



MEDIA STATEMENT

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Jobs for mates still a risk for new Administrative Review Tribunal

The legislation proposed by the Albanese Government to abolish the Administrative Appeals Tribunal and replace it with a new administrative review body, will not – in its current form – prevent future political appointments to the Tribunal, according to Kate Chaney MP, Member for Curtin.

The House Standing Committee on Social Policy and Legal Affairs recently conducted an inquiry into the new Administrative Review Tribunal (ART) Bill.

As a member of that Committee, Ms Chaney has released Additional Comments to the ART Bill Inquiry report, warning that unless the legislation is amended, there is no guarantee the process to appoint Tribunal members won't again be compromised.

The Federal Independent MP's key recommendations to amend the legislation are:

1. Require the Minister to use Assessment Panels, rather than the Minister having discretion to do so;
2. Ensure Assessment Panels consist of independent individuals with appropriate expertise, and not be dominated by government or political employees or contractors;
3. Require the Minister to appoint only a candidate shortlisted by an Assessment Panel unless there are exceptional circumstances, in which case a statement of reasons must be tabled in parliament; and
4. A former member of the Commonwealth parliament should not be appointed as a tribunal member until completing a two-year cooling-off period.

Comments attributable to Kate Chaney MP:

"I welcome the Government's legislation to create an administrative review body that better serves the interests of the community. But it is critical to ensure the appointment process for tribunal members is free from political appointments and can't act as a revolving door for outgoing politicians and government-created bodies - in other words, 'jobs for mates'.

"If my recommendations are taken up, the merit-based process already enshrined in the legislation will be improved and ensure appointments to the Administrative Review Tribunal will not be used as a reward for political allies.

"Enshrining these protections in the legislation is preferable to the regulatory model proposed on appointments. This would heavily rely on future regulations and leave governments open to the temptation of hijacking the process and appointing political allies.

"I also support an independent statutory review of the operation of this Bill every three years, to make sure that the tribunal is delivering on its purpose."

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Media contact: Emma-Jane Morcombe | P: 0439 272 262 | E: emmajane.morcombe@aph.gov.au

Electorate office

Cnr The Boulevard and Floreat Ave
Floreat WA 6014
PO Box 186 Floreat WA 6014

T. 08 9388 0288
E. kate.chaney.mp@aph.gov.au
W. www.katechaney.com.au

Parliamentary Office

PO Box 6022
House of Representatives
Parliament House, Canberra ACT 2600

T. 02 6277 4655