that, subject to the preceding recommendation, the Bills be agreed to.

The amendment to the Bill was made.

Performance of the Australian telecommunications regulatory regime

Tabled: 10 August 2005.

No Government response
at 30 June 2006.

The Senate Environment, Communications and the Arts References Committee inquiry into the performance of the Australian telecommunications regulatory regime was established on 14 March 2005.

The purpose of the inquiry was to assess whether the current telecommunications regulatory regime promotes competition, encourages investment in the sector and protects consumers to the fullest extent practicable. The Department appeared before the Committee on 11 April 2005 and 20 June 2005.

The Department made a submission and appeared before the Committee during the 2004–05 financial year.

The recommendations included in the majority report were wide ranging. They included recommendations to amend provisions in Part XIB and Part XIC of the *Trade Practices Act 1974*, to review of the funding arrangements for the Universal Service Obligation and to review of the operation of the Australian Government's Higher Bandwidth Incentive Scheme.

To date, the Australian Government's response has been to advise the Committee of any outstanding items to respond to, following the legislative reforms made in September 2005 and the commencement of the Connect Australia program.

Senate Standing Committee for the Scrutiny of Bills

Telecommunications Legislation Amendment (Future Proofing and Other Measures) Bill 2005

Committee comment on Bill: Alert Digest
No. 11 of 2005, 14 September 2005.

The Committee noted that any determinations declared under proposed paragraph 158P(3)(b) of the Bill would be a legislative instrument for the purposes of the *Legislative Instruments Act 2003*, but would not be subject to disallowance under section 42 of that Act. The Committee also noted that a rationale for this was provided in the Explanatory Memorandum for the Bill.

The Committee made no further comments on the Bill.

Australian Sports Anti-Doping Authority Bill 2005

Committee comment on Bill: Alert Digest No. 1 of 2006, 8 February 2006.

Government response published: First Report of 2006, 1 March 2006.

The Committee questioned whether clause 12, which would permit the National Anti-Doping Scheme to incorporate any matter contained in international anti-doping instruments in force or existing from time to time, being material that neither the Parliament nor any Parliamentary Committee had seen, was an inappropriate delegation of legislative power. The Committee also requested technical confirmation regarding the application of the *Legislative Instruments Act 2003* and whether certain sub-clauses were merely declaratory of the law.

The Australian Government's response indicated that, for the continued effectiveness of Australia's anti-doping framework and to ensure that Australian athletes were not disadvantaged by inconsistencies in anti-doping practices, clause 12 was vital in ensuring that Australia had the ability to respond quickly in recognising any amendments made to international standards. The response also confirmed that the relevant sub-clauses were merely declaratory of the law. The Committee accepted the Australian Government's response on these issues.

Senate Environment,
Communications, Information
Technology and the Arts
Legislation Committee

Provisions of the Australian Sports Anti-Doping Authority Bill 2005 and the Australian Sports Anti-Doping Authority (Consequential and Transitional Provisions) Bill 2005

Tabled: 7 February 2006.

On 8 December 2005, the Senate referred the provisions of these Bills to the Committee for inquiry and report.

The inquiry covered the provisions of the Australian Sports Anti-Doping Authority Bill 2005 and the *Australian Sports Anti-Doping Authority (Consequential and Transitional Provisions) Bill 2005*, to establish a new Australian Sports-Anti Doping Authority (ASADA). The purpose of these Bills is to enhance Australia's ability to support a robust national and international anti-doping framework.

The Bills specify the powers and responsibilities of the new authority, as well as the rights of athletes, including their rights in relation to ASADA decisions.

They also specify consequential and transitional provisions to facilitate ASADA assuming the function of the Australian Sports Drug Agency (ASDA).

The Department provided a submission to the inquiry in January 2006 and appeared before the Committee's hearings on 31 January 2006.

The Committee's recommendation was that the *Australian Sports Anti-Doping Authority Bill 2005* and the *Australian Sports Anti-Doping Authority (Consequential and Transitional Provisions) Bill 2005* be agreed without amendment.

The Bills subsequently passed without amendment and received Royal Assent on 7 March 2006.

Senate Environment, Communications, Information Technology and the Arts Legislation Committee

Provisions of the Do Not Call Register Bill 2006 and the Do Not Call Register (Consequential Amendments) Bill 2006

Tabled: 19 June 2006.

The Department made a submission to the Committee following a request from the Committee for further information in relation to the Bills. The Committee recommended that the Do Not Call Register Bill be passed with an amendment to provide that, where a person is nominated by the telephone account holder to consent to telemarketing calls or to register their phone number on the Do Not Call register, the nomination must be in writing and not verbal. This is to ensure appropriate and legally certain authorisation. The Committee also recommended that the Australian Government examine options to ensure that telephone account holders receive an effective reminder prior to the expiry of their registration on the Do Not Call register.

The Do Not Call Bill passed with amendment to require authorisations to be in writing, in line with the Committee's recommendation, on 22 June 2006. The *Do Not Call Register (Consequential Amendments) Bill 2006* passed without amendment on the same date. The Bills received Royal Assent on 30 June 2006.

The Minister for Communications, Information Technology and the Arts has requested the Australian Communications and Media Authority to consult with relevant stakeholders to ensure the legislation is implemented appropriately.

Senate Environment, Communications, Information Technology and the Arts Legislation Committee

Inquiry into the Australian Broadcasting Corporation Amendment Bill 2006

Tabled: 9 May 2006.

The Department appeared before the Committee on 13 April 2005.

The majority report of the Committee recommended that the Bill be passed without amendment to remove the potential for conflict of interest inherent in the position of staff elected director on the ABC Board.

The Bill passed without amendment on 25 May 2006.

Joint Standing Committee on Foreign Affairs, Defence and Trade

Review of the Australia–New Zealand Closer Economic Relations (CER) Trade Agreement

The report is yet to be tabled.

In March 2006, the Minister for Trade, the Hon. Mark Vaile MP, asked the Joint Standing Committee on Foreign Affairs, Defence and Trade to examine and report on Australia's trade and investment relations under the CER Trade Agreement, with particular emphasis on likely future trends in these relationships and complementary approaches by the two governments.

In June 2006, the Department provided a submission to the Committee covering communications, information technology, arts and sports activities in New Zealand and engagement by the portfolio in New Zealand.

Inquiry into Australia's relationship with the Republic of Korea

Tabled: 22 June 2006.
No Government response as at 30 June 2006.

On 3 June 2005, the Department provided a submission to the Committee covering communications, information technology, arts and sports activities in Korea and engagement by the portfolio with Korea.

The inquiry was established on 7 April 2005 to inquire into Australia's relationship with the Republic of Korea including developments on the Korean peninsula. The Committee is reviewing political, strategic, economic (including trade and investment), social and cultural issues, and is considering both the current situation and opportunities for the future.

The Department appeared before the Committee on 31 August 2005 to provide information regarding the Department's engagement with Korea on arts and sport issues and activities.

Inquiry into Australia's relationship with Indonesia

Tabled: 31 May 2004.
Government response: 8 September 2005.

The Department provided a written submission on 31 October 2002, which included contributions from the Department and the Australian Sports Commission. It also provided a supplementary submission on

20 September 2003. The Department attended the public hearing on 5 August 2003. During 2004–05 the Department contributed to the Australian Government response being prepared by the Department of Foreign Affairs and Trade.

There were two recommendations relevant to the Department of Communications, Information Technology and the Arts portfolio.

Recommendation 23

The Committee recommends that the Department of Communications, Information Technology and the Arts actively promotes in the agencies within its Portfolio a commitment to building a relationship with Indonesia.

Recommendation 28

The Committee recommends that the Australian Government continue providing additional funding for transmission for Radio Australia; and that the Australian Broadcasting Authority examine and report on the cost and feasibility and implications of Radio Australia taking advantage of spare short wave capacity directed at Indonesia and broadcasting on multiple frequencies.

The Australian Government response indicated that the ABC had been given additional funding of \$3 million per year to strengthen Radio Australia's broadcasts in the 2003–04 Budget for three years. The response also indicated that the ABC had been provided with \$90 million to establish and operate a TV service to the Asia–Pacific region.

House of Representatives Standing Committee on Science and Innovation

Inquiry into pathways to technological innovation

Parliamentary paper: Tabled 19 June 2006.
No Government response as at 30 June 2006.

The Department appeared before the Committee on 5 December 2005.

The report provided 18 recommendations relating to:

- innovation and commercialisation—policy and program framework;
- human capital—knowledge and skills;
- connecting knowledge, people and markets; and
- lifecycle support and funding for innovation and commercialisation.

Joint Standing Committee on Public Works

Development of a new collection storage facility for the National Library of Australia

Tabled: 8 December 2004.

In accordance with the requirements of the *Public Works Committee Act 1969*, the Committee considered the National Library of Australia's proposal to build a new storage facility.

Written submissions were provided by the National Library of Australia and the Department. Representatives of the National Library of Australia appeared before the Committee's hearings on 13 August 2004.

The report recommended that Parliament support the proposed development, and this recommendation was accepted by Parliament on 9 December 2004.

The storage facility is now complete, and opened on 3 August 2006.

House of Representatives Standing Committee on Aboriginal and Torres Strait Islander affairs

Inquiry into Indigenous employment

The report is yet to be tabled.

The Standing Committee covers a broad range of Indigenous issues. It is undertaking an inquiry into positive factors and examples amongst Indigenous communities and individuals which have improved employment outcomes in both the public and private sectors. The standing Committee is to:

- recommend to the Government ways this can inform future policy development; and
- assess what significant factors have contributed to those positive outcomes identified, including what contribution practical reconciliation¹ has made.

The Minister for Communications, Information Technology and the Arts provided a submission to the inquiry in April 2005 and the Department appeared before the Committee's hearings on 6 February 2006.

¹The Committee has defined 'practical reconciliation' in this context to include all government services.

Senate Community Affairs References and Legislation Committee

Inquiry into children in institutional care (first report)

Tabled: 30 August 2004.

Government response: 10 November 2005.

The inquiry was established to consider the experiences of Australians who experienced institutional or out-of-home care as children. The report made two recommendations concerning portfolio cultural institutions:

- Recommendation 35 suggested that the National Museum of Australia develop an exhibition related to the history of children in institutional care; and
- Recommendation 36 suggested that the Australian Government provide funding to the National Library of Australia to undertake an oral history project of former residents in institutional and out-of-home care.

The Department assisted the Department of Family and Community Services to frame a response to these recommendations.

These recommendations were not supported. Both the National Library of Australia and the National Museum of Australia were unable to commit to projects of this scale at this time.

House of Representatives Standing Committee on Legal and Constitutional Affairs

Inquiry into technological protection measures (TPM) exceptions.

Tabled: 1 March 2006.

No Government response as at 30 June 2006.

The final report was tabled on 1 March 2006 with 37 recommendations, primarily relating to the scope of the exceptions to the TPM provisions as part of the implementation of the Australia–US Free Trade Agreement.

The Department made a submission to this Committee dated 28 October 2005 and appeared before the Committee at hearings on 28 November 2005.

Senate Finance and Public Administration Committee

Inquiry into Government Advertising and Accountability

Tabled: 6 December 2005.

No Government response at 30 June 2006.

The Department appeared before the Committee on 7 October 2005. The Committee was inquiring into Australian Government expenditure on advertising. It sought the release of draft material from 2004 relating to community information campaigns regarding the Besley inquiry into telecommunications services and was advised that release was a matter for the Minister. The Committee was advised by the Department in writing on 15 December 2005 that the Minister had decided not to release the material. The Committee's report contained no reference to the Department or its campaign and merely listed departmental officers as witnesses.

Joint Standing Committee on Electoral Matters

Report on the 2004 Federal Election

Tabled: 10 October 2005.
No Government response
as at 30 June 2006.

The inquiry examined the conduct of the 2004 federal election and matters related thereto. The Committee made a number of recommendations impacting on the operations of Australia Post, especially about improving the operations of the postal voting system. The Department provided comment for inclusion in the Australian Government's response.

House of Representatives Standing Committee on Agriculture, Fisheries and Forestry

Taking Control: a national approach to pest animals

Tabled: 28 November 2005.
No Government response
as at 30 June 2006.

The inquiry examined the impact on agriculture of pest animals. The Committee made a specific recommendation seeking amendment of the *Australian Postal Corporation Act 1989* to allow state and territory governments to inspect interstate mail for quarantine purposes. The Department is in the process of providing comment for inclusion in the Australian Government's response.

Appendix 3

External scrutiny

The Australian National Audit Office issued a number of reports in 2005–06. Some involved the Department directly and others were of special or general interest to the Department.

2005–06 direct participation

Report No. 16: The Management and Processing of Leave

Tabled: 17 November 2005.

The Department was one of six agencies included in the audit. The objectives of the audit were to determine whether entities had established appropriate arrangements in relation to the management of annual leave and had effective internal controls over leave processing, assess whether leave had been managed in accordance with the requirements of the respective entity's certified agreement, and identify sound and better practices in the management and processing of leave. The Department agreed with the seven recommendations of the report.

Report No. 21: Audit of Financial Statements of Australian Government Entities for the Period Ended 30 June 2005

Tabled: 21 December 2005.

The focus of this audit was on the year end results of the financial statement audits of all general purpose reporting entities for the 2004–05 financial year.

There were no moderate or significant audit issues noted during the audit for the Department.

Report No. 27: Reporting of Expenditure on Consultants

Tabled: 30 January 2006.

The Department was included in the examination of 73 Financial Management and Accountability agencies which focussed on the accuracy and completeness of agencies reporting of expenditure on consultants.

The Department is implementing the relevant recommendation of this report.

Report No. 28: Management of Net Appropriation Agreements

Tabled: 31 January 2006.

The Department was one of the agencies included in the review of 231 Section 31 agreements made under the *Financial Management and Accountability Act 1997* from 1 January 1998 to 30 June 2005. The objective of this performance audit was to assess agencies' financial management of, and accountability for, the use of net appropriation agreements to increase available appropriations.

The Department has implemented the relevant recommendations of this report.

Report No. 39: Artbank, Department of Communications, Information Technology and the Arts

Tabled: 11 May 2006.

The objective of the audit was to provide assurance that Artbank was effectively meeting its charter. The audit also examined Artbank's governance arrangements and its programs for marketing, client development, performance management, budgeting and debt management. It also sought client feedback on Artbank's operations.

The audit concluded that Artbank was meeting its charter and that Artbank demonstrated particular strengths in

managing the collection and rental scheme. The survey revealed a high level of satisfaction with Artbank's services and provided some valuable feedback on the running of the scheme.

A number of opportunities for improving Artbank's governance arrangements and operational matters were identified and the Department is implementing the recommendations.

Report No. 48: Interim Phase of the Audit of Financial Statements of General Government Sector Entities for the Year Ending 30 June 2006

Tabled: 22 June 2006.

The objective of this audit was to assess whether reliance could be placed upon the Department's systems and environment to produce accurate and complete information for financial reporting purposes.

There were no moderate or significant audit issues noted during the audit for the Department.

Report No. 52: Management of selected Telstra Social Bonus 2 (TSB2) and Telecommunications Service Inquiry (TSI) Response Programs

Tabled: 29 June 2006.

This performance audit examined the Department's management of seven TSB2 and TSI response programs. The objectives were to examine the extent to which selected TSB2 and TSI Response programs were achieving or had achieved their objectives, and had been administered effectively by the Department according to better practice principles. To evaluate this aspect, the audit assessed the Department's compliance with the better practice principles outlined in the *Administration of Grants: Better Practice Guide* (May 2002) produced by the Australian National Audit Office.

The audit concluded that all programs subject to audit, except the Intelligent Island program, were effectively achieving their stated objectives and that the Department's management of the programs demonstrated a high level of compliance with the better practice principles of grant management. Notwithstanding this, the Australian National Audit Office considered there were certain areas of the Department's grant management practice, impacting on more than one audited program, that only partially complied with relevant better practice principles and that in this regard processes could be improved.

Two recommendations were made aimed at enhancing DCITA's administration of grant programs. The Department agreed with the two recommendations.

2005–06 Special interest

Audits in which the Department has a special interest are listed below.

Report No. 11: The Senate Order for Departmental and Agency Contracts (Calendar Year 2004 Compliance)

Tabled: 29 September 2005.

Report No. 22 Cross Portfolio Audit of Green Office Procurement

Tabled: 22 December 2005.

Report No. 23: IT Security Management

Tabled: 22 December 2005.

Report No. 37: The Management of Infrastructure Plant and Equipment Assets

Tabled: 3 May 2006.

Report No. 45: Internet Security in Australian Government Agencies

Tabled: 13 June 2006.

The Department is implementing the relevant recommendations from these reports.

Appendix 4

Legislation and statutory instruments

Major legislation requiring significant input from the Legal Group during the year is set out below.

Do Not Call Register Act 2006 and Do Not Call Register (Consequential Amendments) Act 2006

The *Do Not Call Register Act 2006* sets up a scheme to enable individuals who have an Australian number to opt-out of receiving certain unsolicited telemarketing calls. It requires the Australian Communications and Media Authority to establish a Do Not Call register and prohibits telemarketers from calling a number which has been included on the register. The Australian Communications and Media Authority will be able to tender out the operation of the register. Exemptions are provided for certain types of telemarketing calls to allow organisations who carry out activities in the public interest to carry out their work and continue to provide services to the community. The exempt bodies are charities, registered political parties, independent members of Parliament and candidates, religious organisations, educational institutions (where a call is made to a student, alumni or alumnae), and government bodies.

Do Not Call Register (Consequential Amendments) Act 2006

This Act enables the development of relevant industry codes and standards relating to telemarketing calls. It requires

the Australian Communications and Media Authority to make national standards regulating the making of all telemarketing calls. The mandatory standards will relate to certain conduct matters such as the time at which telemarketing calls may be made, the information which must be provided and the termination of calls. The standards will apply to all telemarketers, including those exempt from the Do Not Call register arrangements.

Telstra (Transition to Full Private Ownership) Act 2005

This Act amends the *Telstra Corporation Act 1991* to enable the Commonwealth to sell its remaining equity interest in Telstra Corporation Limited. It provides for flexibility in the means by which the Commonwealth may sell down its shareholding in Telstra and makes consequential amendments necessary once Telstra ceases to be Commonwealth-controlled.

Telecommunications Legislation Amendment (Future Proofing and Other Measures) Act 2005

This Act establishes the \$2 billion Communications Fund and provides for regular independent reviews into the adequacy of telecommunications in regional, rural and remote parts of Australia.

Telecommunications Legislation Amendment (Competition and Consumer Issues) Act 2005

Telecommunications (Carrier Licence Charges) Amendment (Industry Plans and Consumer Codes) Act 2005

These acts formed part of the package of legislation providing for the full sale of Telstra.

The *Telecommunications Legislation Amendment (Competition and Consumer Issues) Act 2005* introduced an operational separation framework for Telstra to provide equivalence and transparency of Telstra's wholesale and retail operations, and made amendments to Parts XIB and XIC of the *Trade Practices Act 1974* to encourage greater investment in telecommunications infrastructure and to improve the operation of the telecommunications-specific access regime in Part XIC. The Act also made a number of minor amendments to the *Telecommunications Act 1997*, including the repeal of the requirement for carriers to have an industry development plan.

The *Telecommunications (Carrier Licence Charges) Amendment (Industry Plans and Consumer Codes) Act 2005*, together with the *Telecommunications Legislation Amendment (Future Proofing and Other Measures) Act 2005*, provides for the total amount of charges that are imposed on carrier licences to include an additional amount which would provide for industry bodies and associations that develop consumer-related codes to be reimbursed by the Australian Communications and Media Authority for their costs in developing these codes. The Act also made amendments consequential to the repeal of the requirement for carriers to have industry development plans in the *Telecommunications Legislation Amendment (Competition and Consumer Issues) Act 2005*.

Telecommunications (Operational Separation—Designated Services) Determination (No.1) 2005

This determination specifies a number of declared services, as well as the ADSL Layer 2 service, as 'designated services' for the purposes of the operational separation regime in Part 8 of Schedule 1 to the *Telecommunications Act 1997* to require operational separation of Telstra.

Telecommunications (Requirements for Operational Separation Plan) Determination (No.1) 2005

This determination specifies a number of requirements, additional to those specified in Part 8 of Schedule 1 to the *Telecommunications Act 1997*, to be dealt with in a draft operational separation plan to be prepared by Telstra and given to the Minister for Communications, Information Technology and the Arts. The determination requires Telstra to include in a draft operational separation plan provisions that relate to the following key elements of operational separation:

- the operational and organisational separation of Telstra;
- the provision of high-quality wholesale services;
- equivalence of designated services in relation to both price and non-price terms and conditions; and
- demonstration of compliance with the operational separation plan.

Carrier Licence Conditions (Telstra Corporation Limited) Declaration 1997 (Amendment No. 1 of 2005)

The purpose of this declaration is to improve the operation and reporting of priority assistance for consumers and for Telstra as the provider of priority assistance service to eligible customers who have a diagnosed life-threatening medical condition and are at risk of suffering a rapid, life-threatening deterioration in their condition.

Carrier Licence Conditions (Telstra Corporation Limited) Declaration 1997 (Amendment No. 2 of 2005)

The purpose of this declaration is to impose requirements on Telstra concerning its ongoing commitment to a local presence in regional, rural and remote Australia.

Telstra Carrier Charges—Price Control Arrangements, Notification and Disallowance Determination No. 1 of 2005

Telstra Carrier Charges—Price Control Arrangements, Notification and Disallowance Determination No. 1 of 2005 (Amendment No. 1 of 2006)

The *Telstra Carrier Charges—Price Control Arrangements, Notification and Disallowance Determination No. 1 of 2005* specifies the Telstra services which are subject to price control arrangements and establishes a price cap for certain services. It also sets out the principles that are to apply in relation to certain Telstra line rental charges, and sets out which Telstra charges are subject to notification and disallowance. The *Telstra Carrier Charges—Price Control Arrangements, Notification and Disallowance Determination No. 1 of 2005 (Amendment No. 1 of 2006)* amended the *Telstra Carrier Charges—Price Control Arrangements, Notification and Disallowance Determination No. 1 of 2005* to make explicit Telstra's line rental pricing parity obligations by including in the price controls a requirement that Telstra offer a basic line rental service at the same price across the country and to make other clarificatory amendments.

Australian Sports Anti-Doping Authority Act 2006 and Australian Sports Anti-Doping Authority (Consequential and Transitional Provisions) Act 2006

These acts provide for the establishment of the Australian Sports Anti-Doping Authority from 13 March 2006, make consequential amendments and deal with transitional matters. The Australian Sports Anti-Doping Authority replaces the Australian Sports Drug Agency.

Australian Sports Anti-Doping Authority Regulations 2006

These regulations establish the National Anti-Doping Scheme which is administered by the Australian Sports Anti-Doping Authority.

Film Licensed Investment Company (Decision-making Criteria and Procedures) Determination 2005

This instrument provides the criteria that apply in deciding whether, and to whom, to grant the licence under the scheme set out in the Film Licensed Investment Company Act 2005 and the procedures that must be complied with in making that decision.

Film Licensed Investment Company (Application) Rules 2005

This instrument provides the arrangements for making and dealing with applications for the licence to raise concessional capital under the scheme set out in the Film Licensed Investment Company Act 2005.

Film Licensed Investment Company (Reporting Requirements) Determination 2005

This instrument provides for how the company licensed under the *Film Licensed Investment Company Act 2005* must report and hence allows for the monitoring of compliance with the Act and evaluation of the Film Licensed Investment Company Scheme.

Postal Industry Ombudsman Act 2006

The Act provides for the establishment of the Postal Industry Ombudsman within the office of the Commonwealth Ombudsman. The Postal Industry Ombudsman will be responsible for the investigation of complaints against or actions taken by Australia Post in relation to the provision of postal or similar services, and will also be able to investigate complaints about private postal operators who voluntarily register with the Postal Industry Ombudsman.

Broadcasting Legislation Amendment Bill (No. 1) 2005

Under section 38B of the *Broadcasting Services Act 1992*, commercial television licensees may jointly or individually provide a third service in certain circumstances. This Bill would allow such third services in remote areas to be provided on a single spectrum multiplex, with no high definition television requirements.

Broadcasting Services Amendment (Subscription Television Drama and Community Broadcasting Licences) Act 2006

This Act amends the *Broadcasting Services Act 1992* to:

- make the new eligible drama expenditure requirement for pay television services more flexible; and
- give the Australian Communications and Media Authority a discretion to approve the transfer of community broadcasting licences, to deal more easily with changes to corporate arrangements for licensees.

Australian Broadcasting Corporation Amendment Act 2006

This Act removes the position of staff elected director on the board of the Australian Broadcasting Corporation.

Appendix 5

Staffing statistics

Figure 4.1 Full-time and part-time staff—30 June 2006

Ongoing employees				Non-ongoing employees						Total
Full-time		Part-time		Full-time		Part-time		Casual		
Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
269	346	13	55	16	53	5	4	4	8	773

Note: These figures indicate staff substantively employed by the Department as at 30 June 2006 including temporary reassignment of duties into the agency. These figures include the departmental Secretary.

Figure 4.2 Staff by classification groups and location—30 June 2006

State	APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES B1	SES B2	SES B3	SEC	Total
ACT	8	32	21	101	88	144	168	101	23	8	2	1	697
NSW		1	4	8	2	2	2	2					21
NT			1	6	4	5	2	1					19
QLD		1	3	2	1	2	1	1					11
SA				2	2	1							5
TAS				1									1
VIC				2	2	1	1	1					7
WA			1	4	3	1	2	1					12
Total	8	34	31	125	102	156	177	107	23	7	2	1	773

Note: These figures indicate ongoing and non-ongoing staff substantively employed by the Department as at 30 June 2006. Classifications with local designations, for example Legal and Public Affairs, have been subsumed into equivalent APS or EL levels. These figures include the departmental Secretary.

Figure 4.3 SES staff—30 June 2006

	Male	Female	Total
SESB1	18	5	23
SESB2	4	3	7
SESB3	1	1	2
Total	23	9	32

Note: These figures reflect nominal occupancy and do not include acting arrangements.

Figure 4.4 Staff in EEO groups—30 June 2006

Male	Female	Total staff 1	DCLB 1&2	ATSI	PWD	Total staff 2
307	466	773	149	37	7	550
40%	60%	100%	27.1%	6.7%	1.2%	71.2%

Key to tables 4.4 and 4.5:

Total staff 1: Ongoing and non-ongoing staff substantively employed as at 30 June 2006. Percentages of male and female relate to this total.

DCLB1: People from diverse linguistic backgrounds (first generation).

DCLB2: People from diverse linguistic backgrounds (second generation).

ATSI: Aboriginal and Torres Strait Islander peoples.

PWD: People with a disability.

Total staff 2: Total number of staff who volunteered EEO information, including 'no' answers to questions. Percentages of EEO statistics have been derived from this total.

Figure 4.5 EEO groups within salary ranges—30 June 2006

Salary range

Lowest	Highest	DCLB1&2	ATSI	PWD	Total
\$0	\$32 734	3	1	0	8
\$32 735	\$41 634	8	3	0	28
\$41 635	\$45 249	3	6	1	25
\$45 250	\$50 735	22	12	0	90
\$50 736	\$55 264	23	7	1	67
\$55 265	\$64 661	36	2	2	117
\$64 662	\$90 790	34	4	1	131
\$90 791	\$102 569	13	2	1	73
\$102 570	NA	7	0	1	11
Total		149	37	7	550

Note: Total includes staff who volunteered EEO information including 'no' answers and those that may have declined to answer some questions (e.g. may have said 'yes' to DCLB1 but chose not to answer on disability).

Figure 4.6 Salary range of employees 2005–06

Classification	Certified Agreement Salary range (\$)		Australian Workplace Agreement (AWA) Salary range (\$)	
	Lowest	Highest	Lowest	Highest
SES	NA	NA	109 200	190 320
EL2	80 873	100 417	80 873	115 097
EL1	70 154	88 144	77 655	96 000
APS6	56 173	64 661	56 173	64 661
APS5	52 336	55 264	52 336	55 264
APS4	46 945	50 735	NA	NA
APS3	41 883	45 249	NA	NA
APS2	36 826	41 634	NA	NA
APS1	32 734	32 734	NA	NA

Note: Part-time salaries have been annualised to full-time for comparison. Classifications with local designations, e.g. Legal and Public Affairs, have been subsumed into equivalent APS or EL levels.

Figure 4.7 Number of staff on AWAs or Certified Agreement—30 June 2006

	AWA	Certified Agreement	Total
SES	32		32*
EL2	80	27	107
EL1	11	166	177
APS1–6	3	453	456
Total	126	646	772

Note: Classifications with local designations, e.g. Legal and Public Affairs, have been subsumed into equivalent APS or EL levels.

* Includes AWAs being finalised in the year.

Figure 4.8 Performance payments 2005–06

Classification	Number of staff paid	Aggregate amount (\$)	Average amount (\$)	Lowest payment (\$)	Highest payment (\$)
SES	37	377 470.78	10 201.91	1 301.67	23 930.40
EL2	76	509 491.06	6 703.82	627.66	10 862.80
APS1–EL1	13	64 887.41	4 991.34	1 515.24	8 127.00
Total	126	951 849.25			

Figure 4.9 Performance payments 2004–05, paid in 2005–06

Classification	Number of staff paid	Aggregate amount (\$)	Average amount (\$)	Lowest payment (\$)	Highest payment (\$)
SES	21	213 983.06	10 189.67	869.92	23 010.00
EL2	17	101 792.67	5 987.80	707.09	10 936.44
APS1–EL1	2	8 532.64	4 266.32	1 759.96	6 772.68
Total	40	324 308.37			

Appendix 6

Report on performance in implementing the Commonwealth Disability Strategy

Performance reporting 2005–06

The Commonwealth Disability Strategy (CDS) provides a framework to assist Commonwealth organisations to meet their obligations under the *Disability Discrimination Act 1992*. The strategy defines the core roles of Government agencies as policy adviser, regulator, purchaser, provider, and employer.

Policy advisers are responsible for strategic planning and formulating new initiatives and revisions to current Government programs and services. They do so in response to Government policy objectives, identified community needs or both.

Regulators develop regulations in direct response to Government policy or legislation and are responsible for implementing the framework designed by policy advisers.

Similarly for purchasers, established policy directions guide the purchasing frameworks to be implemented. Funding is allocated on the basis that purchasing specifications are designed to give effect to the policy framework.

Service providers also work within established boundaries. These boundaries exist in the purchasing frameworks that accompany funds received to provide the service. Purchasing specifications specify how services are to be provided, to whom

and under what conditions.

Though conditions of employment may vary between organisations, the core functions of an employer remain the same (see www.facs.gov.au/disability/cds/cds/roles1.htm for more information on the Commonwealth Disability Strategy).

The Department's performance against the performance indicators for each of the defined roles follows.

Policy advisor role

Performance indicator 1: New or revised policy/program proposals assess the impact on the lives of people with disabilities prior to decision.

Performance measure: Percentage of new or revised policy/program proposals documenting that the impact of the proposal was considered prior to the decision making stage.

Current level of performance 2005–06

New policy

Number of new policies: 13.
Percentage documenting impact:
38% (60% in 2004–05)

Revised policy

Number of revised policies/programs:
3. Percentage documenting impact: 0%
(22% in 2004–05)

NOTE: Usually, the impact on the lives of people with disabilities is only documented in the New Policy Proposal process where it has been assessed that there is an impact. The Department is working to improve reporting with a new policy proposal checklist.

Performance indicator 2: People with disabilities are included in consultation about new or revised policy/program proposals.

Performance measure: Percentage of consultations about new or revised policy/program proposals that are developed in consultation with people with disabilities.

Current level of performance 2005–06

New policy

Number of consultations: 7. Percentage of consultations undertaken with people with disabilities: 71% (80% in 2004–05)

Revised policy – no consultations

Performance indicator 3: Public announcements of new, revised or proposed policy/program initiatives are available in accessible formats¹ for people with disabilities in a timely manner.

Performance measure: Percentage of new, revised or proposed policy/program announcements available in a range of accessible formats.

Time taken in providing announcements in accessible formats.

Current level of performance 2005–06

- A total of 257 Ministerial media announcements were made during the year with 100 per cent of these announcements available on the Internet in HTML at the time of the announcement. Announcements were also distributed via fax to selected media.

- No requests were received for media announcements in other formats (currently available in HTML).
- The Department's website is continually reviewed and updated in line with best practice accessibility.
- Guidelines for planning and producing materials in accessible formats continue to be updated and available on the Department's intranet.
- Information, including discussion papers and fact sheets, is available on the website in HTML, Word and/or PDF.

Regulator role

Performance indicators:

1. *Publicly available information on regulations and quasi-regulations is available in accessible formats for people with disabilities.*
2. *Publicly available regulatory compliance reporting is available in accessible formats for people with disabilities.*

Performance measures: Percentage of publicly available information on regulations and quasi-regulations requested and provided in accessible electronic formats; and accessible formats other than electronic.

Average time taken to provide accessible material in electronic format and formats other than electronic.

¹ Accessible formats include electronic formats such as ASCII (or .txt) files and html for the web. Non electronic accessible formats include Braille, audio cassette, large print and easy English. Other ways of making information accessible include video captioning and Auslan interpreters.

Current level of performance 2005–06

- All legislative instruments made since 1 January 2005, and between 1 January 2000 and 31 December 2004, are posted on the Federal Register of Legislative Instruments (a publicly available website database managed by the Attorney-General's Department) in multiple formats.
- No requests were received for information on regulations and quasi-regulations or for compliance reporting in accessible formats.
- In line with Government Policy, the Departmental Regulatory Plan is available on the Department's website in an accessible format
- The Department's website is continually reviewed and updated in line with best practice accessibility guidelines. Web policies have been updated to better reflect W3C recommendations.

Purchaser role

Performance indicator 1: Publicly available information on agreed purchasing specifications is available in accessible formats for people with disabilities.

Performance measure: Percentage of publicly available purchasing specifications requested and provided in accessible electronic formats and accessible formats other than electronic.

Average time taken to provide accessible material in electronic formats and formats other than electronic.

Current level of performance 2005–06

Contracts:

All open tender processes are available online, with all tender documentation available in PDF format for security reasons. On request, the Department is able to provide tender documentation in a range of accessible formats.

Grants:

100 per cent of grant program guidelines are available online (those grant programs subject to applications). No requests were received for information in other formats. Other accessible formats available on request.

Performance indicator 2: Processes for purchasing goods or services with a direct impact² on the lives of people with disabilities are developed in consultation with people with disabilities.

Performance measure: Percentage of processes for purchasing goods or services that directly impact on the lives of people with disabilities that are developed in consultation with people with disabilities.

Current level of performance 2005–06

Contracts:

Procurement of goods that directly impact upon the lives of employees with a disability is carried out in consultation with people with disabilities through a service provider and a central area of the Department.

The Department has set up a panel of contractors to carry out construction-related works within the Department's premises. All works will be carried out

² Direct impact means those goods and services which will have an explicit consequence, effect or influence on people with disabilities. It includes the purchase of mainstream goods and services as well as specialist disability services.

in accordance with the relevant accessibility standards. The contract complies with accessibility standards.

During 2006–06:

- work was completed on the access ramp for people with disabilities at the rear of Old Parliament House;
- the installation of automatic sliding doors from the Strangers' Gallery area improved access to the Senate Courtyard and café areas of OPH; and
- disabled access toilet facilities were made available in the OPH refurbished education spaces.

Performance indicator 3: Purchasing specifications³ and contract requirements for the purchase of goods and services are consistent with the requirements of the Disability Discrimination Act 1992.

Performance measure: Percentage of purchasing specifications for goods and services that specify that tender organisations must comply with the Disability Discrimination Act 1992.

Percentage of contracts for the purchase of goods and services that require the contractor to comply with the Disability Discrimination Act 1992.

Current level of performance 2005–06

Contracts:

The Department's standard contract terms require compliance with relevant legislation including the *Disability Discrimination Act 1992*. Draft contracts are supplied with all standard requests for tender.

Grants:

The Department's standard funding deeds require compliance with the *Disability Discrimination Act 1992*.

Performance indicator 4: Publicly available performance reporting against the purchase contract specifications requested in accessible formats for people with disabilities is provided.

Performance measure: Percentage of publicly available performance reports against the contract purchasing specification requested and provided in accessible electronic formats and accessible formats other than electronic.

Average time taken to provide accessible material in electronic formats and formats other than electronic.

Current level of performance 2005–06

Contracts:

Information is available online at the Australian Government Tender System home page (www.tenders.gov.au).

Information complying with the requirements of the Order of the Senate for Department and Agency Contracts is on the Department's website (www.dcita.gov.au). Details of consultancy contracts are reported as part of the Annual Report.

Grant programs:

One hundred per cent of the Department's grant program guidelines are available online (generally in HTML format). No requests were received for information in other formats. For documents not in HTML, contact details are included so that applicants can request documents in alternative formats if required.

³ Purchasing agreements can include contracts, memoranda of understanding and service level agreements.

General:

The Department's website publishing guidelines have been updated to take better account of W3C recommendations.

The Old Parliament House and National Portrait Gallery websites continue to be upgraded in accordance with Commonwealth Government guidelines for website accessibility.

Performance indicator 5: Complaints/grievance mechanisms, including access to external mechanisms in place to address concerns raised about provider's performance.

Performance measure: Established complaints/grievance mechanisms, including access to external mechanisms, in operation.

Current level of performance 2005–06

The Department's Client Service Charter 2005–08 outlines the mechanism for formal complaints, including access to external review bodies. The Department encourages feedback and comments through the website through the 'feedback' and 'contact us' links at the bottom of each page.

The Department received 21 feedback forms during the last year, of which 19 were positive and three were negative.

Grant programs continue to have well established feedback mechanisms. In general, grants program areas on the website offer feedback mechanisms. Verbal and written feedback between the Department and the grantees occurs. A 'freecall 1800' telephone service operates for some grant programs as well as direct telephone numbers and generic email addresses available for enquiries or as an avenue of complaints.

Provider role

Performance indicator 1: Providers have established mechanisms for quality improvement and assurance.

Performance measure: Evidence of quality improvement and assurance systems in operation.

Current level of performance 2005–06

The established mechanisms for quality improvement and assurance include a feedback form in the Department's Client Service Charter 2005–08, the annual client service survey, and the provision for feedback on the website.

The results of the 2006 client service survey identify a small proportion (three per cent) of the Department's clients have special needs when accessing Departmental services. Fourteen respondents reported that they required English as a second language services, ten require community languages and interpreter services, two require TTY and access to large print format, and seven indicated that they require online material accessible to people with disabilities. The Department has in place a range of options for people with particular needs.

The Department's website publishing guidelines have been updated to better reflect W3C recommendations.

The Old Parliament House and National Portrait Gallery websites continue to be upgraded in accordance with Commonwealth Government guidelines for website accessibility.

Snapshot examples:

Culture and Recreation Web Portal was upgraded in 2004–05 to raise the level of conformity to the Web Content Accessibility Guidelines 1.0 standard to the highest level, a Triple A rating to assist people with disabilities to navigate the site. Over 2005–06, the Department continued to research and monitor mechanisms to improve accessibility and usability. Some minor technical changes were introduced with further technical upgrades scheduled for implementation over 2006–07.

The Collections Australia Network website is currently Double A compliant with web content accessibility. The network is currently working with the W3C standards towards Triple A compliance.

Old Parliament House and the National Portrait Gallery have continued to take into account a range of access issues when designing public programs, educational training of volunteer guides and building thoroughfares.

Performance indicator 2: Providers have an established service charter that specifies the roles of the provider and consumer and service standards which address accessibility for people with disabilities.

Performance measure: Established service charter that adequately reflects the needs of people with disabilities in operation.

Current level of performance 2005–06

The Department's Client Service Charter has been in place since 1998. Regular internal and external reviews ensure that the charter adequately addresses accessibility and diversity issues through the provision of a wide range of contact options, including TTY, and through clearly

set out service standards that include sensitivity to diversity issues. The Department's annual client service survey gauges the respondent's knowledge of the Department's Client Service Charter 2005–08. In 2006, client awareness of the service standards in the charter was higher than in previous years (23 per cent in 2006 compared to 19 per cent in 2005). Awareness of the charter was significantly higher among clients who deal with the Department about telecommunications and policy issues (32 and 36 per cent respectively).

Performance indicator 3: Complaints/grievance mechanisms, including access to external mechanisms, in place to address concerns raised about performance.

Performance measure: Established complaints/grievance mechanisms, including access to external mechanisms, in operation.

Current level of performance 2005–06

The Department's Client Service Charter 2005–08 outlines a formal feedback and complaint mechanism, including access to external review bodies.

The Department's website includes 'feedback' and 'contact us' sections. The Department received 21 feedback forms during the last year of which 19 were positive and three were negative.

Grant programs continue to have well established feedback mechanisms. In general, grants program areas on the website offer feedback mechanisms. Verbal and written feedback between the Department and the grantees occurs. A 'freecall 1800' telephone service operates for some grant programs, and a generic email address is available for enquiries or as an avenue of complaints.

Employer role

Performance indicator 1: Employment policies, procedures and practices comply with the requirements of the Disability Discrimination Act 1992.

Performance measure: Number of employment policies, procedures and practices that meet the requirements of the *Disability Discrimination Act 1992*.

Current level of performance 2005–06

The Department's recruitment procedures, employment programs and policies meet the requirements of the *Disability Discrimination Act 1992*. The Department's Certified Agreement complies with the Act.

Performance indicator 2: Recruitment information for potential job applicants is available in accessible formats⁴ on request.

Performance measure: Percentage of recruitment information requested and provided in accessible electronic formats, and accessible formats other than electronic.

Average time taken to provide accessible information in electronic formats, and formats other than electronic.

Current level of performance 2005–06

All recruitment information is available in accessible electronic formats on the Internet and intranet.

Recruitment staff are able to provide information in hard copy, large print or other formats on request. There were no requests for information in other accessible formats.

Electronic format information has an approximate download time of 20 seconds through a web-based tool. Timelines for the provision of other than electronic formats is dependent on the delivery mechanism.

Performance indicator 3: Agency recruiters and managers apply the principle of reasonable adjustment.

Performance measure: Percentage of recruiters and managers provided with information on reasonable adjustment.

Current level of performance 2005–06

The principle of reasonable adjustment is applied by the Department in the recruitment of people with a disability and all recruiters and managers have access to the Disability Discrimination Act through the Department's intranet link.

Performance indicator 4: Training and development programs consider the needs of staff with disabilities.

Performance measure: Percentage of training and development programs that consider the needs of staff with disabilities.

Current level of performance 2005–06

All training and development courses provide facilities that have reasonable access for people with disabilities. Staff with disabilities who book for internal courses are encouraged to discuss their needs with HR Services.

⁴ Accessible electronic formats include ASCII (or .txt) files and html for the web. Non electronic accessible formats include Braille, audio cassette, large print and easy English. Other ways of making information accessible include video captioning and Auslan interpreters.

Performance indicator 5: Training and development programs include information on disability issues as they relate to the content of the program.

Performance measure: Percentage of training and development programs that include information on disability issues as they relate to the program.

Current level of performance 2005–06

The following programs were conducted in 2005–06 and included significant information on disability issues.

- Five sessions on ‘APS Values’ and ‘Code of Conduct’
- Three Capability Training Programs
- One training course for Health and Safety Representatives
- One training course for Workplace Diversity and Harassment Contact Officers.

Performance indicator 6: Complaint/grievance mechanism, including access to external mechanisms, in place to address issues and concerns by staff.

Performance measure: Established complaints/grievance mechanisms, including access to external mechanisms in operation.

Current level of performance 2005–06

The Certified Agreement includes provisions for complaint and grievance resolution, including access to external mechanisms.

Appendix 7

Freedom of information

This statement is provided in accordance with section 8 of the *Freedom of Information Act (1982)* and is correct as at 30 June 2006.

Section 8 of the FOI Act requires each agency to publish detailed information about the way it is organised, its powers, the kinds of decisions made, arrangements for public involvement in work of the agency, documents held by the agency and how members of the public can access these documents.

Access to records under the FOI Act

Members of the public are entitled to apply for access to documents under the FOI Act. However, in many cases, the act may not need to be used. The information being sought may already be readily accessible through the Department's website at www.dcita.gov.au, or by telephoning the Manager of Corporate Communications on 02 6271 1362.

Decisions on granting access to documents under the FOI Act are generally made by the Senior Executive Service officer responsible for the work area to which the request relates. Access is usually provided in the form of copies of documents. Alternatively, the Department can provide a reading area for the inspection of documents made available under the act.

Members of the public seeking access to documents under the FOI Act should make a request in writing to the Department or the relevant portfolio agency and enclose the fee payable under the regulations in respect of the request. These requests

should include contact details including a telephone number and an address in Australia to which notifications can be posted. The Department's FOI Coordinator can help with this process, telephone 02 6271 1657.

FOI requests for the Department should be addressed to:

The Secretary
Department of Communications,
Information Technology and the Arts
GPO Box 2154, Canberra ACT 2601
Attention: Freedom of
Information Coordinator

Portfolio agencies, listed at appendix 1, are part of the Communications, Information Technology and the Arts portfolio but are not part of the Department's functional and organisational structure. To obtain information or documents from these agencies, please contact them directly. Contact details are provided at appendix 1.

Categories of documents

The Department has extensive documentary holdings in hard copy and electronic form. Certain categories of documents are common throughout the Department. These include:

- documents relating to policy development and program administration, including reports, briefings, correspondence, minutes, submissions, statistics and other documents;
- Cabinet submissions and memoranda;
- ministerial briefings;
- records of representations to the portfolio ministers and of other applications for advice and assistance;
- reference material used by staff including guidelines and manuals;
- audio and visual recordings held as part of the Department's cultural development activities; and

- legal advice.

The subject matter of departmental records is set out in the following list.

Cultural and sporting matters

- Performing, literary and visual arts
- Collections sector
- International cultural relations
- Public and educational lending rights
- Cultural access programs
- Taxation issues relating to the cultural sector
- Trade issues relating to the cultural sector
- Return of Indigenous cultural property
- Cultural Ministers Council
- Support for the arts and culture
- The Centenary of Federation in 2001
- Federation Fund projects
- Film
- Digital content
- National recreation safety organisations
- Administration of 2004 election commitments for financial support for the development of sport and recreation facilities and projects
- National anti-doping policy and programs
- International anti-doping forums
- Olympic, Paralympic and Commonwealth Games
- Public liability insurance
- Sports participation
- Sport and leisure industry
- Sport and Recreation Ministers Council

- Portfolio agencies.

Telecommunications

- Telecommunications policy, legislation and regulation
- Connect Australia programs
- Communications Fund
- Postal policy, legislation and regulation
- International communications—bilateral and multilateral arrangements including
 - Universal Postal Union (UPU) and Asian–Pacific Postal Union (APPU)
 - Maintaining international linkages and institutional frameworks through the International Telecommunication Union (ITU), APEC, World Trade Organisation (WTO) and other relevant multilateral forums
- Bilateral trade and cooperation including free trade negotiations
- Higher Bandwidth Incentive Scheme (HIBIS) and Broadband Connect program
- Metropolitan Broadband Connect program
- Telstra and Australia Post—corporate accountability
- Networking the Nation (NTN) General Fund
- Telstra Social Bonus programs
- Untimed Local Calls in Extended Zones Agreement
- Telecommunications Service Inquiry and implementation of Government’s response
- Telecommunications Action Plan for Remote Indigenous Communities (TAPRIC)
- Consumer representation and research grants program
- Regional Telecommunications Inquiry and implementation of Government’s response

- RTI Community Information campaign.

Information and communications technology

- Information and communications technology (ICT) industry development policy, including ICT Framework for the Future project
- ICT industry development programs, including ICT incubators, Intelligent Island
- ICT industry development aspects of government procurement
- ICT innovation policy, including Backing Australia's Ability program and skills
- National ICT Centre of Excellence
- IT Training and Technical Support program
- Regional Telecommunications Infrastructure Fund
- Mobile Connect program
- National Communications Fund
- Intellectual property coordination.

Information economy

- Broadband Blueprint
- Clever Networks
- Broadband Development program
- Next Generation Networks
- Digital Content Working Group
- Online Communications Council (OCC)
- Measurements Working Group
- e-Connectivity
- Coordinated Communications Infrastructure Fund (CCIF)
- Broadband Demand Aggregation Brokers program (DAB)
- National Broadband Strategy Implementation Group (NBSIG)
- Broadband Advisory Group (BAG)
- IT Skills Hub
- Digital divide
- Community connectivity

- Non-profit sector and ICT issues including an e-strategy guide for non-profit organisations and the development of a model for a national non-profit ICT coalition
- Telework and the Australian Telework Advisory Committee (ATAC)
- Broadband development policy
- ICT industry skills
- ICT Skills foresighting working group
- ICT literacy
- ICT productivity
- e-Research
- e-Business
- Information Technology Online program
- Critical infrastructure protection—cyber security component
- Online legal and regulatory framework, including spam and Internet domain names, e-security and trust issues including awareness raising, IT security skills, e-security research and development, authentication, phishing and spyware
- Maintaining international linkages and institutional frameworks through the ITU, APEC, OECD, International Corporation for the Assignment of Domain Names and Numbers (ICANN) and other relevant multilateral forums.

Broadcasting

- Broadcasting policy and development of regulation
- Commercial, national and community broadcasting services
- Television and radio, including digital conversion, pay television, subscription and open narrowcasting services and datacasting
- Broadcasting technology

- Radiocommunications policy, legislation and regulation
- Online content policy and legislation, including interactive gambling regulation
- TV Black Spots—Alternative Technical Solutions (ATS) program
- Commercial Radio Black Spots program
- NetAlert
- Regional Equalisation Plan.

Indigenous programs and policy

- Broadcasting program
- Maintenance of Indigenous languages and records
- Maintenance and promotion of Indigenous arts and cultures
- Indigenous sport and recreation program
- Whole-of-government Indigenous affairs policy.

Legal

- Legal advice, instructions to solicitors and counsel concerning matters before courts and tribunals
- Freedom of information requests
- Ombudsman complaints
- Privacy complaints
- Documents relating to the drafting of legislation and contracts.

Corporate and business

- Human resource management policy and operations
- Financial and budget management
- IT and facilities management
- Other corporate support services.

Manuals

In accordance with section 9 of the FOI Act, a list has been compiled of unpublished manuals and other documents used by departmental staff as a guide to procedures and practices to be followed when dealing with the public. The list is correct as at 30 June 2006 and is available on request from the FOI coordinator, any office of the National Archives of Australia (NAA) or the NAA website.

Organisation and functions

Information about the organisation and functions of the Department is contained in the Overview and Management and Accountability section of this annual report.

Decision making powers of the Department affecting members of the public

Decision making powers of the Department and/or the Minister that may affect members of the public are exercised under or in relation to the following Acts or regulations or other instruments made under those Acts:

- *Appropriation (Supplementary Measures) Act (No. 1) 1999*
- *Archives Act 1983*
- *Australia Council Act 1975*
- *Australian Broadcasting Corporation Act 1983*
- *Australian Communications and Media Authority Act 2005*
- *Australian Film Commission Act 1975*
- *Australian Film, Television and Radio School Act 1973*
- *Australian National Maritime Museum Act 1990*

- *Australian Postal Corporation Act 1989*
- *Australian Sports Commission Act 1989*
- *Australian Sports Anti-Doping Authority Act 2006*
- *Broadcasting Services Act 1992*
- *Datacasting Charge (Imposition Act) 1998*
- *Film Licensed Investment Company Act 2005*
- *Financial Management and Accountability Act 1997*
- *Income Tax Assessment Act 1936* – Divisions 10B and 10BA of Part III for certification of Australian films for tax concessions
- *Income Tax Assessment Act 1997*– Section 30-210 for the approval of valuers for the Cultural Gifts Program; subsection 30-305(2) in Division 30 for the approval of cultural organisations for the Register of Cultural Organisations; and Division 376 for the certification of films for eligibility for the refundable tax offset for film production in Australia
- *Interactive Gambling Act 2001*
- *Migration Regulations 1994*, Schedule 2—in respect to the entry of foreign actors to Australia
- *National Gallery Act 1975*
- *National Library Act 1960*
- *National Museum of Australia Act 1980*
- *National Transmission Network Sale Act 1998*
- *NRS Levy Imposition Act 1998*
- *Public Lending Right Act 1985*
- *Public Service Act 1999*
- *Radiocommunications Act 1992*
- *Radiocommunications (Receiver Licence Tax) Act 1983*
- *Radiocommunications (Spectrum Licence Tax) Act 1997*
- *Radiocommunications Taxes Collection Act 1983*
- *Radiocommunications (Transmitter Licence Tax) Act 1983*
- *Radio Licence Fees Act 1964*
- *Spam Act 2003*
- *Special Broadcasting Service Act 1991*
- *Telecommunications Act 1997*
- *Telecommunications (Carrier Licence Charges) Act 1997*
- *Telecommunications (Consumer Protection and Service Standards) Act 1999*
- *Telecommunications (Numbering Charges) Act 1997*
- *Telecommunications (Transitional Provisions and Consequential Amendments) Act 1997*
- *Telecommunications (Universal Service Levy) Act 1997*
- *Television Licence Fees Act 1964*
- *Telstra Corporation Act 1991*
- *Trade Practices Act 1974*, Parts XIB and XIC.

Arrangements for outside participation and public involvement

The Department is open to the views of outside organisations and provides opportunities for members of the community to contribute to developing aspects of Australia's communications, information technology, arts and sport sectors. Information about issues on which the Department is currently consulting is available on the Department's website at www.dcita.gov.au

The Department has an ongoing involvement with the following bodies, each of which play a role in consulting with the community and industry.

- Collections Council of Australia
- Committee on Taxation Incentives for the Arts
- Community Broadcasting Foundation
- Contemporary Music Touring Program committee
- Cultural Ministers Council (CMC)
- Digital Content Industry Action Agenda Strategic Industry Leaders Group
- Festivals Australia Committee
- Film Certification Advisory Board
- Media and Communications Council (MACC)
- Online and Communications Council including its Regional Communications and Indigenous Telecommunications Working Groups
- Playing Australia Committee
- Public Lending Right (PLR) Committee
- Sport and Recreation Ministers Council (SRMC)
- Visions of Australia Committee.

Further details of these bodies are listed on the Department's website at www.dcita.gov.au

Appendix 8

Advertising and market research

The following table details of all amounts of \$1500 or more paid by the Department during the year to:

- advertising agencies
- market research organisations
- polling organisations
- direct mail organisations
- media advertising organisations.

The total paid by, or on behalf of, the Department for all advertising and market research for the 2005–06 year is \$1 090 436.28.

Direct mail organisations

Organisation name	Purpose	Amount of payment
Hermes Precisa	ELR mailout	\$6985.83
National Mailing & Marketing	Direct mail for metro broadband	\$32 321.82
Direct mail organisations total		\$39 307.65

Market research organisations

Organisation name	Purpose	Amount of payment
Haystac Public Affairs	Focus testing of key themes and awareness messages for the National Awareness Initiative	\$2028.40
Environmetrics Pty Ltd	OPH Café & functions survey reports	\$2180.00
Emergency Preparedness Capacity Builders	Communications sector infrastructure assurance advisory group desktop exercise 'Exercise Eclipse'	\$19 216.11
Quantum Market Research	Market research for consumer information campaign	\$36 477.27
Origin Communications	Audience research on Indigenous television programming	\$79 977.21
Market research organisations total		\$139 878.99

Advertising agencies

Organisation name	Purpose	Amount of payment
HMA Blaze Pty Ltd	Advertisements, APS5 and APS6 WA regional network	\$1540.50
HMA Blaze Pty Ltd	Advertisements for breakfast seminars	\$1564.68
HMA Blaze Pty Ltd	Public consult on WSIS	\$1593.06
HMA Blaze Pty Ltd	Public consult on WSIS	\$1706.85
HMA Blaze Pty Ltd	Advertisements, various ICC positions	\$1708.16
HMA Blaze Pty Ltd	Advertorial for breakfast seminars	\$1766.31
Expertise Events	National Expo booth	\$1830.00
HMA Blaze Pty Ltd	Advertisement—various positions WA regional network	\$1896.00
HMA Blaze Pty Ltd	Advertisement, graduate program	\$2052.60
HMA Blaze Pty Ltd	Advertisement, APS4 ICC Brisbane	\$2135.52
HMA Blaze Pty Ltd	Advertorial for breakfast seminars	\$2212.08
HMA Blaze Pty Ltd	EOI for Metro Broadband Blackspots	\$2774.46
HMA Blaze Pty Ltd	RFT for Connect Australia program	\$3018.60
ZOO Communications	Creative concepts for Mrs PM TV advert	\$3030.00
ZOO Communications	Creative concepts for Mrs PM TV advert	\$3030.00
HMA Blaze Pty Ltd	Graphic design and related services tender advertising	\$3234.93
HMA Blaze Pty Ltd	Spam Act review launch—public notice in The Australian Newspaper—call for submissions and comments	\$3414.72

Advertising agencies (continued)

Organisation name	Purpose	Amount of payment
ZOO Communications	Creative concepts for Press Gallery TV advert	\$3500.00
ZOO Communications	Creative concepts for Press Gallery TV advert	\$3500.00
HMA Blaze Pty Ltd	IT Security & Governance Tender advertisement	\$4276.26
HMA Blaze Pty Ltd	Denial of Service Attack Tender advertisement	\$4513.83
HMA Blaze Pty Ltd	Spam Act review launch—public notice in The Australian and The Weekend Australian newspapers	\$4863.15
HMA Blaze Pty Ltd	Advertisement, school leaver program	\$4900.93
Hobsons Australia P/L	Advertisement, graduate opportunities 2006	\$5500.00
HMA Blaze Pty Ltd	RFT for NRS tender	\$7,982.52
HMA Blaze Pty Ltd	Advertising for s593 grants	\$8524.86
HMA Blaze Pty Ltd	RFT for disability tender	\$8552.52
HMA Blaze Pty Ltd	Advertisement, various ICC positions	\$9704.35
HMA Blaze Pty Ltd	Advertisement, graduate program	\$10 057.74
HMA Blaze Pty Ltd	Advertising in national newspapers to invite applications for the ITOL grant.	\$14 966.46
HMA Blaze Pty Ltd	EOI for the Do Not Call register	\$15 934.95
HMA Blaze Pty Ltd	Newspaper advertisements for Metro Broadband	\$58 228.24
Advertising agencies total		\$203 514.28

Media advertising organisations

Organisation name	Purpose	Amount of payment
HMA Blaze Pty Ltd	Invoice CC05080499	\$1500.00
Holiday Happenings	Advertising in Holiday Happenings magazine	\$1573.00
Cinden Lester Communications	Review and edit of evaluation report	\$1595.00
The Federal Capital Press Pty Ltd	Advertising in The Canberra Times	\$1636.36
AAA Tourism	Qtr page advertisement in Experience NSW 2005	\$1667.27
iMedia Asia Pacific Pty Ltd	Advertising in State of Art Magazine Jan–March 2006	\$1700.00
Cinden Lester Communications	Workforce newsletter	\$1705.00
Win Television	TV placement on Win TV —Rennie Ellis	\$1707.00
City News	Advertisement in City News —Floriade & Bloom	\$1760.00
iMedia Asia Pacific Pty Ltd	Advertising in State of Art Magazine April–June 2006	\$2000.00
10 group	Advertising in Look Magazine April 2006	\$2120.00
HMA Blaze Pty Ltd	Media Placement on Radio FM 106.3 for Dismissal	\$2224.00
NRS Group Pty Ltd	Broadcasting on Channel Vision	\$2290.91
HMA Blaze Pty Ltd	Floriade Advertising	\$2359.09
Capital Magazine Publishing	Advertising in Magazine —Mar–Apr issue	\$2430.00
HMA Blaze Pty Ltd	Advertising in Panorama	\$2495.24
Regional Publishers Pty Limited	Advertising in regional magazines	\$2568.91
TW Media Pty Ltd	Advertising in This Week in Canberra	\$2590.91

Media advertising organisations (continued)

Organisation name	Purpose	Amount of payment
TW Media Pty Ltd	Advertising in This Week in Canberra	\$2590.91
BMA	Advertising in 3 issues of BMA magazine	\$2673.00
HMA Blaze Pty Ltd	Advertising for Flash in Melbourne Age 18/03/2006	\$2751.37
HMA Blaze Pty Ltd	Advertising for Flash in Melbourne Age 25/03/2006	\$2751.37
HMA Blaze Pty Ltd	Advertising in Sydney Morning Herald	\$2827.77
Prime Television Pty Ltd	TV Adverts—Eureka	\$2841.00
HMA Blaze Pty Ltd	Advertising in Panorama	\$2853.38
Craft Arts International	Advertisement in Craft Arts Magazine—Issues 64 & 65	\$2900.00
HMA Blaze Pty Ltd	Advertising	\$3018.60
Canberra Educational Tours Services	Advertising in 2006 & 2007 Classroom Canberra Excursion Planner	\$3218.18
Australian Capital Tourism Corporation	CRVC Over Counter Panel Advertising 2005–06	\$3231.82
HMA Blaze Pty Ltd	Advertising in Sydney Morning Herald	\$3274.38
Cinden Lester Communications	Phase 3	\$3300.00
Australian Centre for Photography	Advertising in 4 issues of Photofile	\$3389.73
HMA Blaze Pty Ltd	Advertising Tender for DCON 05/141	\$3421.08
TW Media Pty Ltd	Advertising in This Week in Canberra	\$3454.55
Macquarie Publishing Pty Ltd	Advertising in City News and CAP Magazine	\$3481.82

Media advertising organisations (continued)

Organisation name	Purpose	Amount of payment
HMA Blaze Pty Ltd	Advertising of CGP and ROCO	\$3843.00
HMA Blaze Pty Ltd	Advertising for sport & recreation	\$3899.94
Australian Capital Tourism Corporation	Advertising in 2006 Holiday Planner	\$4090.91
Art Monthly	Advertising in Art Monthly	\$4363.63
HMA Blaze Pty Ltd	Advertising in Sydney Morning Herald	\$4367.44
National Capital Authority	Advertising in National Capital School Excursion Planner 2006 & 2007	\$4445.45
HMA Blaze Pty Ltd	Mrs PM TVCs March Canberra advertisements	\$4463.00
HMA Blaze Pty Ltd	Advertising in Sydney Morning Herald	\$4476.61
HMA Blaze Pty Ltd	Advertising EL2 IC&AS	\$4659.23
HMA Blaze Pty Ltd	TV Media Placement —Press Gallery	\$4767.00
HMA Blaze Pty Ltd	Advertising in Sydney Morning Herald	\$5000.00
HMA Blaze Pty Ltd	Advertising in Wish Magazine	\$5000.00
HMA Blaze Pty Ltd	Advertising in Limelight Magazine	\$5499.00
HMA Blaze Pty Ltd	Advertising in Panorama	\$5512.60
HMA Blaze Pty Ltd	RFT advertising	\$6568.32
HMA Blaze Pty Ltd	Advertisement	\$6677.80
Australian War Memorial	Joint marketing with AWM open day	\$6845.07
HMA Blaze Pty Ltd	Advertising in Panorama	\$8733.34
HMA Blaze Pty Ltd	ELR Advertising	\$9266.14

Media advertising organisations (continued)

Organisation name	Purpose	Amount of payment
HMA Blaze Pty Ltd	PLR Advertising	\$9266.15
HMA Blaze Pty Ltd	Mrs PM TVCs March Sydney advertisements	\$9954.00
HMA Blaze Pty Ltd	Advertising in Panorama	\$9986.83
Australian Capital Tourism Corporation	From the Vault advertising campaign	\$10 000.00
Capital Magazine Publishing	Advertising in Magazine —Issues 17–22	\$10 350.00
HMA Blaze Pty Ltd	Festivals Australia Advertising	\$10 685.27
HMA Blaze Pty Ltd	Advertising FLIC scheme	\$10 982.92
HMA Blaze Pty Ltd	Advertisements for public submissions to the e-Security National Agenda Review	\$11 208.21
HMA Blaze Pty Ltd	Advertising in Panorama	\$12 000.00
Win Television	TV Placement On Win TV —My Melancholy Duty	\$12 015.00
HMA Blaze Pty Ltd	Visions of Australia advertising	\$12 573.96
HMA Blaze Pty Ltd	Advertising of CGP and ROCO	\$13 060.00
HMA Blaze Pty Ltd	CEO for AFC	\$14 886.00
HMA Blaze Pty Ltd	Media placement with Win TV for Dismissal	\$15 223.00
HMA Blaze Pty Ltd	Campaign and non campaign advertising	\$15 966.59
HMA Blaze Pty Ltd	Advertising for Artbank Director	\$16 615.04
HMA Blaze Pty Ltd	Advertising	\$19 507.63
HMA Blaze Pty Ltd	Arts & Touring	\$22 406.00

Media advertising organisations (continued)

Organisation name	Purpose	Amount of payment
HMA Blaze Pty Ltd	Advertising of Playing Australia	\$22 885.00
HMA Blaze Pty Ltd	Festivals Australia advertising	\$22 885.00
HMA Blaze Pty Ltd	Advertising of CGP and ROCO	\$23 095.00
HMA Blaze Pty Ltd	Mrs PM TVCs placement Feb–Mar 2006	\$25 680.00
HMA Blaze Pty Ltd	Advertisement	\$27 327.60
HMA Blaze Pty Ltd	Advertising of Digital Content Industry Action Agenda forums	\$28 846.30
HMA Blaze Pty Ltd	Satellite Phone Subsidy Scheme advertising	\$30 460.90
Cinden Lester Communications	Aust Govt Stories Project —Pitching and Placement	\$31 625.00
HMA Blaze Pty Ltd	Advertising in Panorama	\$31 794.81
HMA Blaze Pty Ltd	Advertising in Panorama	\$36 069.02
Media advertising organisation total		\$707 735.36

Appendix 9

Discretionary grants

Discretionary grants are payments where the Minister or paying agency has discretion in determining whether or not a particular applicant receives funding and the conditions that apply in return for the grant.

The discretionary grant programs administered by the Department in 2005–06 are listed below.

- Anti-Doping Research program
- Commercial Radio Black Spots program
- Consumer representation and research grants
- Coordinated Communications Infrastructure Fund
- Cultural Development Program
 - Contemporary Music Touring Program
 - Festivals Australia
 - Playing Australia
 - Regional Arts Fund
 - Visions of Australia
- Demand Aggregation Broker program
- Indigenous Broadcasting program
- Indigenous Sport and Recreation program
- IT Training and Technical Support program
- Maintenance of Indigenous Languages and Records
- National Arts and Crafts Industry Support
- National Transmission Network Residual Funding Pool
- National Recreation Safety program
- Networking the Nation
- Promotion of Indigenous Art
- Regional Arts and Culture Support
- Remote commercial transmission supplementation
- Television Black Spots—Alternative Technical Solutions program

More information about these programs is available on the Department's website at www.dcita.gov.au. A list of grant recipients for each program is available on request.

Appendix 10

Ecologically Sustainable Development (ESD) and environmental performance

In 2005–06, the Department continued its commitment to ecologically sustainable development and environmental performance. The following initiatives in the Department's environment policy are aimed at minimising the effect that its daily activities have on the environment.

The initiatives include:

- reusing and recycling waste and materials consumed by its activities;
- complying with relevant legislation, Government initiatives and policies;
- effectively communicating environmental responsibilities, initiatives and programs;
- encouraging participation and promoting awareness of environmental opportunities in the workplace; and
- applying the principles of ecologically sustainable development to capital works projects.

Specific initiatives undertaken during the year to assist in this aim included:

- implementation of mobile phone recycling through 'Mobile Muster', the mobile phone industry's official recycler;
- implementation of ethanol fuel guidelines to promote the use of E10 fuel in the Department's vehicle fleet;
- registration of the Department's vehicle fleet with 'Greenfleet' to offset greenhouse gas emissions; and
- an increase in green energy usage from five per cent to eight per cent.

These initiatives have allowed the Department to move closer to accreditation, which is expected in December 2006, and further improve the Department's Environmental Management System (EMS).

Monitoring of the EMS continued to be a focus during the year through:

- a review the Department's EMS documentation by Coffee Environments Pty Ltd to ensure it is maintained in accordance with the revised international standard ISO 14001:2004; and
- energy consumption monitoring through the Department of Environment and Heritage EDGAR online reporting system.