

Australian Government



Australia's Third Open Government Partnership National Action Plan

2024–2025

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Attorney-General's Foreword



As the Minister responsible for leading Australia's involvement in the Open Government Partnership (OGP), I am pleased to release Australia's Third OGP National Action Plan (Plan) 2024–2025.

The Australian Government is committed to the OGP objectives of integrity, transparency, honesty and accountability in government.

Australia is a proudly diverse and dynamic democracy with a vibrant culture and an active civil society. Consultation with our community leads to better and informed decision-making. We cannot be complacent and the OGP model of

collaboration between government and civil society provides us with an important mechanism to ensure that we continue to improve our system of government.

I have personally advocated for Australia's involvement in the OGP initiative for a decade. In 2013, I signed Australia's letter of intent to join the OGP, with Australia formally becoming a member in 2015. Since then, Australia has implemented a range of initiatives under two national action plans and the OGP has grown into a global movement of close to 200 national and local governments, thousands of civil society organisations, and many others.

This Plan is the result of the work and collaboration of civil society and government members of Australia's Open Government Forum (Forum). With the benefit of two phases of public consultation, the Forum has co-designed eight commitments, relevant to various ministerial portfolios. The commitments will contribute to further strengthening open government in Australia, particularly by incorporating the diverse and valuable perspectives of civil society.

The Forum will play a critical role in monitoring the implementation of the commitments co-designed under this Plan. In this way, civil society members of the Forum will not only hold government to account, but will also encourage us to do more to strengthen the trust of Australians in our public institutions through greater transparency, accountability and civic participation.

I look forward to continuing to work with my colleagues across government and with Forum members during the life of this Plan to further strengthen Australia's commitment to transparency, integrity and public engagement.

The Hon Mark Dreyfus KC MP Attorney-General of Australia

Civil Society Foreword

Open government, loosely described as our right to engage with and scrutinise government actions, is the aspiration of every thoughtful citizen. This is so because transparency and accountability always improve our community's lived outcomes. We know, and research tells us, that government will make better and more informed decisions when civil society is involved in the matters that affect us.

This is true across the different contexts in Australia. For example, in the Closing the Gap Agreement it states:

'when Aboriginal and Torres Strait Islander people have a genuine say in the decisions and delivery of services that affect them, better life outcomes are achieved.'

The <u>draft Productivity Commission Report on Closing the Gap</u> (2023) makes that point explicitly, using the COVID-19 response of community health organisations to illustrate the point: decision-making processes which emerge through co-design are smarter, clearer, better.

Open government partnerships should be the goal of every tier of government and of every institution or bureaucracy tasked with providing government with frank and fearless advice about policy and legislation.

We are pleased to report that, to work on open government partnerships, the Australian Government brought together the Open Government Forum (the OGP Forum) to assist in the co-design of our Third OGP National Action Plan. Those around the table included people from civil society with an interest in transparency, accountability, governance, youth affairs and diversity. Australian Government departments were represented at a very high level.

The OGP Forum has consulted with its civil society constituencies, urged them to become involved and worked hard to represent their interests at the meeting table. As a result of those discussions, eight commitments were formulated. As outlined in Annex B, the OGP Forum will continue to meet during the life of the Plan, engage in the implementation of the commitments in this plan, and also consider topics that couldn't be included in this Plan.

We commend these commitments to the public and urge everyone to maintain their interest in seeing them delivered. The task of ensuring accountability and transparency is considerable. The role of civil society is critical.

Professor Kate Auty, Civil Society Co-Chair, OGP Forum.

Introduction

What is the Open Government Partnership?

The Open Government Partnership is a multilateral initiative established in 2011 that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Australian Government has been a member of the Open Government Partnership since November 2015.

Member governments work with civil society to 'co-create' a National Action Plan every two years, with independent reporting on progress. Civil society is a term used by the Partnership to broadly refer to people and organisations outside of government, including non-government organisations, business, academia, community groups and the public.

Further information can be found at www.opengovpartnership.org.

This Third Open Government Partnership (OGP) National Action Plan for 2024–25 (the Plan) is focused on delivery of 8 commitments to improve public participation and engagement in government, strengthen government and corporate sector integrity and enhance Australia's democratic processes. Specifically, the commitments in this Plan will:

- **Commitment 1** Create transparency in the use of automated decision making and responsible use of artificial intelligence.
- **Commitment 2** Improve public participation of youth in government.
- **Commitment 3** Further strengthen integrity within the Commonwealth public sector.
- **Commitment 4** Build a pathway towards a beneficial ownership register.
- Commitment 5 Increase accountability and transparency in procurements and grants.
- **Commitment 6** Improve protections for public sector whistleblowers.
- **Commitment 7** Strengthen transparency in political donations and political advertising.
- **Commitment 8** Improve media literacy in culturally and linguistically diverse communities, including to counter the impacts of mis- and dis-information.

These commitments will be implemented across 6 different ministerial portfolios.

The commitments align with several of the 'challenge areas' identified in the Open Government Partnership 2023-2028 Strategy including:

- access to information
- civic space
- fiscal openness
- public participation

- anti-corruption
- digital governance
- justice

These commitments will also contribute towards achieving the 2030 Agenda for Sustainable Development and the United Nations' <u>Sustainable Development Goals</u> in Australia. In particular:

- *Goal 16: Peace, Justice and Strong Institutions*, which focuses on reducing corruption and bribery in all their forms, as well as access to justice and effective, accountable and transparent institutions, and
- *Goal 17: Partnerships for the Goals*, which encourages effective multi-stakeholder partnerships to share knowledge, expertise, technology and financial resources.

How the Open Government Forum developed this Plan

Membership of <u>Australia's Open Government Forum</u> (Forum) was refreshed in April 2023. The Forum consists of 9 civil society members and 9 government members. Membership details are available on the <u>Attorney-General's Department (AGD) website</u>.

The Forum developed this Plan using a co-creation process that ensured productive collaboration between civil society, government agencies, subject matter experts and the broader Australian community. The Forum established 3 working groups to identify and discuss potential commitments under the themes of:

- public participation and engagement
- government and corporate sector integrity, and
- strengthening democratic process.



Image L to R:

Row 1: Tim Lo Surdo; Prof Charles Sampford, Simon Newnham, Anooshe Mushtaq, Prof Kate Auty, Prof Anne Twomey, Maree Bridger.

Row 2: Alan Wu (OGP Support Unit), Helen Wilson, Rebecca Mackinnon (Proxy for Clancy Moore); Penny McKay, Kyle Redman.

Row 3: Tom Dickson, Andrew Walter, Elizabeth Hampton, Scott Dilley.

Not pictured: Elizabeth Tydd, Prof Tania Penovic, Cindy He.

From April to December 2023, the Forum met 5 times and the working groups met 18 times to support the development of the commitments. This collaborative and phased approach enabled Forum members to consult across government to identify and prioritise potential commitments. The agenda and minutes for each Forum meeting are available on the <u>AGD website</u>. A detailed timeline of the development of this Plan is at **Annex A**.

The Forum also undertook two phases of public consultation:

- 1. <u>Phase 1</u>: sought input on the co-creation process and the working group themes
- 2. Phase 2: sought views on the 8 draft commitments.

The submissions and outcomes of the consultation are available on the <u>AGD's CitizenSpace</u> consultation hub.

Informed by the first phase of public consultation, the working groups considered more than 30 topics of interest and proposed 12 potential commitments to the Forum for further consideration. The Forum considered these potential commitments and agreed that it would be important that the Plan should focus on the commitments where the Forum will have the greatest impact through its ongoing monitoring role. As a result, the Forum prioritised 8 draft commitments to progress to the second phase of public consultation and to become the final commitments detailed in this Plan. The second phase of consultation provided an opportunity to seek views on the importance of the commitments, examples of good practice and what impact these commitments could have to promote open government.

The Forum will continue to meet in 2024 and 2025 to monitor implementation of the Plan.

During the course of considering potential commitments, the Forum identified a number of topics of interest that, while they are not the subject of specific commitments in this Plan, will continue to be a focus for the Forum during 2024 and 2025. This is discussed in more detail at **Annex B**.

Commitments: Overview

Australia's Third OGP National Action Plan 2024-2025 consists of 8 commitments.





Create transparency in the use of automated decision making and artificial intelligence

January 2024 – December 2025

Responsible entities Attorney-General's Department (AGD) Transparency and Administrative Law Branch AdminLaw@ag.gov.au

Department of Industry, Science and Resources (DISR) & Digital Transformation Agency (DTA) *AI in Government Taskforce* <u>aitaskforce@dta.gov.au</u>

Portfolios	Attorney-General's
	Industry, Science and Resources
	Finance

Other stakeholders

Australian Government agencies Office of the Australian Information Commissioner Non-Government Transparency International, Law Council of Australia.

Summary

The purpose of this commitment is to ensure greater transparency about the use of automated decision-making (ADM) in government and contribute to safe and responsible Artificial Intelligence (AI) while facilitating innovation. This is intended to be achieved through:

- improved governance, capability and guidance to support the safe and responsible use of AI in Australia
- consideration of a consistent legal framework governing automated decision making by Australian Government agencies, and
- enhanced transparency and protections for personal information handling by entities subject to the *Privacy Act 1988*.

Why this commitment is important

Delivery of this commitment aims to address community concerns about the transparency and integrity of decisions made using ADM systems, and about the safe and responsible use of AI.

It is important that there is a consistent legal framework to support the use of automated decision-making, so that government services can operate ethically, without bias and with appropriate safeguards. There is also a need to support the transparency and integrity of decisions made using ADM systems including that individuals should be able to request meaningful information about how automated decisions, with a legal or similarly significant effect, are made when using personal information. These objectives are reflected both in the Government's response to the Robodebt Royal Commission which committed to consider options for a consistent legal framework for ADM, and the Government's response to the Privacy Act Review Report.

Greater transparency about the use of ADM is part of fostering the public trust Australia needs to fully realise the benefits of AI, including opportunities for enhancing productivity, facilitating economic growth, and improving outcomes for Australians across health, education, environment and national security. This work will support the Australian Government to make advancements in this rapidly developing area and establish governance mechanisms to ensure AI is developed and used safely and responsibly in Australia. These mechanisms can include regulations, standards, tools, frameworks, principles and business practices.

Related OGP challenge areas

- Digital governance
- Access to Information

How the impact of this commitment can be measured

- The Australian Government is able to demonstrate transparency in the use of ADM.
- Governance mechanisms are established to ensure AI is developed and used safely and responsibly in Australia.

Other relevant information e.g. inquiries, research work being undertaken

The Department of Industry, Science and Resources (DISR) recently held public consultation on Safe and Responsible AI, which resulted in more than 500 responses reaffirming community expectations around transparency in the use of AI technologies, particularly by government. The Australian Government is currently reviewing these submissions.

On 19 September 2023, the Hon Ed Husic MP, Minister for Industry and Science, and Senator Katy Gallagher, Minister for Finance, announced the establishment of the AI in Government Taskforce to focus on the safe and responsible use of AI within government. The Taskforce reports to the Secretaries Board Future of Work Sub-committee and is jointly led by the Digital Transformation Agency (DTA) and DISR. It is developing approaches for governance, risk management, skills and capability, and technical use and preparedness for AI at a whole-of-government level.

The Attorney-General's Department is progressing work on the <u>Government Response to the</u> <u>Privacy Act Review Report</u>, which was released on 28 September 2023, which includes agreement to proposals regarding the use of ADM (proposals 19.1–19.3).

The <u>Government Response to the Robodebt Royal Commission</u> committed to considering opportunities for legislative reform to introduce a consistent legal framework in which automation in government services can operate ethically, without bias and with appropriate safeguards, which will include consideration of review pathways and transparency mechanisms (recommendation 17.1).

OGP Global has further recommendations on digital governance and automated decisionmaking in their <u>Open Government Guide</u>.

Milestones*

vities	2023**	2024	2025
Taskforce Update Al in Government Taskforce to update the <u>Interim</u> <u>Guidance on the use of Generative AI for Agencies</u> .			
Government Response Release Government Response to the Privacy Act Review Report			
Government Response Release Government Response to the Robodebt Royal Commission			
New legislation Introduce legislation to protect the personal information of Australians, including in relation to the use of ADM.			
Draft policy development AGD to lead policy development and scoping process for options to develop a comprehensive and consistent whole-of-government legislative framework for ADM in response to Robodebt Royal Commission recommendation 17.1, including consultation within government and targeted consultation with external stakeholders. This will include consideration of options for automation in government services to operate ethically, without bias and with appropriate safeguards.			
Public consultation AGD to lead public consultation and advice on options to implement a whole-of-government legislative framework for ADM, and finalise legislation for Government consideration and introduction.			
Implement new framework AGD to lead implementation of any whole-of- government legislative framework for ADM, including developing guidance material and providing advice to agencies.			
	Taskforce Update Al in Government Taskforce to update the Interim Guidance on the use of Generative AI for Agencies. Government Response Release Government Response to the Privacy Act Review Report Government Response Release Government Response to the Robodebt Royal Commission New legislation Introduce legislation to protect the personal information of Australians, including in relation to the use of ADM. Draft policy development AGD to lead policy development and scoping process for options to develop a comprehensive and consistent whole-of-government legislative framework for ADM in response to Robodebt Royal Commission recommendation 17.1, including consultation within government and targeted consultation with external stakeholders. This will include consideration of options for automation in government services to operate ethically, without bias and with appropriate safeguards. Public consultation AGD to lead public consultation and advice on options to implement a whole-of-government legislative framework for ADM, and finalise legislation for Government consideration and introduction. Implement new framework AGD to lead implementation of any whole-of-government legislative framework for ADM, including developing guidance material and providing advice to	Taskforce Update Al in Government Taskforce to update the Interim Guidance on the use of Generative Al for Agencies. Government Response Release Government Response to the Privacy Act Review Report Government Response Release Government Response to the Robodebt Royal Commission New legislation Introduce legislation to protect the personal information of Australians, including in relation to the use of ADM. Draft policy development AGD to lead policy development and scoping process for options to develop a comprehensive and consistent whole-of-government legislative framework for ADM in response to Robodebt Royal Commission recommendation 17.1, including consultation within government and targeted consultation with external stakeholders. This will include consideration of options for automation in government services to operate ethically, without bias and with appropriate safeguards. Public consultation AGD to lead public consultation and advice on options to implement a whole-of-government legislative framework for ADM, and finalise legislation for Government consideration and introduction. Implement new framework AGD to lead implementation of any whole-of-government legislative framework for ADM, including developing guidance material and providing advice to	Taskforce Update Al in Government Taskforce to update the Interim Guidance on the use of Generative AI for Agencies. Government Response Release Government Response to the Privacy Act Review Report Government Response Release Government Response to the Robodebt Royal Commission New legislation Introduce legislation to protect the personal information of Australians, including in relation to the use of ADM. Draft policy development AGD to lead policy development and scoping process for options to develop a comprehensive and consistent whole-of-government legislative framework for ADM in response to Robodebt Royal Commission recomment and targeted consultation with external stakeholders. This will include consideration of options for automation in government services to operate ethically, without bias and with appropriate safeguards. Public consultation AGD to lead public consultation and advice on options for automation in government legislative framework for ADM, and finalise legislative framework for ADM, and finalise legislation for Government a whole-of-government legislative f

*Additional or more detailed milestones may be added in 2024, following Government consideration.

**July 2023 onwards



Youth advisory groups

July 2023 – December 2025

Responsible entity	Department of Education Office for Youth youth@education.gov.au
Portfolio	Education

Other stakeholders

Australian Government agencies	Non-Government
Australian Government agencies with investments in young people and youth	Young people, youth sector, Australian Youth Affairs Coalition (AYAC)
policy	Foull Analis Codition (ATAC)

Summary

This commitment deepens engagement with young people and youth policy through youth advisory groups. Under this commitment, the Australian Government will consider alignment with key OGP challenge areas, such as public participation, environment and climate and gender and inclusion, in determining future topics for the youth advisory groups.

Through the Office for Youth, advisory groups are selected and created each year to work directly with Australian Government agencies on the development of policies or programs. Each group has a specific area of focus, and both the topics of focus and the partner agencies are annually changed.

The youth advisory groups generally work for a 12-month period with their participating Australian Government agency, meeting in-person in Canberra each year before commencing virtual meetings to support the design, development and/or implementation of the policy, program, or initiative they are working on. The Office for Youth convenes and supports the advisory groups and agencies and oversees the program.

Why this commitment is important

The youth advisory groups commitment addresses the principles of inclusive participation and accountability, helps address the issue of young people facing barriers to being actively consulted on government decisions that affect them, and will consider alignment of advisory group topics from 2025 with OGP Principles and Challenge Areas.

This commitment aims to embed the impact young people have on the decisions that affect their lives, and to encourage Australian Government agencies to work with young people in the development and implementation of policies, programs, and initiatives across a broad range of portfolios. The program commits to enabling young people to have a tangible impact on policies, programs, and initiatives, and from 2025 will embed an assessment of group topics with OGP Principles and Challenge Areas.

Related OGP challenge areas

- Public participation
- Civic space

How the impact of this commitment can be measured

The youth advisory groups enable young people to have a tangible impact on the design, implementation and/or delivery of the work program each group is focused on.

The Office for Youth assesses the impact that advisory groups have each year on the policy, program, or initiative they are working on by supporting:

- participating agencies to report on the impact that the youth advisory group had on the policy, program, or initiative they have worked on.
- advisory group members to report on how they feel their advice has been listened to and their advice acted upon over the course of the program.

Other relevant information e.g. inquiries, research work being undertaken

The Office for Youth has been established as a dedicated unit in the Department of Education to support the contribution of young people and advocates, improve and harmonise youth policy across government and ensure the government is communicating effectively with young people.

In addition to running the youth advisory groups, the Office for Youth is working with Australian Government agencies, sector stakeholders and young people to develop a Youth Engagement Strategy which will be released in 2024.

The Youth Engagement Strategy will facilitate coordination of whole-of-government engagement with young people and entrench the Australian Government's engagement with young people in the development of policies and programs that affect them.

Acti	Activities			2025
2.1	Topic selection and membership announcement 2024 youth advisory group topic selection, and topics and membership announced			
2.2	Inaugural 2024 in-person meeting			
2.3	2024 youth advisory groups virtual meetings			
2.4	Topic selection and membership announcement 2025 youth advisory group topic selection, and topics and membership announced			

Milestones

Activ	Activities			2025
2.5	End of year reports 2024 youth advisory group end of term program reporting			
2.6	Inaugural 2025 in-person meeting			
2.7	2025 youth advisory groups virtual meetings			
2.8	Topic selection and membership announcement 2026 youth advisory group topic selection, and topics and membership announced			
2.9	End of year reports 2025 youth advisory group end of term program reporting			
2.10	Inaugural 2026 in-person meeting			

*July 2023 onwards



An Integrity Strategy for the Commonwealth Public Sector

October 2023 – December 2024

Responsible entity	Attorney-General's Department
	Fraud Prevention and Anti-Corruption Branch
	info@counterfraud.gov.au

Portfolio Attorney-General's

Other stakeholders

Australian Government agencies	Nor
Australia Public Service Commission, APS	Trai
Reform Office, Prime Minister and Cabinet,	Rou
Department of Finance, Integrity Agencies	
Group members.	

Non-Government

Transparency International, Accountability Roundtable.

Summary

The commitment would deliver an Integrity Strategy for the Commonwealth public sector that brings together the substantial body of integrity related work (including anti-corruption, counter fraud and other related initiatives) underway across the Australian Government, and help to:

- enhance the Australian public's visibility of work to improve public sector integrity
- strengthen coordination and information-sharing across government agencies, and
- harness information and data to improve reporting and measurement of integrity.

Why this commitment is important

The Australian Government is committed to integrity, honesty and accountability in government. A central part of the government's agenda is to restore public trust and strengthen standards of integrity in our public sector. The Integrity Strategy will provide the Australian community with visibility of the government's measures to improve integrity, thereby contributing to a more transparent and trusted government.

The Integrity Strategy will develop a cohesive description of the current integrity frameworks and systems which are in place along with reforms underway which aims to improve public sector integrity. This will enable better coordination, governance and information sharing across the various agencies which are responsible for different elements of the government's overall integrity agenda. It will also offer a platform for engagement with civil society.

Finally, this initiative is important in that it will seek to enable the Commonwealth to better use information and data holdings to understand, measure and monitor the integrity system, thereby providing a platform for continuous improvement.

Related OGP challenge areas

- Access to information
- Anti-corruption

How the impact of this commitment can be measured

- Clear and consistent messaging about public sector integrity to increase visibility and understanding of these initiatives to the Australian community.
- The Integrity Strategy is acknowledged by stakeholders as a key resource for entities, providing a platform for better engagement with the integrity reform agenda.
- Integrity governance mechanisms, reporting and information sharing arrangements are strengthened.

Other relevant information e.g. inquiries, research work being undertaken

The Australian Government has an ambitious agenda to strengthen integrity across the Australian public sector. Important reforms underway include the recent establishment of the National Anti-Corruption Commission, strengthening public sector whistleblower protections, measures to enhance the integrity of administrative decision-making (including grants processes), and arrangements to increase transparent and merit-based appointments to government boards and other public sector roles.

In 2023, the Secretaries Board established an APS Integrity Taskforce (Integrity Taskforce) to bring together information about integrity initiatives underway across agencies, consider how they intersect, and identify gaps and opportunities to deliver system wide integrity improvements. In November 2023, the Secretaries Board published the APS Integrity Taskforce Report which recommends the development of an Integrity Strategy.

The work of the Integrity Taskforce complements the integrity pillar of the Australian Government's <u>Australian Public Service (APS) Reform</u>. APS Reform builds on the principles of the <u>Independent Review of the APS</u> which was delivered in 2019 by David Thodey AO. The Thodey Review called for a public service that is trusted, future-fit, responsive and agile so it can meet the changing needs of government and the community with professionalism and integrity.

The report of the Integrity Taskforce should also be considered in the context of the <u>Report</u> of the <u>Royal Commission into the Robodebt Scheme</u> which made findings and recommendations in relation to improving public sector integrity which the Government has agreed to in its <u>response to the report</u>.

Acti	Activities			2025
3.1	Taskforce report APS Integrity Taskforce report endorsed by Secretaries Board and released.			
3.2	Commence strategy development AGD, in consultation with the Australian Public Service Commission and other interested agencies, commences work to develop the strategy			
3.3	Mapping integrity systems Key features of Commonwealth public sector integrity system are mapped to outline the roles and responsibilities of key agencies			

Milestones

Acti	Activities			2025
3.4	Seek agreement Options for enhanced coordination and information-sharing identified and agreed			
3.5	Data improvements Data sources to improve reporting and measurement of integrity identified			
3.6	Final strategy The Integrity Strategy finalised and published publicly.			

*July 2023 onwards



Beneficial ownership reform

January 2024 – December 2025

Responsible entity	The Treasury Corporations Branch, Markets Conduct and Digital Division beneficialownership@treasury.gov.au
Portfolio	Treasury

Other stakeholders

Australian Government agencies	Non-Government
Attorney-General's Department, Australian Federal	Companies, peak bodies,
Police, Australian Securities and Investment	non-government organisations
Commission, Australian Transaction Reports and	including Transparency
Analysis Centre, Australian Taxation Office, Department	International Australia and Tax
of Foreign Affairs and Trade, Department of Finance	Justice Network.

Summary

The Government will introduce new requirements for companies to record information about who ultimately owns, controls and receives benefits from a company operating in Australia.

Why this commitment is important

This commitment ensures that adequate, accurate and up-to-date information on beneficial ownership and control is available in a timely manner to relevant authorities and the public. This information will increase corporate accountability, and help to address and prevent tax evasion, money laundering, terrorism financing, and corruption.

This commitment will advance the OGP values of transparency and accountability in business by:

- improving the effectiveness of our legal, regulatory and institutional frameworks
- preventing the misuse of corporate structures for illicit purposes such as corruption, tax evasion and money laundering, and
- protecting the integrity of the financial system.

Related OGP challenge areas

- Access to information
- Anti-corruption

How the impact of this commitment can be measured

The key measure of success for this commitment will be its effectiveness in contributing to the prevention of companies and legal arrangements being used for criminal purposes, tax evasion, or to avoid sanctions. This will be measured through reviewing the compliance of in-scope companies with new requirements and the accuracy of the information collected.

Success will also be measured via Australia's assessment under international commitments such as the Financial Action Task Force mutual evaluation process.

Other relevant information e.g. inquiries, research work being undertaken

The Government committed to implement a public beneficial ownership register for companies and other legal vehicles as part of its 'Multinational Tax Integrity Package'. Treasury undertook a consultation process in late 2022 on a staged approach to the implementation of the Government's commitment.

OGP Global has further information on beneficial ownership in other jurisdictions in their <u>Open Government Guide</u>.

Milestones

Acti	vities	2023	2024	2025
4.1	Targeted consultation Undertake consultation session on data standards to underpin beneficial ownership disclosure requirements.			
4.2	Revised materials and draft requirements Prepare material for second round of public consultation on the introduction of new requirements to record beneficial ownership information.			
4.3	Second round public consultation Undertake second round public consultation process on beneficial ownership reforms (consultation responses will be published where permissible).			
4.4	Revised materials and draft requirements Consider outcomes of second round public consultation and update future legislation, subject to the Government's legislative priorities.			
4.5	Options for beneficial ownership Consider options for development of Commonwealth- administered, publicly accessible register of beneficial ownership of companies in consultation with key Government and non-Government stakeholders.			



Integrity and accountability in procurement and grants

July 2023 – December 2025

Responsible entity	Department of Finance Procurement and Insurance Division (ethicalsourcing@finance.gov.au)
	Grants Policy Branch (grants@finance.gov.au)
Portfolio	Finance

Other stakeholders

Australian Government agencies	Non-Government
Procurement: all non-corporate Commonwealth	Procurement: all suppliers to
entities and prescribed corporate Commonwealth	Government; and
entities; and	Grants: Grant applicants, recipients
Grants: non-corporate Commonwealth entities.	and the public

Summary

This commitment will implement a series of steps to improve procurement and grants processes to strengthen integrity, accountability and transparency. These steps include:

- heightening accountability in ministerial decision-making for grants
- increasing transparency in grants information
- clarifying the Commonwealth's expectations of suppliers through new Supplier Code of Conduct
- enhancing the *Commonwealth Grants Rules and Guidelines 2017* (CGRGs) and support services, and
- updating guidance material including through the refresh of the <u>Selling to</u> <u>Government</u> and <u>Procurement Policy</u> websites.

Why this commitment is important

The Government is committed to strengthening integrity, accountability and transparency in grant and procurement decision making and contract management. This commitment will have a substantial positive impact noting that approximately \$26 billion in grants and approximately \$74.8 billion in procurement contracts were provided by the Australian Government in 2022–23.

Grants:

The Australian Government uses grants to achieve policy outcomes and deliver services through the non-government sector. Grants provide significant benefits to individuals and organisations, by funding partnerships that deliver programs which make a difference to the lives of Australians. Enhancements to the rules and guidelines, and support services will strengthen accountability and transparency requirements and encourage competitive processes. <u>GrantConnect</u> provides centralised publication of forecast and current Australian Government grant opportunities and grants awarded.

Procurement:

The Commonwealth Procurement Framework (Framework) articulates the Australian Government's approach to the proper use of public resources through procurement. Achieving value for money is the core rule of the Framework and the Framework includes a range of measures to promote a stronger, more prosperous domestic economy and society while ensuring that our free trade obligations are met.

Various initiatives will boost APS capability in understanding the Commonwealth Procurement Framework and undertaking procurement, and simplify processes for all businesses to participate. Guidance on the <u>Procurement Policy</u> website is being refreshed or revised and new guidance is being developed. The <u>Selling to Government</u> website will be refreshed to assist business' interaction with Australian Government procurement, including guidance material on tendering, negotiating and managing contracts.

Commonwealth's Supplier Code of Conduct:

The Australian Government is committed to the highest standards of ethics, probity and integrity. These are the foundations of responsible organisational behaviour and the Government expects the same standards of its suppliers.

The Commonwealth's Supplier Code of Conduct will be developed, outlining behavioural expectations of suppliers and their sub-contractors while under contract with the Commonwealth and place a positive duty on suppliers to take proactive action to prevent and discourage breaches of the Code.

Related OGP challenge areas

- Access to information
- Fiscal openness

How the impact of this commitment can be measured

Indicators of success may include:

- the release of enhanced grant rules and guidelines
- the delivery of education and support services in relation to grants to the APS, including through communities of practice
- enhancements to GrantConnect to support reporting transparency
- consideration of relevant outcomes in future external reports, such as Australian National Audit Office (ANAO) or Joint Committee of Public Account and Audit (JCPAA) reports
- improved guidance for procuring officials and suppliers to Commonwealth, and
- the release of the Supplier Code of Conduct.

Other relevant information, e.g. inquiries, research work being undertaken

The proposals have been informed by several recommendations to the Australian Government and Department of Finance from the ANAO audits and JCPAA inquiries into Commonwealth grants and procurement administration. Consultation with Commonwealth entities and the business community will inform the development and implementation of the Supplier Code of Conduct.

The ANAO releases reports which may provide further insight on <u>government grants expense</u>, <u>Commonwealth entities' self-reporting of grants</u>, and <u>procurement activity in the public</u> <u>sector</u>.

OGP Global has further information about open contracting in their Open Government Guide.

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Milestones

Activ	vities	2023*	2024	2025
5.1	Public consultation Supplier Code of Conduct stakeholder consultation			
5.2	Website enhancement The Procurement Policy website is enhanced			
5.3	Website refresh The Selling to Government website is refreshed			
5.4	Target release date Supplier Code of Conduct release/date of effect			
5.5	Updates to rules and guidelines Enhancements to the <i>Commonwealth Grants Rules and</i> <i>Guidelines 2017</i>			
5.6	Updates to website Updates to the GrantConnect website			
5.7	Consolidated guide Grants Consolidated Guide			

*July 2023 onwards



Public sector whistleblower protections

July 2023 – December 2025

Responsible entity	Attorney-General's Department
	Transparency and Administrative Law Branch
	AdminLaw@ag.gov.au

Portfolio Attorney-General's

Other stakeholders

Australian Government agencies	Non-Government
Office of the Commonwealth Ombudsman	Accountability Round Table,
Inspector-General of Intelligence and Security.	Transparency International, Griffith
All agencies to which Public Interest Disclosure Act	University, Australian Human Rights
2013 applies.	Law Centre, Centre for Public
	Integrity, Law Council of Australia.

Summary

This commitment recognises ongoing work to deliver staged reform of the *Public Interest Disclosure Act 2013* (PID Act). The PID Act establishes the Commonwealth public sector whistleblowing scheme. The first stage of reforms is complete. The second stage of reforms seeks to address the underlying complexity of the public sector whistleblowing framework and improve protections for whistleblowers.

Why this commitment is important

It is essential to public sector integrity that there is an effective framework in place that supports public sector whistleblowers to speak up about wrongdoing, and protects them from adverse consequences when they do so.

Related OGP challenge areas

- Anti-corruption
- Justice

How the impact of this commitment can be measured

This commitment will be measured through the delivery of the staged reform process. Stage 1 reforms were delivered through the passage of the *PID Amendment (Review) Act 2023*, which commenced on 1 July 2023. The Office of the Commonwealth Ombudsman, supported by AGD, continue to undertake work to support implementation of those reforms. Stage 1 reforms to the PID Act implemented 21 of 33 recommendations of the Moss Review, along with recommendations from previous parliamentary reports.

Work on stage 2 reforms is underway and will include public consultation in 2023 on further reforms to the PID Act to address the underlying complexity of the scheme and consider the need for additional supports for public sector whistleblowers, including if a Whistleblower Protection Authority is needed. The remaining recommendations of the Moss Review and other relevant inquiries will be considered in stage 2 reforms to the PID Act.

Other relevant information e.g. inquiries, research work being undertaken

The PID Act has been in operation for approximately 10 years and has been the subject of multiple inquiries recommending areas for reform. These include:

- 2016 Review of the PID Act by Mr Philip Moss AM (Moss Review)
- 2017 report of the Parliamentary Joint Committee on Corporations and Financial Services inquiry into whistleblower protections in the corporate, public and not-for-profit sectors (PJCCFS report)
- 2020 report of the Parliamentary Joint Committee on Intelligence and Security inquiry into the impact of the exercise of law enforcement and intelligence powers on the freedom of the press (PJCIS report)
- 2021 report of the Senate Environment and Communications References Committee into freedom of the press, and
- 2021 Set the Standard report on the Independent Review into Commonwealth Parliamentary Workplaces.

Milestones

Act	vities	2023*	2024	2025
6.1	Stage 1 reforms Implementation of stage 1 PID Act reforms			
6.2	Public consultation Public consultation on stage 2 PID Act reforms			
6.3	Develop stage 2 reforms Consideration of outcomes from public consultations, and development of legislation to implement stage 2 PID Act reforms			
6.4	Reform implementation Implementation of reforms, including legislative amendments (subject to parliamentary passage of legislative reforms) and non-legislative measures such as training, education and other supports.			

*July 2023 onwards



Transparent political donations and truth in political advertising

July 2023 – December 2025

Responsible entity	Department of Finance Electoral and Superannuation Policy/Governance <u>electoralpolicy@finance.gov.au</u>
Portfolio	Finance

Other stakeholders

Australian Government agencies	Non-Government
Australian Electoral Commission	Joint Standing Committee on Electoral Matters,
	academics, civil society organisations

Summary

The Joint Standing Committee on Electoral Matters (JSCEM) Interim Report into the 2022 Federal Election (Interim Report) made recommendations that the Government consider reforms to:

- lower donation disclosure thresholds
- expedite reporting of donations
- cap political donations and electoral expenditure
- establish campaign accounts
- introduce a new system of campaign funding; and
- govern 'truth' in political advertising.

The Government responded to the Interim Report in November 2023. The Government has commenced engagement across the 47th Parliament with a view to securing multi-partisan support for legislative reform.

Why this commitment is important

Expedited disclosure of donations, limits on donations and expenditure and transparent electoral communication support representative democracy by assisting the public in the exercise of their franchise to make informed judgements about candidates, political parties, and other actors that seek to influence election outcomes.

Related OGP challenge areas

- Anti-corruption
- Access to information
- Public participation

How the impact of this commitment can be measured

The Government has responded to the recommendations of the JSCEM Interim Report. These recommendations have been confirmed with the release of the final report on 27 November 2023. The Government will pursue multi-partisan support for reform – and the outcomes of that engagement will be key to the progress of reform. With multi-partisan support, the Government will introduce legislation to the 47th Parliament.

Other relevant information e.g. inquiries, research work being undertaken

The Joint Standing Committee on Electoral matters inquiry into the conduct of the 2022 federal election and its final report.

Milestones*

Acti	vities	2023**	2024	2025
7.1	Government response (interim) Government response to the JSCEM – Interim Report			
7.2	Seek parliamentary support Engage Parliament to determine multi-partisan support for reform			
7.3	Government response (final) Government response to the JSCEM – Final Report			
7.4	Introduce legislation 'Introduce legislation and commence parliamentary processes where multi-partisan support exists	-		

* Additional or more detailed milestones may be added in 2024, following Government consideration. **July 2023 onwards



Improve media literacy in culturally and linguistically diverse communities, including to counter the impacts of mis- and dis-information

June 2023 – June 2025

Responsible entity	Department of Infrastructure, Transport, Regional Development, Communications and the Arts Online Safety, Media and Platforms Division - Media Industry and Sustainability Branch medialiteracy@COMMUNICATIONS.gov.au
Portfolio	Infrastructure, Transport, Regional Development, Communications and the Arts

Other stakeholders

Australian Government agencies Department of Industry, Science and Research (Grant Hub), Home Affairs, e-Safety Commissioner	Non-Government Federation of Ethnic Communities' Councils of Australia
Summary	

Summary

A partnership with the Federation of Ethnic Communities' Councils of Australia (FECCA) will be established to help improve media literacy in culturally and linguistically diverse (CALD) communities that are vulnerable to the impacts of mis- and dis- information. This partnership will also improve government capacity to design community-specific media approaches in the future.

Funding provided under the partnership with FECCA (\$1.5 million over 2023–24 to 2024–25) will help communities critically engage with information publicised through media channels and to be able to spot false narratives, thereby reducing their vulnerability to associated harms. It will also help improve the knowledge base within the Australian Government of the media habits, resources and media influencers among CALD communities.

Why this commitment is important

Media literacy programs assist in building cognitive skills allowing people to process media in a more critical and active way.

Some CALD communities are at risk of higher exposure to online misinformation, particularly among non-English speakers. Desktop research suggests that migrant communities rely less on mainstream media sources for news and information, and more on digital media, including in-language news on social media platforms and private messaging apps. Understanding these demographic differences is important to help governments and industry design targeted communication and interventions.

Spreading mis- and dis-information in media and social media about minority communities promotes marginalisation and hate speech, and undermines social cohesion and Australia as a progressive and inclusive multicultural nation.

This commitment will assist with empowering CALD communities to identify and avoid harms associated with the spread of mis- and dis-information, while supporting government to better design CALD community-specific communication and interventions in the future.

Related OGP challenge areas

- Public participation
- Gender

How the impact of this commitment can be measured

FECCA will administer a program to recipient community organisations and will be providing regular reports on its activities under the grant. FECCA will partner with DITRDCA to improve knowledge base to better design communication interventions that target CALD communities.

Other relevant information e.g. inquiries, research work being undertaken

FECCA represents over 1500 multicultural community organisations and their members. Operating as a sophisticated two-way conduit between government and multicultural communities, FECCA's partnership enables the development of a participatory and inclusive program.

The Department of Home Affairs network of Community Liaison Officers (CLOs) have an essential role in supporting Australia's vibrant multicultural society by building and maintaining relationships with a wide range of cultural, religious and ethnic communities. CLOs disseminate Australian Government information to CALD communities, reinforce critical messaging and engage to understand the impact of messaging on CALD communities, which helps to counter the spread of misinformation.

OGP Global has <u>previously provided information on this topic</u> following COVID-19, including examples from other jurisdictions. s

Milestones*

Activ	vities	2023**	2024	2025
8.1	Program launch Launch of the Supporting media literacy for CALD communities program; applications open			
8.2	Program operation Supporting media literacy for CALD communities program operates			
8.3	Report back to the Forum			
8.4	Project completion			

* Additional or more detailed milestones may be added in 2024, following Government consideration. **July 2023 onwards



Annex A: Timeline of Australia's engagement with OGP

Annex B: Open Government Forum in 2024 and 2025

Australia's Open Government Forum will continue to meet in 2024 and 2025 to discuss progress on the 8 commitments in Australia's Third National Action Plan. In the course of developing this Plan, the Forum members discussed a range of topics that were not ultimately included as commitments in this Plan. These topics, which are of continued interest to members of the Forum, may provide a 'kickstart' for the consideration of potential topics for the Fourth National Action Plan:

- proactive disclosure culture in government
- public sector board appointment processes
- transparency of the National Anti-Corruption Commission operations
- open data in the Australian Government
- Extractive Industries Transparency Initiative (EITI) in Australia
- initiatives to strengthen democracy in Australia
- public engagement skills in the Australian Public Service
- supporting a professional and effective Australian media
- parliamentary oversight of delegated legislation
- right to freedom of assembly and association in Australia.

Forum meetings may provide the opportunity to discuss one or more of these topics and other new and emerging topics of interest. The list can be amended over time, and the Forum is interested in updates when available.

The Forum has also expressed an interest in ensuring consideration is given to a greater connection with the First Nations communities and the needs of the neurodiverse community when the Forum is refreshed in 2025 and in future consultation processes. The Forum will also be considering how OGP in Australia can create greater links with government and civil society bodies in the states and territories.



