

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Monday, 18 September 2023 4:29 PM
To: Ken Matthews
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: RE: Plans for this week

Hi Ken

From what I can see, you've replied to most of our emails, here's a couple where you haven't, but a reply wasn't necessarily expected.

14/09 – Comments received from the APVMA on the survey
15/09 – APVMA meeting notes from meeting 1
15/09 – Draft section 3 of report
15/09 – Draft report – DAFF comments
18/09 – Email from Wayne containing the results of the APVMA survey

At this stage I will be in the office on Wednesday.

Please reach out if we can be of any assistance

s. 22(1)(a)(ii)

From: Ken Matthews <s. 47F(1) @gmail.com>
Sent: Monday, September 18, 2023 2:04 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Subject: Re: Plans for this week

Thanks ^{s. 22(1)(a)(ii)} I haven't been able to touch a keyboard since Friday but I hope to return to the report most of tomorrow. I may come into the office (mainly to minimise cute interruptions!) but no-one needs to be there to support me. I have at least a day's work integrating the remaining pieces of drafting into the full document before I start editing.

One thing you could do in the meantime is list for me all the emails from the team that I seem not to have yet responded to.

Cheers,

Ken

Ken Matthews AO
s. 47F(1)
s. 47F(1) [@gmail.com](mailto:s. 47F(1)@gmail.com)

On 18 Sep 2023, at 11:46, s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au> wrote:

Hi Ken

Just checking in about plans for this week.

Will you be in the office at all? Are you wanting any additional information from us at this point?

s. 22(1)(a)(ii)

Director (A/g) - Review and Projects

 s. 22(1)(a)(ii) | s. 22(1)(a)(ii)

Department of Agriculture, Fisheries and Forestry

Agvet Chemicals | Agvet Chemicals, Fisheries, Forestry and Engagement

Agriculture House, 70 Northbourne Ave Canberra ACT 2601 | GPO Box 858 Canberra ACT 2601

✉ s. 22(1)(a)(ii)[@agriculture.gov.au](mailto:s.22(1)(a)(ii)@agriculture.gov.au)

<image001.jpg>

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s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Monday, 18 September 2023 4:47 PM
To: Ken Matthews
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii); Bursle, Guy
Subject: For Ken's Information | Rapid Evaluation Tracking | Current as at 18 Sept 2023 [SEC=OFFICIAL]
Attachments: Evaluation project tracking_Updated_18Sept2023.xlsx

Good afternoon Ken,

Please see attached Evaluation Tracking document for your reference.

Content is current as at 18 September 2023.

Please contact s. 22(1)(a)(ii)@aff.gov.au or s. 22(1)(a)(ii)@aff.gov.au if we can be of any further assistance.

Regards,

s. 22(1)(a)(ii) (she/her)

Policy Officer | International and Domestic Policy Section | s. 22(1)(a)(ii)

Department of Agriculture, Fisheries and Forestry
Agvet Chemicals and Forestry Branch | Agvet Chemical, Fisheries, Forestry and Engagement
70 Northbourne Avenue, Canberra ACT 2601
GPO Box 858 Canberra ACT 2601
Email: s. 22(1)(a)(ii)@aff.gov.au

(Please note: I leave at 1.30pm on Friday)

We work flexibly. If you have received an email from me outside of normal business hours, I'm sending it at a time that suits me. Unless it's urgent, I'm not expecting you to read or reply until normal business hours.

The department acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to traditional owners, their cultures and elders past and present.

s. 22(1)(a)(ii)

Sent: Tuesday, 19 September 2023 4:53 PM
To: Ken Matthews
Cc: APVMA Evaluation
Subject: RE: Independent decision-making

Hi Ken, the following is lifted from section 7 of the Agvet Admin Act that sets out the functions and powers of the APVMA. The ones in red I think can be called out specifically in independence, the ones in green are more routine and addressed by normal practice of a stat office holder operating in the APS and would not need to be expressly called out. If you

- to assess the suitability for supply in Australia of active constituents for proposed or existing chemical products
- to assess the suitability for supply in Australia proposed or existing chemical products, including proposed or existing labels for containers for chemical products
- to provide information to the Governments and authorities of the Commonwealth, the States and the participating Territories about approved active constituents for proposed or existing chemical products, proposed or existing chemical products, including proposed or existing labels for containers for chemical products
- to co-operate with the Governments and authorities of the Commonwealth, the States and the participating Territories on matters relating to the management and control of chemical products
- to evaluate the effects of the use of chemical products in the States and participating Territories
- to exchange information relating to chemical products and their use with overseas and international bodies having functions similar to the APVMA's functions
- when requested by the Minister, or on its own initiative, to report to or advise the Minister on any matter relating to chemical products or arising in the course of the performance of its functions
- decision to enforce compliance with legislation on the supply

- to keep records and statistics of approvals and registrations granted, and permits and licences issued, by it under the Agvet Codes
- to co-operate with Governments and authorities of the Commonwealth, the States and the participating Territories for the purpose of facilitating a consistent approach to the assessment and control of chemicals
- in co-operation with Governments and authorities of the Commonwealth, the States and the participating Territories, to develop codes of practice, standards and guidelines for, and to recommend precautions to be taken in connection with, the manufacture, export, import, sale, handling, possession, storage, disposal and use of chemical products in the States and participating Territories
- to collect, interpret, disseminate and publish information relating to chemical products and their use
- to encourage and facilitate the application and use of results of evaluation and testing of chemical products
- to encourage and facilitate the introduction of uniform national procedures for control of the use of chemical products
- to fund, and co-operate in, a program designed to ensure that active constituents for proposed or existing chemical products, chemical products, and labels for containers for chemical products, comply with the Agvet Codes and the Agvet Regulations

-----Original Message-----

From: Ken Matthews <s. 47F(1) @gmail.com>
 Sent: Tuesday, September 19, 2023 4:31 PM
 To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
 Subject: Independent decision-making

Hi s. 22(1)(a)(ii) would you mind resending me your list of the specific areas needing to be reserved by statute for independent decision-making by the APVMA? Thanks,

Ken

Ken Matthews AO

s. 47F(1) @gmail.com

s. 47F(1)

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Wednesday, 20 September 2023 12:32 PM
To: Ken Matthews
Cc: s. 47E(d) ; s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: Ensuring regulator access to information [SEC=UNOFFICIAL]

Ken

As discussed this morning. I have crafted some text to replace the last part of the sentence discussing both information publication and regulator access.

The government should, like other international efforts, establish requirements on proponents of chemical products to supply the regulator with details on all information (including trials) relating to safety, efficacy, or trade impacts they hold for the chemical product. For clarity this should not include information solely related to marketing or promotion of the product. This information should be required at the time of application. It is only through a complete understanding of a product's risk that the highest calibre regulatory decisions can be made.

s. 22(1)(a)(ii)

Director | International and Domestic Policy Section | s. 22(1)(a)(ii) mob: s. 22(1)(a)(ii)
Department of Agriculture, Fisheries and Forestry
AgVet Chemicals and Forestry Branch | AgVet Chemical, Fisheries, Forestry and Engagement Division
Agriculture House, 70 Northbourne Avenue, Canberra ACT 2601
GPO BOX 858 Canberra ACT 2601
Email: s. 22(1)(a)(ii)[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)

agriculture.gov.au



s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Wednesday, 20 September 2023 1:29 PM
To: Ken Matthews
Subject: RE: Next draft of Report
Attachments: 2023-09-20 APVMR Report Draft 2.docx

Hi Ken

I've made those changes you've asked for.

I shaded the text box as it goes across several pages and I thought the shading served as a 'reminder' that the text box was ongoing.

I've inserted the diagram however this can easily be moved/removed if you aren't happy with it.

In terms of alternatives for the 'reasoning for the recommendation' heading, you could try something like:

- Justification for this recommendation
- Basis for the recommendations
- The reasons behind/supporting my recommendation
- How I arrived at this recommendation

Hope that helps

Let me know if I can do anything else

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Director (A/g) - Review and Projects

 **s. 22(1)(a)(ii)** | **s. 22(1)(a)(ii)**

Department of Agriculture, Fisheries and Forestry

Agvet Chemicals | Agvet Chemicals, Fisheries, Forestry and Engagement

Agriculture House, 70 Northbourne Ave Canberra ACT 2601 | GPO Box 858 Canberra ACT 2601

✉ **s. 22(1)(a)(ii)**[@agriculture.gov.au](mailto:s.22(1)(a)(ii)@agriculture.gov.au)



The department acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to traditional owners, their cultures and elders past and present.

From: Ken Matthews <**s. 47F(1)** @gmail.com>
Sent: Wednesday, September 20, 2023 12:41 PM
To: **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**@aff.gov.au>
Subject: Next draft of Report

Hi s. 22(1)(a)(ii)

I am attaching the next draft of the report. Could you please get it back to me as soon as you can with the following additions – which are beyond me I am afraid...

Please add the terms of reference as Attachment A (same font etc as the balance of the report of course).

Could you please put feature box 1 into a box? (I have tried and failed several times.)

Could you please add your proposed diagram at the point you suggested in your comments on the last version. I want to have a look at how it would appear.

Please note that I do want to retain the subheadings with questionmarks. However, I am unhappy with the subheading "reasoning for this recommendation", but can't think of a better version. Any thoughts?

s. 22(1)(a)(ii) is sending me a paragraph later today. I will add it after I receive his input.

I plan then to circulate the draft to the full team – this time for errors of fact or misunderstandings, not general editing.

Thanks for your help,

Ken

Ken Matthews AO

s. 47F(1)

s. 47F(1) [@gmail.com](mailto:ken.matthews@parliament.gov.au)

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Wednesday, 20 September 2023 2:30 PM
To: Ken Matthews
Cc: Bursle, Guy; s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: Information for costings section of your report [SEC=OFFICIAL]

Hi Ken

Last week you asked us to get some numbers from the APVMA to allow you to provide some indicative costings for the work items you are suggesting should be partly or fully funded by appropriation.

Costings are as follows:

- Compliance and Enforcement Activities (including chemical reconsideration) – total cost \$8.2m, so indicative cost to government for 50% appropriation is \$4.2m
- Surveillance and Monitoring – initial funding required to commence work to develop a surveillance and monitoring system is \$600,000, with additional funding required in future years to build and maintain the system.
- Government Support Activities – Estimated ongoing cost for these activities is \$3.1m per year for the first few years while significant reforms are underway. This would likely drop to below \$2m per year after the first few years.
- IT improvements to bring systems to required standard for staff (potentially including addressing cyber security risks; information management systems; procurement and project management systems) – this will need to be scoped and a request for tender made before costs can be estimated.

These costs would be further refined through the CRIS process necessary to implement Matthews 1 and 2, with funding sought through future budget processes.

Hopefully this is enough detail for the purpose of your report – let me know if you need anything further.

Thanks

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Thursday, 21 September 2023 2:11 PM
To: Ken Matthews
Cc: s. 22(1)(a)(ii)
Subject: RE: Transparency [SEC=UNOFFICIAL]

Ken,

I am working my way through the draft and I just wanted to check on your expectation for drafting the exec summary. This can only occur after a near final document is created, are you looking to draft that?

Cheers

s. 22(1)(a)(ii)

From: Ken Matthews <s. 47F(1) @gmail.com>
Sent: Thursday, September 21, 2023 1:09 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Subject: Transparency

s. 22(1)(a)(iii) When you are working through the current draft report, please have a go at Recommendation 21: development of improved transparency measures". It needs a bit more detail.

Thanks,

Ken

Ken Matthews AO
s. 47F(1)
s. 47F(1) [@gmail.com](mailto:s.47F(1)@gmail.com)

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Thursday, 21 September 2023 1:11 PM
To: Ken Matthews
Cc: s. 22(1)(a)(ii)
Subject: RE: Transparency [SEC=UNOFFICIAL]

Will do Ken

From: Ken Matthews <s. 47F(1) @gmail.com>
Sent: Thursday, September 21, 2023 1:09 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Subject: Transparency

s. 22(1)(a)(ii) When you are working through the current draft report, please have a go at Recommendation 21: development of improved transparency measures”. It needs a bit more detail.

Thanks,

Ken

Ken Matthews AO
s. 47F(1)
s. 47F(1) [@gmail.com](mailto:s.47F(1)@gmail.com)

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Friday, 22 September 2023 2:46 PM
To: 'Ken Matthews'
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) Bursle, Guy; Gaglia, Julie
Subject: DAFF comments - Draft report version 3
Attachments: 2023-09-20 APVMR Report Draft 3 jm.docx; Draft report_DAFF comments_22092023.pdf

Hi Ken

Some minor comments in the attached for your consideration.

Please advise if you would like any comments on the Letter of Transmittal or the Executive Summary you have prepared.

Also seeking your views on whether you would like to email the report directly to the Minister (we can provide an appropriate email address), or whether you prefer us to send the report up on your behalf.

Happy to discuss

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Director (A/g) - Review and Projects

 s. 22(1)(a)(ii) | s. 22(1)(a)(ii)

Department of Agriculture, Fisheries and Forestry

Agvet Chemicals | Agvet Chemicals, Fisheries, Forestry and Engagement

Agriculture House, 70 Northbourne Ave Canberra ACT 2601 | GPO Box 858 Canberra ACT 2601

✉ [s. 22\(1\)\(a\)\(ii\)@agriculture.gov.au](mailto:s.22(1)(a)(ii)@agriculture.gov.au)



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s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Tuesday, 26 September 2023 12:04 PM
To: Ken Matthews
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) Bursle, Guy
Subject: RE: Report version 3 [SEC=UNOFFICIAL]

Thanks Ken. We have let our legal division know to proceed as you've suggested.

Kind regards

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Director | Agvet Chemicals Legislation | Phone s. 22(1)(a)(ii) | s. 22(1)(a)(ii)
 Workplace Contact Officer

Department of Agriculture, Fisheries and Forestry
 Agvet Chemicals and Forestry Branch | Agvet Chemicals, Fisheries and Forestry Division
 18 Marcus Clarke Street Canberra City
 GPO Box 858 Canberra ACT 2601

w: agriculture.gov.au

Part time hours

Monday and Friday 8:30-5:30

Tuesday 9:30-2:30

Wednesday 8:00-2:45

Thursday 9:00-2:45



From: Ken Matthews <s. 47F(1) @gmail.com>
Sent: Tuesday, September 26, 2023 10:00 AM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; Bursle, Guy <Guy.Bursle@aff.gov.au>
Subject: Re: Report version 3 [SEC=UNOFFICIAL]

s. 22(1)(a)(ii) no, this is not ideal. I want the report lodged on time and we have committed already to provide it early. In the circumstances, perhaps the least bad option is to obtain the advice after lodgement with the Minister, but before publication. That would be taking advantage of the provision in the terms of reference to provide a sanitised version if necessary.

Ken Matthews AO
s. 47F(1) [@gmail.com](#)
s. 47F(1)

On 26 Sep 2023, at 07:57, s. 22(1)(a)(ii) <s. 22(1)(a)(ii)[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)> wrote:

Hi Ken.

In relation to your request for legal advice, we have just last night received a quote and timeframe from Clayton Utz, the firm selected by our legal division to be best placed to complete the task. They have advised they are able to provide the advice, but only by Saturday 30 September. I will try to push for an earlier timeframe this morning, but if that isn't possible we need to know ASAP how you would like to proceed with obtaining the advice. Would you like to delay submitting the final report to the Minister until the advice is received, or would you prefer not to proceed with obtaining the advice?
I know this is not ideal. Happy to discuss.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Director | Agvet Chemicals Legislation | Phone s. 22(1)(a)(ii) | s. 22(1)(a)(ii)
Workplace Contact Officer

Department of Agriculture, Fisheries and Forestry
Agvet Chemicals and Forestry Branch | Agvet Chemicals, Fisheries and Forestry Division
18 Marcus Clarke Street Canberra City
GPO Box 858 Canberra ACT 2601

w: agriculture.gov.au

Part time hours

Monday and Friday 8:30-5:30

Tuesday 9:30-2:30

Wednesday 8:00-2:45

Thursday 9:00-2:45

<image001.png>

<image002.jpg>

From: Ken Matthews <s. 47F(1) [@gmail.com](#)>
Sent: Wednesday, September 20, 2023 5:03 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>;
Gaglia, Julie <Julie.Gaglia@aff.gov.au>
Subject: Report version 3

Hi team,

Here is the next version of the report. It is now a complete document, except for the executive summary and the letter of transmittal.

I would welcome comments where I am factually wrong, or heading in a dangerous direction. Please pick up any grammar or punctuation errors on the way through. As always, leave stylistic improvements to me please.

If there are recommendations, findings, or statements which you would like to contest or discuss, please let me know. If necessary, we can schedule another in-person team meeting for me to hear your views.

s. 22(1)(a)(ii) **s. 42(1)**

Please have a think about whether others should see the report before finalisation. I'll leave that to you. However, we will need to be very careful that there is no leakage before the Minister has seen it. And it would be terrible if affected staff found out about it on the grapevine rather than through proper process.

Over to you. Many thanks,

Ken

Ken Matthews AO

s. 47F(1)

s. 47F(1) [@gmail.com](#)

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s. 42(1), s. 22(1)(a)(ii)

s. 42(1), s. 47F(1), s. 22(1)(a)(ii)

s. 42(1), s. 47F(1), s. 22(1)(a)(ii)

s. 42(1), s. 22(1)(a)(ii)

s. 42(1), s. 22(1)(a)(ii), s. 47F(1)

s. 42(1), s. 22(1)(a)(ii), s. 47F(1)

s. 42(1), s. 22(1)(a)(ii), s. 47F(1)

s. 42(1), s. 47F(1)

s. 42(1), s. 47F(1), s. 22(1)(a)(ii)

s. 42(1), s. 47F(1), s. 22(1)(a)(ii)

s. 42(1), s. 47F(1), s. 22(1)(a)(ii)

s. 42(1), s. 47F(1)

s. 22(1)(a)(ii)

From: Gaglia, Julie
Sent: Friday, 29 September 2023 7:33 PM
To: Ken Matthews
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: Letter from Minister Watt agreeing to the extension [SEC=OFFICIAL]
Attachments: Letter - Minister Watt to Ken Matthews 29.9.2023.pdf

Flag Status: Flagged

Hi Ken,

Please find attached the letter from Minister Watt agreeing to the extension.

Cheers,
Julie

s. 22(1)(a)(ii)

From: Gaglia, Julie
Sent: Tuesday, 3 October 2023 11:12 AM
To: Ken Matthews
Subject: FW: Political Alert - Statement on the independent evaluation of the APVMA (FED)
[SEC=UNOFFICIAL]
Attachments: 276A1013.PDF
Flag Status: Flagged

-----Original Message-----

From: CCH Parliament <politicalalert@cch.com.au>
Sent: Tuesday, October 3, 2023 11:09 AM
To: politicalalert@cch.com.au
Subject: Political Alert - Statement on the independent evaluation of the APVMA (FED)

Please find attached:

STATEMENT ON THE INDEPENDENT EVALUATION OF THE APVMA (FED)

Minister for Agriculture, Fisheries and Forestry, Murray Watt, says on Friday afternoon, I approved a request from Ken Matthews AO to extend the deadline for his independent evaluation of the APVMA. Mr Matthews will now have until October 27 to submit his report. At my request, the APVMA Board commissioned Mr Matthews to conduct a rapid evaluation into the operations of the APVMA following serious findings by Clayton Utz of systemic problems with the administration and governance of the agricultural chemical regulator. Concerningly, the Clayton Utz review found serious allegations of industry capture of the APVMA, which appears to have played a key role in the organisation not performing its full regulatory responsibilities.

276A1013

Total number of pages 1

SUPPORT: politicalalert@cch.com.au or 02 6273 2070. MAILBOX:
<https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.cchparliament.com.au%2F&data=05%7C01%7CJulie.Gaglia%40aff.gov.au%7Ce85e859a1cba47875b7f08dbc3a4f96e%7C2be67eb7400c4b3fa5a11258c0da0696%7C0%7C0%7C638318885552163527%7CUnknown%7CTWFPbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ik1haWwiLCJXVCIGMn0%3D%7C3000%7C%7C%7C&sdata=5Ygx7kVc%2FEeBoFjpYmvLIsVQvRPXjNUlocwRtEHqfHI%3D&reserved=0>

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Sent: Tuesday, 6 June 2023 5:12 PM
To: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)

s. 47(1)(b)

Can we look at scaling the dollars back? This may also assist with the procurement approach. Food for thought anyway

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au >
Sent: Wednesday, 7 June 2023 6:33 AM
To: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Once we know approach ^{s. 22(1)(a)(ii)} and Julie agreed (assume either getting minister to create a special evaluator role and then appointing Ken to it or doing a direct offer procurement with exemption from open market) then assume our teams need to either adjust MTM (re evaluator role) or work on internal minute to senior SES re PGPA for procurement? The workload for doing processes is likely to include lots of detail paperwork stuff that we really should be using APS6 / EL1s for rather than directors - is permission to bring other staff into the fold likely soon?

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au >
Sent: Wednesday, 7 June 2023 3:44 PM
To: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii); s. 22(1)(a)(ii)

Any one need assistance with anything else today now that the PID is with Ken? s. 22(1)(a)(ii) and I will start working with s. 22(1)(a)(ii) on some other aspects tomorrow (terms of engagement are no rush since not need until August, but he may have insights into any new PM&C expectations for TOR / letter since was done for the panel).

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Sent: Wednesday, 7 June 2023 7:39 AM
To: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)

We need to have the minute sorted by lunchtime, so aside from s. 22(1)(a)(ii) who I dare say in in the tent already, and will acting next week , we're not dropping this down lower right now, so it will be down to us to get the paperwork done - and I include myself in that. The approach will be that we engage Ken through a direct offer procurement. Minister confirmed at 9 :30 last night he wants Ken and the delay in him starting is not a problem. Julie will talk to Ken this morning to get his terms - and we have discussed the bounds that wer're restricted by in terms of the CPRs, she is confident she'll get an all an all figure for us.

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Sent: Thursday, 8 June 2023 9:30 AM
To: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Hi ^{s. 22(1)(a)(ii)} just had a call from ^{s. 22(1)(a)(ii)} he can snip Ken's signature from previous doc and insert into PID - he will send this to you (this morning) as will need to get Ken's ok of altered docs. He also repeated there are several factors that need to be covered in appt letter including brief selection process (i.e. given urgency we selected known eminent person with unique bkg knowledge so could start immediately type statement). Is the current copy on shared-drive (vs7) **appropriate to provide to** ^{s. 22(1)(a)(ii)} as he thinks he would be able to turn this around today. He also said he could add some comments for us to consider re the minute/letter for process such as seeking fast track (normally have to allow opportunity for PM to want to discuss at cabinet etc) - he indicated can cover off all that in sentence or two. Separately, he confirmed no problem in us changing the terms of engagement doc for complex daily rate stuff to simple one off payment (with or without dept covering travel costs, up to us) - no rush on this but confirms we are on solid ground for simple approach I understand Julie has been discussing with Ken.

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Sent: Thursday, 8 June 2023 12:15 PM
To: s. 22(1)(a)(ii)

Any of that paperwork we sent to Ken have dates in it? I couldn't see any. s. 22(1)(a)(ii) seems stressed about the dates of appointment

s. 47F(1), s 47G(1)(b), s. 22(1)(a)(ii)

s. 47F(1), s 47G(1)(b)

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Wednesday, 7 June 2023 9:40 AM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii)
Subject: RE: Ken's basic info - ABN etc [SEC=OFFICIAL]

Hi both – here's the info I have on file for Ken.
Just note it's a couple of years old but it's the most recent info I have
Cheers
V

Ken Matthews AO
Consultant, Water and Government
ABN: 38876291962

s. 47F(1)

Kenneth Matthews
BSB: s. 47(1)(b)
ACN: s. 47(1)(b)

s. 47F(1) [@gmail.com](#)
s. 47F(1)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Sent: Wednesday, June 7, 2023 9:32 AM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Subject: Ken's basic info - ABN etc [SEC=OFFICIAL]

Hi ^{s. 22(1)(a)(ii)}

Can you or someone from your team (you don't have to tell them why re secret squirrel 🟡) get Ken's basic info from the panel work – his ABN, was he paid individually or does he have a company he trades his services as, his contacts, address etc etc. Having this on hand will speed up things. Assume is all in your records from doing panel.

Thanks

s. 22(1)(a)(ii)

Dr s. 22(1)(a)(ii)
Agvet Chemicals Regulation Reform / Agvet Chemicals and Forestry Branch / Agvet Chemicals, Fisheries, Forestry and Engagement Division / Department of Agriculture, Fisheries and Forestry / GPO Box 858 Canberra ACT 2601 / ph
s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Wednesday, 7 June 2023 11:40 AM
To: Gaglia, Julie; s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: Immediate procurement steps we need to do [SEC=OFFICIAL:Sensitive]

Hi Julie and ^{s. 22(1)(a)(ii)}

The procurement process is not straight forward to unpack so has taken a little time to confirm everything, but we now have a clearer view, including some urgent steps. A reminder that ^{s. 22(1)(a)(ii)} and I are not in on Friday (I also have commitments for my grandmothers funeral so won't be contactable either for most of the day). Also, following 11am meeting are there any other staff who may wish to be involved/might benefit from seeing a procurement process?

- We are planning a fixed price, payment on final delivery milestone as a small enterprise consultancy (is not labour hire so no need for super etc). If under \$200k there is an exemption from open tender (s17 exemption, still requires arguments of value for money). ^{s. 22(1)(a)(ii)} is registering on the commonwealth contracting suite (DOF) so we can get the various templates etc downloaded to share drive so can all work on as necessary.

DO TODAY

- The department currently requires **Deputy Secretary approval** for all consultancy arrangements, prior to approaching the market. This approval needs to be attached to lighthouse form (required to obtain contract number for dept systems).
- We get initial approval by signing off the procurement plan – we are working on a brief, bare bones plan right now, should be done in next few hours and will cover mandatory stuff like why can't be indigenous provider etc
- Once you have approval (can just be dep sec positive response to dep sec with plan attached) you are officially allowed to seek quote/negotiate (^{s. 22(1)(a)(ii)} looking at sticking TOR from MTM into the approach to market doc – should be done by time we get dep sec approval).

DO SOON/THIS WEEK OR START NEXT WEEK

- Get Ken's quote
- Need to register procurement contract over \$10k on lighthouse to get contract number – we need a cost centre (any idea?) and contact person (Julie or ^{s. 22(1)(a)(ii)})
- We will quickly look at the contract requirements for any info/details we need from Ken while he is around – also look at getting confidentiality and COI forms to him.

DO BY MID AUGUST

- PGPA approval to expend funds based on Ken's quote (s23) – FAS or Dep Sec
- Prepare the contract, description of task, milestones etc (if we are able to rely on procurement team confidentiality it would greatly help if they were able to see early drafts)
- Ken signs contract (he must not start work until signed)
- Must be made public within 42 days from signature (through tech one - we will really appreciate being able to use procurement team help here if we can share by then as techone can be a challenge.).

This is bare bones and we will probably discover some other 'mandatory form' etc as we go along.

^{s. 22(1)(a)(ii)}

s. 22(1)(a)(ii)

Agvet Chemicals Regulation Reform / Agvet Chemicals and Forestry Branch / Agvet Chemicals, Fisheries, Forestry and Engagement Division / Department of Agriculture, Fisheries and Forestry / GPO Box 858 Canberra ACT 2601 / ph **s. 22(1)(a)(ii)**

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Wednesday, 7 June 2023 12:34 PM
To: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Cc: Gaglia, Julie
Subject: FW: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]
Attachments: PM to Watt on reviews (Oct 2022).pdf; Appts - CV pro-forma (2021).docx; DAFF Appts - PID (Feb 2023) w pers dets.docx; TOE template - Apr 2021.docx; TOR template - April 2019.docx

Details from appointments team. There are some bits here that might tweak the MTM (at the least we might want to use the term 'appoint' in the letter to PM, and flag that we will write a second letter to appoint the identified individual; or if we want to do as a single process then will be a little delay as appointments process has some initial steps needing to happen with PM&C).

In addition, if we want to go this route note that ^{s. 22(1)(a)(ii)} advises that he will need to be involved to finalise the documents so ^{s. 22(1)(a)(ii)} Julie will it be ok to broaden the need to know to include him?

Also, did Ken happen to provide his current CV, as ^{s. 22(1)(a)(ii)} will need that in addition to a signed PID – assuming we are allowed to give info to ^{s. 22(1)(a)(ii)}

^{s. 22(1)(a)(ii)} s. 22(1)(a)(ii)

From: s. 47E(d) <s. 47E(d) @agriculture.gov.au>
Sent: Wednesday, June 7, 2023 12:24 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 47E(d) <s. 47E(d) @agriculture.gov.au>
Subject: RE: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]

Hi ^{s. 22(1)(a)(ii)}

As discussed, upon further investigation it is possible for the Minister to make an appointment of an eminent person to undertake a review and such an appointment can be facilitated through either a Terms of Engagement (see template attached) or a contract. The review should also have a Terms of Reference (see template) so that the person appointed is clear on the scope and parameters of the review.

Please see the attached letter from the PM to Minister Watt in October 2022 outlining the details listed in a. - d. that are required when seeking approval for any review.

In addition, for the proposed appointee, you will need a copy of their current CV (which I will convert to a summary CV in the required format) and also a completed and signed Private Interest declaration (PID) which I will need to send to PM&C for clearance, together with an Appointment Details Proforma (also attached) before the Minister writes to the Prime Minister seeking approval. I will have to be involved to help finalise the documentation. I can also provide a sample letter to the PM when seeking approval of the proposed appointment.

Hope this helps and happy to discuss if you have any questions.

Cheers

s. 22(1)(a)(ii)

Appointments Section | Governance Branch | Enterprise Strategy & Governance Division
 Phone: **s. 22(1)(a)(ii)** | Mobile: **s. 22(1)(a)(ii)** | Email: **s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)

Department of Agriculture, Fisheries and Forestry
 CQ2 Building, Corner Northbourne Avenue and Cooyong Street, Canberra City ACT 2601
 GPO Box 858 Canberra ACT 2601 Australia

daff.gov.au

From: **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Sent: Tuesday, June 6, 2023 5:10 PM

To: **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Cc: **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Subject: FW: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]

Hi ^{s. 22(1)(a)(ii)}

Thank you for your advice this afternoon about and engagement of an eminent person to undertake an evaluation not being an appointment. Could I just ask you to review the scenario description below (bottom) and confirm it remains your teams firm opinion that the engagement will not be an appointment (some senior SES are not sure and wish for clear confirmation). Happy to discuss/clarify (as much as I can given sensitivity/need to know handling being applied to this).

^{s. 22(1)(a)(ii)} **s. 22(1)(a)(ii)**

Dr **s. 22(1)(a)(ii)**

Agvet Chemicals Regulation Reform / Agvet Chemicals and Forestry Branch / Agvet Chemicals, Fisheries, Forestry and Engagement Division / Department of Agriculture, Fisheries and Forestry / GPO Box 858 Canberra ACT 2601 / ph **s. 22(1)(a)(ii)**

From: **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Sent: Tuesday, June 6, 2023 5:01 PM

To: **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Cc: **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>;

Farmakis, Sophia <Sophia.Farmakis@aff.gov.au>; **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Subject: RE: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]

Hi ^{s. 22(1)(a)(ii)}

Please find attached some guidance material re engagement of a eminent person to conduct a review. Few things for consideration:

- Proposed procurement is for \$250k which rules out Exemption 17 *Procurement of goods and services from and SME valued at up to \$200k.*
- As mentioned by ^{s. 47F(1)}, Exemption 14 of App A of the CPRs *Contracts for labour Hire* may apply providing the services do not constitute a contract for consultancy services. To that end we have included some reference material to assist you in the decision. Whilst we don't know the exact nature of the services, anything to do with review activities mostly fall into that category. (see attached).
- On the basis that you have stated that this would not be characterised as an appointment by the Minister, then Sect 2.9 of the CPRs would also seem unreliable

- Procurement does not include:
 - 2.9 g Statutory Appointments; or
 - 2.9 h appointments made by a Minister
- The last option available (subject to adequate defensible justification) would rest with “Conditions of Limited tender” – *when goods and services can be supplied only by a particular business and there is no reasonable alternative or substitute for one of the following reasons:*
 - iii) due to an absence of competition for technical reasons.

This condition would likely be difficult to support based on the information available to date.
- Please note the procurement is over \$10k and will be published on AusTender (public reporting)

Please let us know if you need further info, happy to catch-up to discuss a way forward.

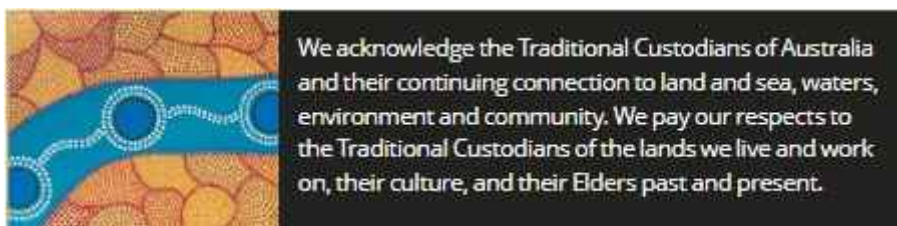
Kind regards

s. 22(1)(a)(ii)

Director | Grants, Procurement and Accounts Payable | s. 22(1)(a)(ii) | s. 22(1)(a)(ii)

Department of Agriculture, Fisheries and Forestry (DAFF)
 Financial Operations Branch | Finance and Investment Division
 Ngunnawal and Ngambri Country
 70 Northbourne Building, Agriculture House, Canberra, ACT 2601 Australia
 GPO Box 858 Canberra ACT 2601 Australia

A reminder that approaches to market for procurements that will be delivered remotely or with an estimated value between \$80,000 and \$200,000 including GST must firstly be made to Indigenous suppliers only. For more information refer to the [Procurement Policy Guideline for Promoting Indigenous Suppliers](#) or talk to the Procurement team.



From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>

Sent: Tuesday, June 6, 2023 4:00 PM

To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>

Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>

Subject: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]

Hi s. 22(1)(a)(ii)

We have a sensitive issue with a regulator that the MO has been discussing with senior SES on a way forward. Following discussions between MO and PMO today they want to engage an eminent person to undertake an urgent evaluation of a body of evidence to provide expert independent recommendation to government about where to go next (is sensitive and details are currently being held back, sorry).

I talked to s. 22(1)(a)(ii) from Portfolio Coordination Unit (and appointments) who confirmed that such and engagement would not be an 'appointment'. Our FAS wants whatever advice we can gather for a further advice for MO by midday – they have flagged up to \$250k, 6 week evaluation. The MO already has a specific eminent person in mind. So what I was hoping for was some quick dot points confirming this would be a procurement, what kind of contract we should be aiming for (need particular exemptions from open tender for instance), the key probity bits we would need to cover off (value for money arguments). We do not want MO committing to something that we can't do of course. I would be happy to brief you / one of you team as much as I can (I think the broad outline is all here though).

We are currently drafting a MTM that includes a letter to PM to authorise him to have the evaluation and for minister to appoint eminent person to do this, so we want to ensure any early probity issues that might need to be in that minute are considered.

I am happy to discuss (will be offline from 4-5 travelling, back on-line after 5) – s. 22(1)(a)(ii) (s. 22(1)(a)(ii)) is also across this matter if you have any trouble getting hold of me.

Super sorry for the short notice, has suddenly all happened this afternoon.

s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Dr s. 22(1)(a)(ii)

Agvet Chemicals Regulation Reform / Agvet Chemicals and Forestry Branch / Agvet Chemicals, Fisheries, Forestry and Engagement Division / Department of Agriculture, Fisheries and Forestry / GPO Box 858 Canberra ACT 2601 / ph s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

From: Gaglia, Julie
Sent: Saturday, 7 October 2023 10:23 AM
To: Ken Matthews; **s. 22(1)(a)(ii)**
Subject: Re: Legal advice

Flag Status: Flagged

Hi Ken,
Would you mind sending through the advice when you are ready.
Cheers,
Julie

From: Ken Matthews <**s. 47F(1)** @gmail.com>
Sent: Saturday, October 7, 2023 9:01:06 AM
To: Gaglia, Julie <Julie.Gaglia@aff.gov.au>; **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**@aff.gov.au>
Subject: Legal advice

Hi Julie and **s. 22(1)(a)(ii)**

I received the legal advice at 9:15 last night. **s. 42(1)**



Ken Matthews AO
s. 47F(1) @gmail.com
s. 47F(1)

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Monday, 9 October 2023 2:04 PM
To: Ken Matthews; Gaglia, Julie
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: RE: Future structure and governance arrangements for the Australian Pesticides and Veterinary Medicines Authority: legal review of draft final report [SPARKE-MATT.FID6602302] [SEC=UNOFFICIAL]
Attachments: 2023-09-25 APVMR Final Text in template.docx

Thanks Ken for sending this through.

s. 42(1)

On this basis, can you please confirm that the attached version of your report (which is the text last provided by you, transferred to the accessible template), is the final version of your report?

Happy to discuss.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Director | Agvet Chemicals Legislation | Phone s. 22(1)(a)(ii) | s. 22(1)(a)(ii)
 Workplace Contact Officer

Department of Agriculture, Fisheries and Forestry
 Agvet Chemicals and Forestry Branch | Agvet Chemicals, Fisheries and Forestry Division
 18 Marcus Clarke Street Canberra City
 GPO Box 858 Canberra ACT 2601

w: agriculture.gov.au

Part time hours

Monday and Friday 8:30-5:30

Tuesday 9:30-2:30

Wednesday 8:00-2:45

Thursday 9:00-2:45



s. 42(1), s. 47F(1), s. 22(1)(a)(ii)

s. 42(1), s. 47F(1)

S. 42(1)

s. 22(1)(a)(ii)

From: Gaglia, Julie
Sent: Wednesday, 7 June 2023 12:56 PM
To: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: RE: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]

Thanks ^{s. 22(1)(a)(ii)}

Yes happy for information to be shared with ^{s. 22(1)(a)(ii)} in confidence.

If someone emails Ken the PID form he will fill it out and send it back along with his CV – I think we should try for one letter and I have spoken to PM&C so they are aware of what's happening and will work with us to facilitate as quickly as we need.

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) aff.gov.au>
Sent: Wednesday, June 7, 2023 12:34 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) aff.gov.au>
Cc: Gaglia, Julie <Julie.Gaglia@aff.gov.au>
Subject: FW: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]

Details from appointments team. There are some bits here that might tweak the MTM (at the least we might want to use the term 'appoint' in the letter to PM, and flag that we will write a second letter to appoint the identified individual; or if we want to do as a single process then will be a little delay as appointments process has some initial steps needing to happen with PM&C).

In addition, if we want to go this route note that ^{s. 22(1)(a)(ii)} advises that he will need to be involved to finalise the documents so ^{s. 22(1)(a)(ii)} Julie will it be ok to broaden the need to know to include him?

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^{s. 22(1)(a)(ii)} s. 22(1)(a)(ii)

From: s. 47E(d) <s. 47E(d) @agriculture.gov.au>
Sent: Wednesday, June 7, 2023 12:24 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) aff.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 47E(d) <s. 47E(d) @agriculture.gov.au>
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In addition, for the proposed appointee, you will need a copy of their current CV (which I will convert to a summary CV in the required format) and also a completed and signed Private Interest declaration (PID) which I will need to send to PM&C for clearance, together with an Appointment Details Proforma (also attached) before the Minister writes to the Prime Minister seeking approval. I will have to be involved to help finalise the documentation. I can also provide a sample letter to the PM when seeking approval of the proposed appointment.

Hope this helps and happy to discuss if you have any questions.

Cheers

s. 22(1)(a)(ii)

Appointments Section | Governance Branch | Enterprise Strategy & Governance Division

Phone: s. 22(1)(a)(ii) | Mobile: s. 22(1)(a)(ii) | Email: s. 22(1)(a)(ii)@aff.gov.au

Department of Agriculture, Fisheries and Forestry
CQ2 Building, Corner Northbourne Avenue and Cooyong Street, Canberra City ACT 2601
GPO Box 858 Canberra ACT 2601 Australia

daff.gov.au

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Sent: Tuesday, June 6, 2023 5:10 PM

To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>

Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>

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Agvet Chemicals Regulation Reform / Agvet Chemicals and Forestry Branch / Agvet Chemicals, Fisheries, Forestry and Engagement Division / Department of Agriculture, Fisheries and Forestry / GPO Box 858 Canberra ACT 2601 / ph
s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Sent: Tuesday, June 6, 2023 5:01 PM

To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>;

Farmakis, Sophia <Sophia.Farmakis@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Subject: RE: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]

Hi ^{s. 22(1)(a)(ii)}

Please find attached some guidance material re engagement of a eminent person to conduct a review. Few things for consideration:

- Proposed procurement is for \$250k which rules out Exemption 17 *Procurement of goods and services from and SME valued at up to \$200k*.
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 - iii) due to an absence of competition for technical reasons.

This condition would likely be difficult to support based on the information available to date.
- Please note the procurement is over \$10k and will be published on AusTender (public reporting)

Please let us know if you need further info, happy to catch-up to discuss a way forward.

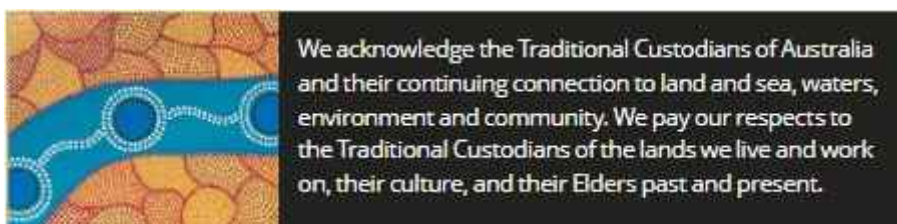
Kind regards

s. 22(1)(a)(ii)

Director | Grants, Procurement and Accounts Payable | s. 22(1)(a)(ii) | s. 22(1)(a)(ii)

Department of Agriculture, Fisheries and Forestry (DAFF)
 Financial Operations Branch | Finance and Investment Division
 Ngunnawal and Ngambri Country
 70 Northbourne Building, Agriculture House, Canberra, ACT 2601 Australia
 GPO Box 858 Canberra ACT 2601 Australia

A reminder that approaches to market for procurements that will be delivered remotely or with an estimated value between \$80,000 and \$200,000 including GST must firstly be made to Indigenous suppliers only. For more information refer to the [Procurement Policy Guideline for Promoting Indigenous Suppliers](#) or talk to the Procurement team.



From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) aff.gov.au>
Sent: Tuesday, June 6, 2023 4:00 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @aff.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @aff.gov.au>
Subject: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]

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I talked to s. 22(1)(a)(ii) from Portfolio Coordination Unit (and appointments) who confirmed that such and engagement would not be an 'appointment'. Our FAS wants whatever advice we can gather for a further advice for MO by midday – they have flagged up to \$250k, 6 week evaluation. The MO already has a specific eminent person in mind. So what I was hoping for was some quick dot points confirming this would be a procurement, what kind of contract we should be aiming for (need particular exemptions from open tender for instance), the key probity bits we would need to cover off (value for money arguments). We do not want MO committing to something that we can't do of course. I would be happy to brief you / one of you team as much as I can (I think the broad outline is all here though).

We are currently drafting a MTM that includes a letter to PM to authorise him to have the evaluation and for minister to appoint eminent person to do this, so we want to ensure any early probity issues that might need to be in that minute are considered.

I am happy to discuss (will be offline from 4-5 travelling, back on-line after 5) – s. 22(1)(a)(ii) (^{s. 22(1)(a)(ii)}) is also across this matter if you have any trouble getting hold of me.

Super sorry for the short notice, has suddenly all happened this afternoon.

s. 22(1)(a)(ii) s. 22(1)(a)(ii)

Dr s. 22(1)(a)(ii)
Agvet Chemicals Regulation Reform / Agvet Chemicals and Forestry Branch / Agvet Chemicals, Fisheries, Forestry and Engagement Division / Department of Agriculture, Fisheries and Forestry / GPO Box 858 Canberra ACT 2601 / ph s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

From: Ken Matthews <**s. 47F(1)** @gmail.com>
Sent: Monday, 9 October 2023 6:51 PM
To: **s. 22(1)(a)(ii)**
Cc: Gaglia, Julie; **s. 22(1)(a)(ii)** **s. 22(1)(a)(ii)**
Subject: Re: Future structure and governance arrangements for the Australian Pesticides and Veterinary Medicines Authority: legal review of draft final report [SPARKE-MATT.FID6602302] [SEC=UNOFFICIAL]

Hi s. 22(1)(a)(ii)

Thanks. **s. 42(1)**

Thanks,

Ken
Ken Matthews AO
s. 47F(1) @gmail.com
s. 47F(1)

On 9 Oct 2023, at 14:03, **s. 22(1)(a)(ii)** <**s. 22(1)(a)(ii)**@aff.gov.au> wrote:

Thanks Ken for sending this through.

s. 42(1)

On this basis, can you please confirm that the attached version of your report (which is the text last provided by you, transferred to the accessible template), is the final version of your report?

Happy to discuss.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Director | Agvet Chemicals Legislation | Phone **s. 22(1)(a)(ii)** | **s. 22(1)(a)(ii)**
Workplace Contact Officer

Department of Agriculture, Fisheries and Forestry
Agvet Chemicals and Forestry Branch | Agvet Chemicals, Fisheries and Forestry Division
18 Marcus Clarke Street Canberra City
GPO Box 858 Canberra ACT 2601

w: agriculture.gov.au

Part time hours

Monday and Friday 8:30-5:30

Tuesday 9:30-2:30

Wednesday 8:00-2:45

Thursday 9:00-2:45

<image004.png>

<image005.jpg>

s. 42(1), s. 22(1)(a)(ii), s. 47F(1)

s. 47F(1), s. 42(1)

s. 47F(1), s. 42(1)

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Wednesday, 7 June 2023 1:17 PM
To: s. 47E(d)
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: RE: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]
Attachments: MS23-000XXX - Structural and system reform agenda v7.docx; Attachment X - Authority letter- Watt to PM - Eminent eval process approval vs 1.0.docx

Hi ^{s. 22(1)(a)(ii)}

Before we send to the PID to the person I notice it is generic aimed at appointing to a portfolio body rather than the scenario covered by the PM authorising letter. Can you advise how you want the PID tweaked.

I have approval, **in strictest confidence**, to advise the person we are talking about is Ken Matthews, and the attached draft minute and letter gives context that might help you decide how you want the PID tweaked before we send to Ken. Please note the minute/letter is going to be changed to now cover of appointing Ken specifically, so we will appreciate your input on getting that done asap as well.

^{s. 22(1)(a)(ii)} s. 22(1)(a)(ii)

PS – I will be uncontactable on Friday (have a funeral) so best to contact ^{s. 22(1)(a)(ii)} or ^{s. 22(1)(a)(ii)} if things come up on Friday.

s. 22(1)(a)(ii)

Agvet Chemicals Regulation Reform / Agvet Chemicals and Forestry Branch / Agvet Chemicals, Fisheries, Forestry and Engagement Division / Department of Agriculture, Fisheries and Forestry / GPO Box 858 Canberra ACT 2601 / ph **s. 22(1)(a)(ii)**

From: s. 47E(d) <s. 47E(d) @agriculture.gov.au>
Sent: Wednesday, June 7, 2023 12:24 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>; s. 47E(d) <s. 47E(d) @agriculture.gov.au>
Subject: RE: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]

Hi ^{s. 22(1)(a)(ii)}

As discussed, upon further investigation it is possible for the Minister to make an appointment of an eminent person to undertake a review and such an appointment can be facilitated through either a Terms of Engagement (see template attached) or a contract. The review should also have a Terms of Reference (see template) so that the person appointed is clear on the scope and parameters of the review.

Please see the attached letter from the PM to Minister Watt in October 2022 outlining the details listed in a. - d. that are required when seeking approval for any review.

In addition, for the proposed appointee, you will need a copy of their current CV (which I will convert to a summary CV in the required format) and also a completed and signed Private Interest declaration (PID) which I will need to send to PM&C for clearance, together with an Appointment Details Proforma (also attached) before the Minister writes to the Prime Minister seeking approval. I will have to be involved to help finalise the documentation. I can also provide a sample letter to the PM when seeking approval of the proposed appointment.

Hope this helps and happy to discuss if you have any questions.

Cheers

s. 22(1)(a)(ii)

Appointments Section | Governance Branch | Enterprise Strategy & Governance Division
Phone: s. 22(1)(a)(ii) | Mobile: s. 22(1)(a)(ii) | Email: s. 22(1)(a)(ii)[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)

Department of Agriculture, Fisheries and Forestry
CQ2 Building, Corner Northbourne Avenue and Cooyong Street, Canberra City ACT 2601
GPO Box 858 Canberra ACT 2601 Australia

daff.gov.au

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Sent: Tuesday, June 6, 2023 5:10 PM

To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)[@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

Subject: FW: Seeking some urgent advice as discussed with ^{s. 47F(1)} - targetted engagement of eminent person to do an evaluation [SEC=OFFICIAL]

Hi ^{s. 22(1)(a)(ii)}

Thank you for your advice this afternoon about and engagement of an eminent person to undertake an evaluation not being an appointment. Could I just ask you to review the scenario description below (bottom) and confirm it remains your teams firm opinion that the engagement will not be an appointment (some senior SES are not sure and wish for clear confirmation). Happy to discuss/clarify (as much as I can given sensitivity/need to know handling being applied to this).

^{s. 22(1)(a)(ii)} s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

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Farmakis, Sophia <Sophia.Farmakis@aff.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) [@aff.gov.au](mailto:s.22(1)(a)(ii)@aff.gov.au)>

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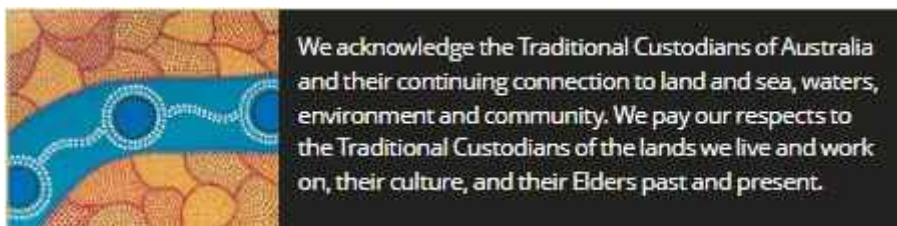
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Sent: Tuesday, June 6, 2023 4:00 PM

To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@aff.gov.au>

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Agvet Chemicals Regulation Reform / Agvet Chemicals and Forestry Branch / Agvet Chemicals, Fisheries, Forestry and Engagement Division / Department of Agriculture, Fisheries and Forestry / GPO Box 858 Canberra ACT 2601 / ph [s. 22\(1\)\(a\)\(ii\)](#)