

**From:** s22(1)(a)(ii)  
**To:** s22(1)(a)(ii)  
**Cc:** [DLQ](#); [minsubsandbriefs](#); [Patteson, Carolyn](#); [Makin, Mike](#); s22(1)(a)(ii); s22(1)(a)(ii)  
**Subject:** MS18-001169 Initiating new selection process for ABC Chairperson position [SEC=PROTECTED]  
**Date:** Wednesday, 3 October 2018 2:49:07 PM  
**Attachments:** s22(1)(a)(ii)

[image001.png](#)

## PROTECTED

Dear s22(1)(a)(ii)

Please find attached a brief regarding the initiation of a process to fill the ABC Chairperson position.

Hard copies will follow.

Regards,



s22(1)(a)(ii)

Assistant Director / National and Community Broadcasting / Media Branch  
 Department of Communications and the Arts

P +61 2 6271 s22(1)(a)(ii)

s22(1)(a)(ii) [@communications.gov.au](#)

2 Phillip Law Street, Canberra ACT 2601  
 GPO Box 2154 Canberra, ACT 2601

[communications.gov.au](#) / [@CommsAu](#)

[arts.gov.au](#) / [@artsculturegov](#)

I would like to acknowledge the traditional custodians of this land on which we meet, work and live. I recognise and respect their continuing connection to the land, waters and communities. I pay my respect to Elders past and present and to all Aboriginal and Torres Strait Islanders.

For Official Use Only

MS18-001169



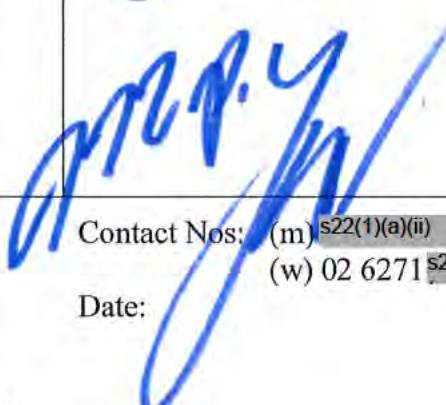
**Australian Government**  
**Department of Communications and the Arts**

**SUBJECT: Initiating new selection process for ABC Chairperson position**

**TIMING: ACTION REQUIRED BY– 8 OCTOBER 2018 TO COMMENCE A SELECTION PROCESS TO FILL THE ABC CHAIRPERSON POSITION**

**KEY ISSUES:**

1. On 27 September 2018, the Governor-General accepted the resignation tendered by Mr Justin Milne, Chairperson of the Australian Broadcasting Corporation (ABC) Board.
2. On 28 September 2018, the Governor-General appointed Dr Kirstin Ferguson, non-executive Director of the ABC Board, as Deputy Chairperson. Dr Ferguson will act as Chairperson until a new Chairperson is appointed, or up until 11 November 2020 when her term on the ABC Board expires.
3. Under the *Australian Broadcasting Corporation Act 1983* (ABC Act), it is the role of the Prime Minister to recommend to the Governor-General that a person be appointed as ABC Chairperson. A letter seeking the Prime Minister’s agreement to commence a new selection process is at Attachment A for your signature.
4. Pending the Prime Minister’s agreement, a letter to the Chair of the Nomination Panel requesting the Nomination Panel to commence a new selection process to fill the ABC Chair position is at Attachment B for your signature.
5. A selection process will be undertaken as quickly as possible. This process is expected to take approximately 3 to 6 months to complete.
6. The Department has commenced a procurement process to engage an executive search agency that will assist the Nomination Panel with the selection process.

<b>RECOMMENDATION/S:</b>	
That you: 1. Sign the letter to Prime Minister 2. Sign the letter to Mr Ted Evans, Chair, Nomination Panel	1.  Signed/Not signed 2. Signed/Not signed   MITCH FIFIELD 9/10/2018

Contact Nos: (m) s22(1)(a)(ii)  
 (w) 02 6271 s22(1)  
 Date:

Name: Mike Makin  
 Assistant Secretary, National Broadcaster Review Taskforce  
 Division: Content

Instructions for MAPS: Call Contact Officer prior to despatching letters.	Contact Officer: <span style="background-color: #cccccc;">s22(1)(a)(ii)</span> Tel: 02 6271 <span style="background-color: #cccccc;">s22(1)</span>
<b>Distribution CC List:</b> Mike Mrdak, Richard Eccles, Richard Windeyer,Carolyn Patteson	

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**SENSITIVITIES:**

There has been significant media interest in the ABC and SBS selection processes. Recently there has been a focus on criticising the Government for recommending candidates for appointment that were not nominated by the independent Nomination Panel.

**BACKGROUND/ISSUES:**

Mr Justine Milne was appointed as the Chairman of the ABC Board on 1 April 2017 for a term of five years. However on 27 September 2018 he tendered his resignation to the Governor-General and it was accepted.

On 28 September 2018 Dr Kirstin Ferguson was appointed as Deputy Chairperson to act in the role of the Chairperson in order for the ABC Board to continue to perform the duties of the Board.

It is important to provide stability to the ABC Board by filling the ABC Chairperson given the recently vacated Managing Director role arising from the departure of Ms Michelle Guthrie on 24 September 2018.

A full ABC Board consists of nine members. Although currently there are eight members, it is important to fill the vacant ABC Chairperson position as soon as possible as the Board will need to appoint the vacant Managing Director position which is currently filled by Mr David Anderson who is acting in the role of the Managing Director.

**CONSULTATION:**

The Department of the Prime Minister and Cabinet





**SENATOR THE HON MITCH FIFIELD**

MINISTER FOR COMMUNICATIONS AND THE ARTS  
MANAGER OF GOVERNMENT BUSINESS IN THE SENATE

Ref No: MS18-001169

Mr Ted Evans AC  
Chair  
Nomination Panel for ABC and SBS Board Appointments  
s47F

Dear Mr Evans

*Ted*

**Selection process for ABC Chairperson**

I am writing to request that the independent Nomination Panel for ABC and SBS Board Appointments (the Panel) conduct a selection process for the position of Chairperson on the Australian Broadcasting Corporation (ABC) Board.

Under the *Australian Broadcasting Corporation Act 1983* (ABC Act), it is the role of the Prime Minister to recommend to the Governor-General that a particular person be appointed or re-appointed as ABC Chairperson. The Prime Minister has decided that he wishes to test the field for the position of Chairperson vacated by Mr Justin Milne on 27 September 2018.

Accordingly, I request the Panel begin a process as soon as possible to seek a suitably qualified candidate to fill the vacant Chairperson position consistent with the merit-based appointment process for non-executive Directors established by Part IIIA of the ABC Act.

In conducting the selection process, I would like to bring the Panel's attention to the following:

*Selection criteria for ABC non-executive Director positions*

In accordance with the requirements of the statutory process, the *Australian Broadcasting Corporation (Selection criteria for the appointment of non-executive Directors) Determination 2013* sets out the statutory selection criteria for potential ABC Board appointments (Attachment A 1).

*Gender diversity target*

The Government is committed to achieving a gender target of 40 per cent female and 40 per cent male (with the remainder of either gender) on its boards for positions over which the Government has influence, and I ask that you consider this target during the selection process.

The ABC Board may consist of a maximum of nine members. This includes two positions (the Managing Director as well as the ABC staff-elected Director) that are not counted for the purposes of assessing whether these Boards have met the Government's gender target.

In order to meet the gender balance target, of the seven ABC non-executive Directors (including the ABC Chairperson) subject to the policy, a minimum of three female and three male non-executive Directors are required.

At present, there are four female and two male non-executive Directors as well as one vacant position, which is currently subject to consideration by Government.

#### *Geographic representation*

The Government also has a commitment to ensuring there is geographic diversity and preferably some regional representation on its boards.

At present, the ABC Board has one member who resides in a regional area and the geographic diversity is: NSW (1 member), QLD (2 members), VIC (1 member), SA (1 member) and WA (1 member). I note this will change once appointments are made for the vacant Chairperson position.

#### *Senior political staff member*

For reference, please find enclosed the definition of a 'senior political staff member' as determined in the *Australian Broadcasting Corporation (Definition of senior political staff member) Instrument 2014 (Attachment B 1)*. You will need to have regard to this definition when determining the eligibility of all potential candidates.

Thank you for your assistance. The Prime Minister and I look forward to receiving the Panel's report in due course.

Yours sincerely

MITCH FIFIELD

9/10/18

**COMMONWEALTH OF AUSTRALIA**

*Australian Broadcasting Corporation Act 1983*

**Australian Broadcasting Corporation (Selection criteria for the appointment of non-executive Directors) Determination 2013**

I, MALCOLM BLIGH TURNBULL, Minister for Communications, acting under subsection 24W(1) of the *Australian Broadcasting Corporation Act 1983*, hereby determine selection criteria for the appointment of a non-executive Director (excluding the staff-elected Director).

Dated 9 December 2013

MALCOLM TURNBULL  
Minister for Communications

---

**1. Name of Determination**

This determination is the *Australian Broadcasting Corporation (Selection criteria for the appointment of non-executive Directors) Determination 2013*.

**2. Commencement**

This determination commences on the day after it is registered on the Federal Register of Legislative Instruments.

### 3. Definitions

In this determination:

*ABC* means the Australian Broadcasting Corporation.

*non-executive Director* has the meaning given by section 3 of the *Australian Broadcasting Corporation Act 1983*.

*staff-elected Director* means the staff-elected Director referred to in paragraph 12(1)(ba) of the *Australian Broadcasting Corporation Act 1983*.

### 4. Selection criteria

(1) Candidates must demonstrate substantial experience or knowledge in at least one of the following fields:

- (a) the media industry, including broadcasting, digital media and/or digital technologies;
- (b) business or financial management;
- (c) corporate governance, including managing large and/or complex operations in the private, public or not-for-profit sectors;
- (d) cultural industry and/or cultural policy, including its administration.

(2) Candidates will possess:

- (a) demonstrated high level leadership and vision, and the ability to articulate a clear direction for an organisation;
- (b) a commitment to high standards of governance;
- (c) high-level judgement;
- (d) the highest standards of professional and personal integrity; and
- (e) an understanding of the media environment, in particular the ABC, its Charter and its place within the Australian community.

## Commonwealth of Australia

*Australian Broadcasting Corporation Act 1983*

### **Australian Broadcasting Corporation (Definition of senior political staff member) Instrument 2014**

I, MALCOLM BLIGH TURNBULL, Minister for Communications, make this instrument under subsection 3(3) of the *Australian Broadcasting Corporation Act 1983*.

Dated 29 January 2014

MALCOLM TURNBULL  
Minister for Communications

---

#### **1. Name of instrument**

This legislative instrument is the *Australian Broadcasting Corporation (Definition of senior political staff member) Instrument 2014*.

#### **2. Commencement**

This legislative instrument commences on the day after it is registered on the Federal Register of Legislative Instruments.

#### **3. Definitions**

*Legislature of a Territory* means:

- (a) the Legislative Assembly for the Australian Capital Territory; or
- (b) the Legislative Assembly of the Northern Territory.

*Minister* means a Minister of State for a State or a Territory.



*Australian Broadcasting Corporation (Definition of senior political staff member) Instrument 2014*

#### 4. Specified classes of persons

The following classes of persons are specified for the purpose of defining a *senior political staff member*:

##### 4.1 Class A – Federal

- (a) A person employed under the *Members of Parliament (Staff) Act 1984* (Cth) and who occupies a position in the “senior staff” classification as defined by the Commonwealth Members of Parliament Staff Enterprise Agreement 2012-2015 made under the *Fair Work Act 2009*.

##### 4.2 Class B – State or Territory

- (a) A person employed in a senior position by or on behalf of a member of a State Parliament or a Legislature of a Territory to primarily provide advice about policy matters, the communication of policy matters to the public, and/or parliamentary matters.
- (b) Without limiting paragraph 4.2(a), a person is deemed to be employed in a senior position if the position is known by one of the following designations:
- (i) Chief of Staff;
  - (ii) Deputy Chief of Staff;
  - (iii) Principal Adviser (however described);
  - (iv) Senior Adviser (however described);
  - (v) Senior Media Adviser (however described);
  - (vi) Specialist Adviser (however described).
- (c) For the purpose of subsection 4.2, examples of advice about policy matters include:
- (i) developing policy proposals for the consideration of the member;
  - (ii) analysing policy proposals and making recommendations to the member;
  - (iii) participating in policy discussions with or on behalf of the member;
  - (iv) where the member is a Minister, working with public sector employees to implement policies.



COPI

**SENATOR THE HON MITCH FIFIELD**

MINISTER FOR COMMUNICATIONS AND THE ARTS  
MANAGER OF GOVERNMENT BUSINESS IN THE SENATE

Ref No: MS18-001169

The Hon Scott Morrison MP  
Prime Minister  
PO BOX 6022  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister

**ABC Board – Appointment of Chairperson**

I am writing to you about the ABC Chairperson position vacated by Mr Justin Milne on 27 September 2018.

On 28 September 2018, Dr Kirstin Ferguson was appointed as Deputy Chairperson in order to continue with the functions of the ABC Board. However it is my recommendation that a person be appointed as Chairperson as soon as possible as the Chairperson and Managing Director positions in the ABC Board are currently filled on a temporary basis.

Under the *Australian Broadcasting Corporation Act 1983*, it is the role of the Prime Minister to recommend to the Governor-General that a person be appointed as ABC Chairperson. I seek your agreement to commence a selection process for this position by asking the independent Nomination Panel (the Panel) for ABC and SBS Board Appointments to conduct a selection process.

If the Panel conducts a selection process you are required to consult the Leader of the Opposition in the House of Representatives before recommending to the Governor-General that a person be appointed as ABC Chairperson. That person may be someone not nominated by the Panel. If a person not nominated by the Panel is appointed, you are required to table the reasons for that appointment in each House of the Parliament no later than 15 sittings of that House after the appointment is made. Those reasons must include an assessment of that person against the selection criteria.

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The current selection criteria for non-executive Directors of the ABC, including the Chairperson, are at Attachment A 1.

Thank you for your consideration of this matter.

Yours sincerely



MITCH FIFIELD

Encl. Attachment A 1 - *Australian Broadcasting Corporation (Selection criteria for the appointment of non-executive Directors) Determination 2013.*

9/10/13

**COMMONWEALTH OF AUSTRALIA**

*Australian Broadcasting Corporation Act 1983*

**Australian Broadcasting Corporation (Selection criteria for the appointment of non-executive Directors) Determination 2013**

I, MALCOLM BLIGH TURNBULL, Minister for Communications, acting under subsection 24W(1) of the *Australian Broadcasting Corporation Act 1983*, hereby determine selection criteria for the appointment of a non-executive Director (excluding the staff-elected Director).

Dated 9 December 2013

MALCOLM TURNBULL  
Minister for Communications

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**1. Name of Determination**

This determination is the *Australian Broadcasting Corporation (Selection criteria for the appointment of non-executive Directors) Determination 2013*.

**2. Commencement**

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### 3. Definitions

In this determination:

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*non-executive Director* has the meaning given by section 3 of the *Australian Broadcasting Corporation Act 1983*.

*staff-elected Director* means the staff-elected Director referred to in paragraph 12(1)(ba) of the *Australian Broadcasting Corporation Act 1983*.

### 4. Selection criteria

- (1) Candidates must demonstrate substantial experience or knowledge in at least one of the following fields:
  - (a) the media industry, including broadcasting, digital media and/or digital technologies;
  - (b) business or financial management;
  - (c) corporate governance, including managing large and/or complex operations in the private, public or not-for-profit sectors;
  - (d) cultural industry and/or cultural policy, including its administration.
- (2) Candidates will possess:
  - (a) demonstrated high level leadership and vision, and the ability to articulate a clear direction for an organisation;
  - (b) a commitment to high standards of governance;
  - (c) high-level judgement;
  - (d) the highest standards of professional and personal integrity; and
  - (e) an understanding of the media environment, in particular the ABC, its Charter and its place within the Australian community.





PRIME MINISTER

Reference: MC18-129723

17 OCT 2018

Senator the Hon Mitch Fifield  
Minister for Communications and the Arts  
Parliament House  
CANBERRA ACT 2600

Dear Minister

A handwritten signature in black ink, appearing to read 'Mitch Fifield'.

Thank you for your letter dated 9 October 2018 regarding the commencement of the independent selection process for the Australian Broadcasting Corporation's Chairperson.

I agree that you commence the independent selection process for the permanent ABC Chairperson as soon as possible using the existing selection criteria as set out in the *Australian Broadcasting Corporation (Selection criteria for the appointment of non-executive Directors) Determination 2013*.

Thank you for writing to me on this matter and I look forward to receiving the Nomination Panel's report in due course.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Morrison'.

SCOTT MORRISON

**From:** s22(1)(a)(ii)  
**To:** [Makin, Mike](#); s22(1)(a)(ii); s22(1)(a)(ii)  
**Subject:** FW: ABC Chair Week 1 informational update [SEC=UNCLASSIFIED]  
**Date:** Thursday, 1 November 2018 5:34:41 PM

---

## UNCLASSIFIED

**From:** Helen Williams s47F  
**Sent:** Thursday, 1 November 2018 5:23 PM  
**To:** s47F @KornFerry.com>  
**Cc:** ted.evans s47F; anne s47F; Pitkin, Sally s47F;  
s47F @KornFerry.com>; s47F  
s47F @KornFerry.com>; s47F @KornFerry.com>; s22(1)(a)(ii)  
s47F @communications.gov.au>  
**Subject:** Re: ABC Chair Week 1 informational update

Thanks s47F  
 Regards,  
 Helen

On 1 Nov 2018, at 5:19 pm, s47F @KornFerry.com>  
 wrote:

Dear Panel Members - for your information only.

To date we have received 11 enquiries and s47F formal applications.

We have 2 more weeks for submissions to be received (Friday 16 November close date). All applications will be couriered to you in collated form by COB Friday 23 November.

Thank you for marking your calendars on the call last week for 2 upcoming blocks of time:

1. Shortlisting in Sydney for the afternoon of Thursday 29<sup>th</sup> and the day of Friday 30<sup>th</sup> of November
2. Panel Interviews in Sydney on Monday 17<sup>th</sup> and Tuesday 18<sup>th</sup> December.

We will provide with the applications a summary assessment against the legislated selection criteria on a 1-3 scaled basis as suggested (broadly speaking 1= no evidence of the criterion and 3 = significant evidence of the criterion).

Please don't hesitate to contact us with any questions, suggestions or for additional colour.

Kind regards, s47F

s47F

Korn Ferry  
Level 18, Aurora Place  
88 Phillip Street  
Sydney, NSW, 2000, Australia

office: s47G(1)(a) | mobile: s47G(1)(a)

Assistant: s47F  
office: s47G(1)(a) | email: s47F @kornferry.com

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**From:** s22(1)(a)(ii)  
**To:** [Makin, Mike](#); s22(1)(a)(ii); s22(1)(a)(ii)  
**Subject:** FW: ABC Chair Week 2 informational update [DLM=For-Official-Use-Only]  
**Date:** Thursday, 8 November 2018 6:25:37 PM

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### For Official Use Only

**From:** s47F @KornFerry.com]  
**Sent:** Thursday, 8 November 2018 6:07 PM  
**To:** TedEvans s47F; Helen Williams s47F;  
anne s47F; Pitkin, Sally s47F  
**Cc:** s47F @KornFerry.com>; s47F  
s47F @KornFerry.com>; s47F @KornFerry.com>; s22(1)(a)(ii)  
s47F @communications.gov.au>  
**Subject:** ABC Chair Week 2 informational update

Dear Panel Members - for your information only.

To date we have received 8 formal applications, s47F.

We have 1 more week for submissions to be received (Friday 16 November close date).

Logistics are unchanged from last week's note:

- 1) All applications will be couriered to you in collated form by COB Friday 23<sup>rd</sup> November.
  - 2) Shortlisting will be in Sydney on the afternoon of Thursday 29<sup>th</sup> and as much of the day of Friday 30<sup>th</sup> of November as required.
  - 3) Panel Interviews will be in Sydney on Monday 17<sup>th</sup> and Tuesday 18<sup>th</sup> of December.
- Please don't hesitate to contact us with any questions, suggestions or for additional colour.

Kind regards, s47F

s47F

Korn Ferry  
Level 18, Aurora Place  
88 Phillip Street  
Sydney, NSW, 2000, Australia

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**From:** s22(1)(a)(ii)  
**To:** [Makin, Mike](#); s22(1)(a)(ii); s22(1)(a)(ii)  
**Subject:** FW: ABC Chair Week 3 informational update [DLM=For-Official-Use-Only]  
**Date:** Thursday, 15 November 2018 12:50:48 PM

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### For Official Use Only

**From:** s47F @KornFerry.com]  
**Sent:** Thursday, 15 November 2018 12:47 PM  
**To:** TedEvans s47F; Helen Williams s47F;  
anne s47F; Pitkin, Sally s47F  
**Cc:** s47F @KornFerry.com>; s47F  
s47F @KornFerry.com>; s47F @KornFerry.com>; s22(1)(a)(ii)  
s47F @communications.gov.au>  
**Subject:** ABC Chair Week 3 informational update

Dear Panel Members - for your information only.

To date we have received 15 formal applications (and counting), and a further 8 have indicated they will be submitting applications by the close date – tomorrow, Friday 16 November s47F

Next step logistics remain unchanged from last week's note:

- 1) All applications will be couriered to you in collated form for your receipt by COB Friday 23<sup>rd</sup> November.
  - 2) Shortlisting will be in Sydney on the afternoon of Thursday 29<sup>th</sup> and as much of the day of Friday 30<sup>th</sup> of November as required.
  - 3) Panel Interviews will be in Sydney on Monday 17<sup>th</sup> and Tuesday 18<sup>th</sup> of December.
- Please don't hesitate to contact us with any questions, suggestions or for additional colour.

Kind regards, s47F

s47F

Korn Ferry  
Level 18, Aurora Place  
88 Phillip Street  
Sydney, NSW, 2000, Australia

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**From:** s47F  
**To:** s22(1)(a)(ii)  
**Subject:** RE: ABC Friends call for nominations - ABC Chairperson [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 20 November 2018 6:07:06 PM  
**Attachments:** [image001.png](#)

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Hi s22(1)(a)(ii) – thank you for this – they did send us the petition however:

1. they had not spoken to Fiona,
2. nor did they have her contact details, and
3. in the absence of being able to contact her they did not ask her to submit an application... nor have we received one...

Thank you as well for your earlier voicemail on the other eligibility question – helpful to know.

Kind regards, s47F

s47F

Korn Ferry  
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 88 Phillip Street  
 Sydney, NSW, 2000, Australia

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Assistant: s47F  
 office: s47G(1)(a) | email: s47F@kornferry.com

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**From:** s22(1)(a)(ii)@communications.gov.au>  
**Sent:** Monday, 19 November 2018 8:45 AM  
**To:** s47F@KornFerry.com>  
**Subject:** RE: ABC Friends call for nominations - ABC Chairperson [SEC=UNCLASSIFIED]

**UNCLASSIFIED**

Hi s47F

Just sending you an update on the ABC Friends campaign, noting Fiona Stanley as their preferred ABC Chairperson appointee. Interested to know if ABC Friends sent Korn Ferry their petition.  
<https://www.abcfriends.org.au/index.php/2018/11/16/prof-fiona-stanley-ac-peoples-choice-for-abc-board-chair/>

Regards,

s22(1)(a)(ii)

**From:** s22(1)(a)(ii)  
**Sent:** Tuesday, 30 October 2018 11:44 AM  
**To:** s47F <[redacted]> @KornFerry.com>  
**Subject:** ABC Friends call for nominations - ABC Chairperson [SEC=UNCLASSIFIED]

## UNCLASSIFIED

Hi s47F

For your information - it appears you are likely to receive information on potential applicants for the ABC Chairperson position from ABC Friends.

See: <https://www.abcfriends.org.au/index.php/2018/10/29/nominate-the-new-abc-chair/>

Regards,



s22(1)(a)(ii)

Assistant Director / National and Community Broadcasting / Media Branch  
 Department of Communications and the Arts

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 GPO Box 2154 Canberra, ACT 2601

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[arts.gov.au](http://arts.gov.au) / [@artsculturegov](https://twitter.com/artsculturegov)

I would like to acknowledge the traditional custodians of this land on which we meet, work and live. I recognise and respect their continuing connection to the land, waters and communities. I pay my respect to Elders past and present and to all Aboriginal and Torres Strait Islanders.

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This message has been content scanned by the Axway MailGate.

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**From:** [Makin, Mike](#)  
**To:** [Simon.Duggar](#); s22(1)(a)(ii)  
**Cc:** [Patteson, Carolyn](#); s22(1)(a)(ii)  
**Subject:** ABC Chairperson nomination report [SEC=PROTECTED, DLM=Sensitive:Cabinet]  
**Date:** Wednesday, 16 January 2019 10:16:00 AM  
**Attachments:** [image001.png](#)  
[Att%20A%20Report%20Nomination%20Panel%20for%20ABC%20Chairperson%20Appoin....pdf](#)

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## PROTECTED Sensitive: Cabinet

Hi Simon,

As noted to you by Mike Mrdak earlier today, we have received the Nomination Panels report nominating three candidates for the role of Chairperson of the ABC. This email is to formally provide PM&C with the report for provision to the Prime Minister. The process as set out in the ABC Act, is that the panel provide their report to the PM, he can then choose to recommend for appointment a person from the shortlist they have nominated, or alternatively can choose another person but if doing so must table a statement of reasons in parliament for such a recommendation. The PM must also consult the Leader of the Opposition on his recommended candidate prior to appointment.

s47C

[Redacted]

We will provide a noting brief on the nomination panel's report to the Minister for Communications and the Arts so as he is informed prior to any consideration of who is to be recommended.

Happy to discuss the process or report in more detail if required.

Cheers,



### Mike Makin

Assistant Secretary / Media Policy  
 Department of Communications and the Arts

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 GPO Box 2154 Canberra, ACT 2601

[communications.gov.au](http://communications.gov.au) / [@CommsAu](https://twitter.com/CommsAu)

[arts.gov.au](http://arts.gov.au) / [@artsculturegov](https://twitter.com/artsculturegov)

I would like to acknowledge the traditional custodians of this land on which we meet, work and live. I recognise and respect their continuing connection to the land, waters and communities. I pay my respect to Elders past and present and to all Aboriginal and Torres Strait Islanders.

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## Nomination Panel for ABC Chairperson Appointment

---

The Hon. Scott Morrison MP  
Prime Minister

Senator the Hon. Mitch Fifield  
Minister for Communications

Parliament House  
Canberra ACT

15 January 2019

Dear Prime Minister and Minister,

### Report of the Nomination Panel for the appointment of Chairperson to the Board of the Australian Broadcasting Corporation ('ABC')

We write to you:

- (a) to report on the selection process including advertising for and considering expressions of interest for the vacant position of Chairperson on the Board of ABC ('Position'); and
- (b) to provide for your consideration our recommendations on candidates for the Position.

### SELECTION PROCESS

#### Advertising

Expressions of interest in the vacant ABC Chairperson position on the ABC Board were called for in print and online sources between 23 October 2018 to 16 November 2018. The print sources included advertising in The Australian, Australian Financial Review, The Age, The Herald Sun, Sydney Morning Herald, The Daily Telegraph, The Courier Mail, West Australian, Adelaide Advertiser, Northern Territory News, Hobart Mercury, Weekly Times Victoria, The Land, Rural Weekly, The Tasmanian Country, Stock Journal, Farm Weekly, United Times, Chinese Melbourne Daily, Asian Multimedia, Queensland Asian Business Weekly, Neos Kosmos, Ta Nea, Bharat Times, Il Globo, Melbourne Journal, Ti Vi Tuan San, Viet Times, and Koori Mail.

Online sources included posts on National Indigenous Times (Online), The Australian (Online), Fairfax digital, LinkedIn and Career One. It was also advertised on the website of the Department of Communications, the ABC and on AusGovBoards.gov.au.

#### Board search

To facilitate a robust field of candidates, Korn Ferry, the recruitment agency engaged by the Department of Communications conducted a search to supplement the field of candidates who responded to the advertising process.

#### Analysis of applications

Thirty one applications were received. The list of names of applicants and their State of residence is contained in **Attachment A - List of Applicants**.

Twenty one applications were received in response to the advertisement and general coverage of the need for a Chair. Korn Ferry made an additional forty approaches resulting in ten additional applications.

Gender and geographic representation of the 31 applications are as follows:

- 9 female, 22 male
- 22 NSW, <sup>s4</sup>7F VIC, <sup>s4</sup>7F WA, <sup>s4</sup>7F SA, <sup>s4</sup>7F QLD, <sup>s4</sup>7F TAS

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**Candidates selected for interview**

Selection of candidates for interview was conducted on 29 November 2018. Mr Evans AC was unable to attend this meeting s47F s47F, and Dr Pitkin acted as Chair for this meeting.

Seven candidates were selected for interview using the legislated experiential and competence criteria. The Panel also took into account the letter from Minister Fifield dated 6 December 2018. The Panel also considered the need for a strong, proven leader for the ABC at this time.

Gender and geographic representation of the seven candidates who were selected to proceed to interview are as follows:

- s47F
- 7 NSW

s47F of the candidates selected for interview were in response to the advertisement and general coverage of the need for a Chair. Five candidates were from direct approach made by Korn Ferry. s47F s47F

The list of candidates selected for interview is contained in **Attachment B - Candidates Selected for Interview**.

**Interviews**

Interviews were conducted on 17 and 18 December 2018. Referee reports were obtained on each candidate interviewed, and provided to the Nomination Panel prior to interview.

Mr Evans AC was unable to attend the interviews s47F, and Dr Pitkin acted as Chair.

**RECOMMENDATIONS**

The *Australian Broadcasting Corporation Act 1983* requires us to nominate at least three applicants for the position.

The Panel is proposing the following candidates for the ABC Chairperson position, listed in alphabetical order:

- s47F
- [Redacted]
- [Redacted]

All recommended candidates are s47F. s47F in response to the advertisement and general coverage of the need for a Chairperson. s47F from direct approach made by Korn Ferry.

The applications, curriculum vitae and reference reports for each of the recommended candidates are contained in **Attachment C - Recommended Candidates**.

**COMPARATIVE ASSESSMENT OF RECOMMENDED CANDIDATES**

Section 24B(1)(d) of the Act provides that our report must contain the nominated applicants "and a comparative assessment of those candidates". The Nomination Panel provides the following assessment -

s47C [Redacted]

s47C s47F  
s47F [Redacted]

Information Act 1982, the Department of Infrastructure, Development, Communities and the Arts



s47F

**BACKGROUND CHECKS**

A completed Private Interests Declaration form ('PID') was obtained from each of the candidates interviewed. The PID for each of the nominated candidates is provided at **Attachment D - Recommended Candidates Private Interests Declaration**.

Background checks of the nominated candidates have been completed by s47G(1)(a) (an employment verification provider), and consist of:

- (a) Australian Criminal History check with the Australian Federal Police;
- (b) Australian Bankruptcy check.

Final results of the checks were received on 14 January. All criminal history checks and bankruptcy checks were clear.

Academic checks were undertaken with the relevant educational/professional institutions to confirm the educational/professional qualifications of the nominated applicant's highest qualification.

Additional open source online data collection and analysis was undertaken with s47G(1) where items from 2009 to present were assessed for their prospective relevance.

The results from the Background Checks are available for you.

**CONCLUSION**

The selection process benefited from the diligent work of the Department of Communications and Korn Ferry. We appreciate their assistance.

Dr Pitkin would welcome the opportunity to discuss this Report with you and to respond to any queries you might have.

Yours sincerely

s47F

D Sally Pitkin  
Acting Chair  
15 January 2019

s47F

Ms Anne Fulwood  
Member  
15 January 2019

s47F

Ms Helen Williams AO  
Member  
15 January 2019

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**Attachment A - List of Applicants**

**Attachment B - Candidates Selected for Interview**

**Attachment C - Recommended Candidates**

**Attachment D - Recommended Candidates Private Interests Declaration.**

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### Attachment B - Candidates Selected for Interview

---

**Candidate**

s47F  
[Redacted]

**State**

NSW

NSW

NSW

NSW

NSW

s47F [Redacted]

NSW

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### Attachment C - Recommended Candidates

---

#### Candidate

s47F



Application & Reference

Application & Reference

Application & Reference

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s47F



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**Australian Government**

**Department of Communications and the Arts**

# ABC Board Chairperson application form

s47F





Confidential Reference Report on

s47F

For the Position of  
**Chairperson**  
**Australian Broadcasting Corporation**

December 2018

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s47F

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**Australian Government**

**Department of Communications and the Arts**

# ABC Board Chairperson application form

s47F

PROTECTED Sensitive: Cabinet



Confidential Reference Report on

For the Position of  
**Chairperson**  
**Australian Broadcasting Corporation**

December 2018

*Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts*

PROTECTED Sensitive: Cabinet

s47F



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Confidential Reference Report on

For the Position of  
**Chairperson**  
**Australian Broadcasting Corporation**

December 2018

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## Attachment D - Recommended Candidates Private Interests Declaration

---

### Candidate

s47F

A large rectangular area of the document is redacted with a solid grey fill, obscuring the name and details of the candidate.

PRIVATE INTERESTS DECLARATION

POSITION & ORGANISATION	Chairperson, Australian Broadcasting Corporation
-------------------------	--

Please answer the following questions by circling the reply that applies to your personal circumstances. If you answer "yes" to any question, please provide details in an attachment to this form. Please note that answering "yes" to any question does not necessarily preclude you from being appointed. Your response will be treated as confidential and will only be used for purposes connected with this proposed appointment.

1. Do you have any disclosable criminal convictions, i.e. convictions as an adult that form part of your criminal history other than those protected by the Spent Convictions Scheme (see Part VIIC of the *Crimes Act 1914*)?
2. Are you, or have you been, the respondent or defendant in any civil or criminal court action (including as a company director or other office holder)?
3. (a) Have you ever been declared bankrupt, entered into a debt agreement under Part IX of the *Bankruptcy Act 1996* (the *Bankruptcy Act*) or entered into a personal insolvency agreement under Part X of the *Bankruptcy Act*?  
(b) If you are in a partnership, have any of your partners ever been declared bankrupt, entered into a debt agreement under Part IX of the *Bankruptcy Act* or entered into a personal insolvency agreement under Part X of the *Bankruptcy Act*?
4. Has any business or commercial enterprise for which you, or if applicable your partner(s), have had responsibility ever gone into receivership or a similar scheme or arrangement?
5. During the last 10 years have you, or if applicable your partner(s), been the subject of a court order in connection with monies owing to another party?
6. Have you ever been summonsed or charged concerning non-payment of tax or outstanding tax debts, investigated for tax evasion or defaults, or negotiated with the Australian Taxation Office over outstanding tax debts?
7. Have you ever been the subject of a complaint to a professional body which has been substantiated, or is currently under investigation?
8. Have you ever been dismissed from employment because of a discipline or misconduct issue?
9. Do you or your immediate family have any financial interest in any company or business, or are you or your immediate family employed or engaged by any company or business, which might have dealings with, or an interest in the decisions of, the office to which you may be appointed?
10. Are you a lobbyist registered on the Australian Government's Lobbyists Register or the register of a state or territory?
11. Is there any other information which could be relevant to your suitability for the proposed appointment?



ASSURANCE

**I advise that to the best of my knowledge my private, business and financial interests, including taxation affairs, would not conflict with my public duties or otherwise cause embarrassment to myself or to the Government during my term of appointment.**

**I also undertake to advise the responsible minister should a situation arise in the future which might cause a conflict of interest with my responsibilities under this appointment.**

Information  
 Freedom  
 Access  
 Act  
 2009  
 s47F  
 Sport, Regional Dev



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**APPOINTMENTS IN CONFIDENCE**

**PRIVATE INTERESTS DECLARATION**

POSITION & ORGANISATION	Chairperson, Australian Broadcasting Corporation
-------------------------	--

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2. Are you, or have you been, the respondent or defendant in any civil or criminal court action (including as a company director or other office holder)?	
3. (a) Have you ever been declared bankrupt, entered into a debt agreement under Part IX of the <i>Bankruptcy Act 1996</i> (the Bankruptcy Act) or entered into a personal insolvency agreement under Part X of the Bankruptcy Act? (b) If you are in a partnership, have any of your partners ever been declared bankrupt, entered into a debt agreement under Part IX of the Bankruptcy Act or entered into a personal insolvency agreement under Part X of the Bankruptcy Act?	
4. Has any business or commercial enterprise for which you, or if applicable your partner(s), have had responsibility ever gone into receivership or a similar scheme or arrangement?	
5. During the last 10 years have you, or if applicable your partner(s), been the subject of a court order in connection with monies owing to another party?	
6. Have you ever been summonsed or charged concerning non-payment of tax or outstanding tax debts, investigated for tax evasion or defaults, or negotiated with the Australian Taxation Office over outstanding tax debts?	
7. Have you ever been the subject of a complaint to a professional body which has been substantiated, or is currently under investigation?	
8. Have you ever been dismissed from employment because of a discipline or misconduct issue?	
9. Do you or your immediate family have any financial interest in any company or business, or are you or your immediate family employed or engaged by any company or business, which might have a significant interest in the business of the office to which you are to be appointed?	s47F
10. Are you a lobbyist registered on the Australian Government's Lobbyists Register or the register of a state or territory?	s47F
11. Is there any other information which could be relevant to your suitability for the proposed appointment?	

**ASSURANCE**

**I advise that to the best of my knowledge my private, business and financial interests, including taxation affairs, would not conflict with my public duties or otherwise cause embarrassment to myself or to the Government during my term of appointment.**

**I also undertake to advise the responsible minister should a situation arise in the future which might cause a conflict of interest with my responsibilities under this appointment.**



**PRIVATE INTERESTS DECLARATION**

<b>POSITION &amp; ORGANISATION</b>	Chairperson, Australian Broadcasting Corporation
------------------------------------	--

Please answer the following questions by circling the reply that applies to your personal circumstances. If you answer "yes" to any question, please provide details in an attachment to this form. Please note that answering "yes" to any question does not necessarily preclude you from being appointed. Your response will be treated as confidential and will only be used for purposes connected with this proposed appointment.

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 (b) If you are in a partnership, have any of your partners ever been declared bankrupt, entered into a debt agreement under Part IX of the Bankruptcy Act or entered into a personal insolvency agreement under Part X of the Bankruptcy Act?
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8. Have you ever been dismissed from employment because of a discipline or misconduct issue?
9. Do you or your immediate family have any financial interest in any company or business, or are you or your immediate family employed or engaged by any company or business, which might have dealings with, or an interest in the decisions of, the office to which you may be appointed?
10. Are you a lobbyist registered on the Australian Government's Lobbyists Register or the register of a state or territory?
11. Is there any other information which could be relevant to your suitability for the proposed appointment?

s47F

**ASSURANCE**

**I advise that to the best of my knowledge my private, business and financial interests, including taxation affairs, would not conflict with my public duties or otherwise cause embarrassment to myself or to the Government during my term of appointment.**

**I also undertake to advise the responsible minister should a situation arise in the future which might cause a conflict of interest with my responsibilities under this appointment.**

s47F

Order the Freedom of Information Act  
 Transport, Regional Development

Name	Signature	Date
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**Australian Government**  
**Department of Communications and the Arts**

Received in Parliamentary MS18-001451  
 29 JAN 2019


RECEIVED  
 16 JAN 2019  
 Office of the Minister for Communications

**SUBJECT: ABC CHAIRPERSON - NOMINATION PANEL REPORT**

**TIMING: 25 JANUARY 2019**

**KEY ISSUES:**

1. On 9 October 2018, you requested the ABC and SBS Nomination Panel (the Panel) conduct a selection process for the vacant ABC Chairperson position, following the resignation of Mr Justin Milne.
2. Under the *Australian Broadcasting Corporation Act 1983* (the Act), the Panel must provide you and the Prime Minister with a written report on the outcomes of the selection process, and the Prime Minister must consult the Leader of the Opposition in the House of Representatives before recommending to the Governor-General the person to be appointed as Chairperson.
3. Under the Act, the Prime Minister must be satisfied that the person is suitable for appointment before the Governor-General appoints a Chairperson to the ABC Board. If the Prime Minister decides to choose someone not recommended by the Panel and they are appointed, the Prime Minister will be required to table a Statement of Reasons in Parliament.
4. Given the requirements of the Act, the Prime Minister and his Department will have carriage of this appointment process, including the decision to take the proposed appointment to Cabinet, consulting the Leader of the Opposition and recommending the appointment to the Governor-General.
5. We have provided the Panel's report (**Attachment A**) to inform any discussions you may have with the Prime Minister.

<b>RECOMMENDATION:</b>	
That you: 1. Note the information provided	1. Noted/Please discuss   MITCH FIFIE 23/.../2019

Name: Mike Makin  
 Assistant Secretary, Media Policy  
 Division: Content

Contact Nos: (m) s22(1)(a)(ii)  
 (w) 6271 s22(1)(a)(ii)  
 Date: 16 January 2019

Instructions for MAPS Nil.	Contact Officer: s22(1)(a)(ii) Tel: 6271 s22(1)(a)(ii)
<b>Distribution CC List:</b> Mike Mrdak, Richard Eccles, Carolyn Patteson	

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### ISSUES:

In your letter to the Panel Chair on 9 October 2018 you drew the Panel's attention to the selection criteria for the ABC non-executive Director position, Government's gender target and the commitment to geographic diversity (**Attachment B**).

On 6 December 2018 following the public hearings of the inquiry of the Senate Environment and Communications References Committee into the ABC, you wrote to the Panel asking it to consider candidates with demonstrated experience in the content, operational and strategic environment of a media broadcasting entity for the ABC Chairperson position (**Attachment C**). You also expressed a desire to ensure geographic breadth of nominees, where appropriately qualified.

The Panel received 31 applications. The gender representation of applications received were male – 22 and female – 9. In terms of geographic diversity, applicants state of residence were NSW – 22, s47F. There were no applicants from the NT and ACT.

7 candidates, s47F were shortlisted for the ABC Chairperson position. s47F

s47F. Following interviews, the panel have nominated three candidates for the position, meeting their statutory obligation. The nominated candidates, listed in alphabetical order, are s47F

The Panel's report was prepared by three Panel members, excluding the Chair, who was unable to attend Panel meetings over the course of the selection process s47F. This arrangement does not contravene the Act.

### BACKGROUND

The Prime Minister may choose to appoint a person to the Chairperson position not nominated by the Panel. However, if such an appointment is made, the Prime Minister must table the reasons for the appointment in each House of Parliament not more than 15 sitting days after the appointment is made.

The Panel's current membership is: Mr Ted Evans AC (Chair), Dr Sally Pitkin, Ms Anne Fulwood and Ms Helen Williams AO.

The current composition of the ABC Board is provided at **Attachment D**.

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## Steps in selection process

### Step 1 – Letter to the Panel Chair

On 9 October 2018, you wrote to Mr Ted Evans, Chair of the ABC and SBS Nomination Panel requesting he commence a merit-based selection process.

On 6 December 2018 you wrote to the Panel asking them to consider candidates with demonstrated experience in the content, operational and strategic environment of a media broadcasting entity for the ABC Chairperson position

### Step 2 - Recruitment agency

In line with previous practice, the Department procured the services of a recruitment agency (Korn Ferry International Pty Ltd) to assist the Panel. The recruitment agency provided assistance with identifying potential candidates, received applications, handled any enquiries from potential applicants, conducted the initial assessment of applications to assist the Panel with shortlisting, undertook background checks of shortlisted candidates and administrative duties associated with interviewing shortlisted candidates, and prepared the Panel report. The recruitment agency assisted the Panel to operate independently without significant input from the Department.

### Step 3 – Advertising, shortlisting and interviews

The ABC Chairperson position was advertised from 24 October 2018 to 16 November 2018. The Panel shortlisted candidates on 29 November 2018 in Sydney. The final shortlist comprised of 7 applicants,<sup>s47F</sup> ██████████ Interviews for the 6 applicants were conducted on 17-18 December 2018 in Sydney. Background checks on applicants were completed on 14 January 2019.

### CONSULTATION:

The Department of the Prime Minister and Cabinet was consulted in making arrangements for the selection process.

**AUSTRALIAN BROADCASTING CORPORATION – CURRENT MEMBERSHIP**

<u>NAME</u>	<u>GENDER</u>	<u>POSITION</u>	<u>FT/PT</u>	<u>STATE OF RESIDENCE</u>	<u>DATE APPOINTED</u>	<u>TERM EXPIRES</u>
Mr David Anderson	M	Acting Managing Director	FT	NSW	<b>24.09.18</b>	<b>Unknown</b>
		Vacant - Chair				
Mr Peter LEWIS	M	Non-executive Director	PT	NSW	<b>02.10.14</b>	<b>01.10.19</b>
Mr Joseph GERSH AM	M	Non-executive Director	PT	VIC	<b>10.05.18</b>	<b>09.05.23</b>
Ms Jane CONNORS	F	Staff elected Director / Non-executive Director	PT	NSW	<b>01.05.18</b>	<b>30.04.23</b>
Dr Vanessa GUTHRIE	F	Non-executive Director	PT	WA	<b>23.02.17</b>	<b>22.02.22</b>
Ms Georgina SOMERSET	F	Non-executive Director	PT	QLD	<b>23.02.17</b>	<b>22.02.22</b>
Dr Kirstin FERGUSON	F	Deputy Chairperson Non-executive Director	PT	QLD	<b>28.09.18</b> <b>12.11.15</b>	<b>11.11.20</b> <b>11.11.20</b>
Ms Donny WALFORD	F	Non-executive Director	PT	SA	<b>24.11.15</b>	<b>23.11.20</b>

<b>Gender balance - composition</b>
Males: 2 (33%)
Females: 4 (67%)

<b>Geographic balance - composition</b>	
NSW: 1	WA: 1
VIC: 1	QLD: 2
SA: 1	TAS: 0
NT: 0	ACT: 0

**NB: Gender and geographic balance on the Board has been calculated using the number of members appointed by the Government selection process.**





**SENATOR THE HON MITCH FIFIELD**

MINISTER FOR COMMUNICATIONS AND THE ARTS  
MANAGER OF GOVERNMENT BUSINESS IN THE SENATE

Ref No: MS18-001169

Mr Ted Evans AC  
Chair  
Nomination Panel for ABC and SBS Board Appointments

s47F

Dear Mr Evans

**Selection process for ABC Chairperson**

Further to my letter to you dated 17 October 2018, I am writing to request that the independent Nomination Panel for ABC and SBS Board Appointments (the Panel) consider the following when completing the nominee selection process for the position of Chairperson of the Australian Broadcasting Corporation (ABC) Board.

There is a consensus, with which I agree, that particularly given the departure of the former Chair, there is an even greater need to enhance the board's media, broadcasting and journalistic experience. I cite oral evidence from current and former board members and submissions to a current inquiry of the Senate Environment and Communications References Committee into the ABC. Evidence submitted stated that the board could benefit from greater practical content, broadcasting and media experience.

Ms Michelle Guthrie (former ABC Managing Director):

*I think the important thing for any board is to be skills-based. And it is important that there be a range of experience on any board... One thing I found very difficult in operating in the board environment at the ABC, was I felt very strongly, a lack of media experience (Committee Hearing, 30 November 2018).*

Mr Joseph Gersh AM (ABC Board Director):

*I think it's a good board and it works in a collegiate manner, a respectful manner and a dedicated manner, I do take the point. We have – we had, and have as Managing Director, a person experienced in this area. We have Peter Lewis who is also deeply experienced in this area. But I do take the point that the board could use possibly an additional member with experience in the media and/or digital transformation, which is the big subject at the moment. So the composition of the board and the skillset is something that needs to be under consideration (Committee Hearing, 30 November 2018).*

Media Entertainment & Arts Alliance:

*"At least half the directors should have experience in media, journalism or broadcasting" (Committee Submission, 13 November 2018).*

A skill set and experience gained from having worked within a broadcast media organisation is something that the Panel should have in mind when considering potential appointees as Chair. I recognise that there is already media experience on the board through Mr Peter Lewis and Dr Jane Connors. However, considerable experience of this nature has been lost with the recent departures of Ms Guthrie and Mr Milne.

I ask that the Panel give attention to candidates who demonstrate an understanding of, and particularly experience in, the content, operational and strategic environment of a media broadcasting entity.

It would also be desirable to ensure a geographic breadth of nominees, where appropriately qualified.

Thank you for your assistance. The Prime Minister and I look forward to receiving the Panel's report in due course.

Yours sincerely



MITCH FIFIELD  
6/12/18



PRIME MINISTER

Departmental No. ....4.....

Minute Paper for the Executive Council

Executive Council Meeting No. ....3.....

Subject

*Australian Broadcasting Corporation Act 1983*

Australian Broadcasting Corporation Board Part-time non-executive Director and Chairperson Appointment 2019

Approved in Council

Recommended for the approval of His Excellency the Governor-General in Council that, by instrument in the attached form and under subsection 12(2) of the *Australian Broadcasting Corporation Act 1983*, he appoint Ita Buttrose as a part-time non-executive Director and Chairperson of the Australian Broadcasting Corporation Board for a period of five years, beginning on 7 March 2019.

Peter Cosgrove

Peter Cosgrove  
Governor-General

7 MAR 2019

Filed in the Records  
of the Council

Yael Cass

Secretary to the Executive Council

Scott Morrison  
Prime Minister

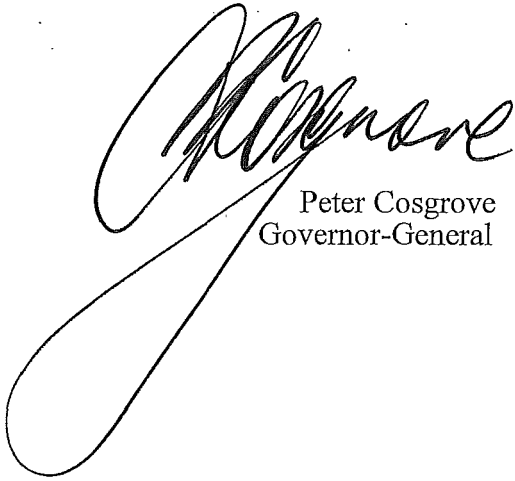
Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

## COMMONWEALTH OF AUSTRALIA

*Australian Broadcasting Corporation Act 1983***Australian Broadcasting Corporation Board – Part-time non-executive  
Director and Chairperson – Appointment 2019**

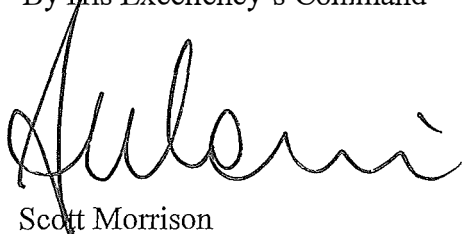
I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 12(2) of the *Australian Broadcasting Corporation Act 1983*, appoint Ita Buttrose as a part-time non-executive Director and Chairperson of the Australian Broadcasting Corporation Board for a period of five years, beginning on 7 March 2019.

Dated *7th March* 2019



Peter Cosgrove  
Governor-General

By His Excellency's Command



Scott Morrison  
Prime Minister

**COMMONWEALTH OF AUSTRALIA***Australian Broadcasting Corporation Act 1983***Australian Broadcasting Corporation Board – Part-time non-executive  
Director and Chairperson – Appointment 2019**

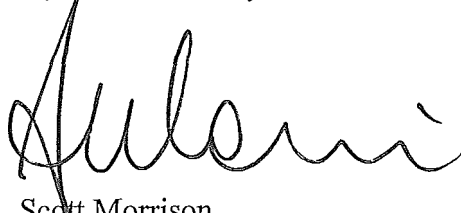
I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 12(2) of the *Australian Broadcasting Corporation Act 1983*, appoint Ita Buttrose as a part-time non-executive Director and Chairperson of the Australian Broadcasting Corporation Board for a period of five years, beginning on 7 March 2019.

Dated : 7 MAR 2019

Peter Cosgrove

Peter Cosgrove  
Governor-General

By His Excellency's Command



Scott Morrison  
Prime Minister



**EXPLANATORY MEMORANDUM**

Minute No. \_\_\_\_\_ of 2019 – Prime Minister

Subject - *Australian Broadcasting Corporation Act 1983*

Appointment of a part-time non-executive Director and Chairperson to the Australian Broadcasting Corporation Board.

The *Australian Broadcasting Corporation Act 1983* (the Act) establishes the Australian Broadcasting Corporation, its Charter, governance, functions, duties and powers. It also includes specific provisions relating to the establishment and appointment of a Board of Directors.

Section 7 of the Act establishes a Board of Directors of the Australian Broadcasting Corporation Board (ABC Board).

Subsection 12(1) of the Act provides that the ABC Board shall consist of the Managing Director, Chairperson, the staff-elected Director and not fewer than four and no more than six other Directors.

Subsection 12(2) of the Act provides that non-executive Directors shall be appointed by the Governor-General on a part-time basis for a period not exceeding five years as specified in the instrument of appointment and are eligible for re-appointment.

Subsection 12(5) of the Act provides that prior to the appointment of a person as the Chairperson of the Board by the Governor-General, the Prime Minister must be satisfied that the person is suitable for appointment because of having had experience in connection with the provision of broadcasting services or in communications or management; or having expertise in financial or technical matters; or having cultural or other interests relevant to the oversight of a public organisation engaged in the provision of broadcasting services.

The minute proposes the appointment of Ms Ita Buttrose as a part-time non-executive Director and Chairperson of the ABC Board for a period of five years, beginning on 7 March 2019. The appointment of Ms Buttrose would fill a vacancy on the Board created by the resignation of Mr Justin Milne on 27 September 2018. Dr Kirstin Ferguson, Deputy Chairperson, has been acting Chairperson since 28 September 2018

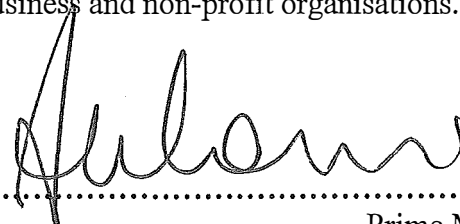
Ms Buttrose has extensive media experience, including on the boards of the Australian Consolidated Press, News Ltd Australia and Television & Telecasters Pty Ltd (Network TEN). Ms Buttrose was the Editor-in-Chief of the Daily and Sunday Telegraphs and the Sun Herald. Ms Buttrose also has experience in the cultural sector, including serving as a director of the Sydney Committee, which organises the Festival of Sydney, and the national board of the Adelaide Arts Festival. Ms Buttrose has experience chairing three non-profit organisations: AIDS Trust of Australia, Arthritis Australia and Alzheimer's Australia.



Ms Buttrose's curriculum vitae is attached.

The Minute recommends that the appointment be made in the form proposed.

In accordance with subsection 12(5) of the *Australian Broadcasting Corporation Act 1983*, I am satisfied that Ms Ita Buttrose is suitable for appointment because of her extensive experience in the media and cultural sectors, business and non-profit organisations.



.....  
Prime Minister

Authority: Subsection 12(2) of the *Australian Broadcasting Corporation Act 1983*

**CURRICULUM VITAE**

Name: Ms Ita Clare Buttrose AO OBE

Address: s47F

Date of birth: s47F

Present position: Social commentator, Today Extra Nine Network

Educational and professional qualifications: Honorary Medicine Doctorate *honoris causa* University of New South Wales 2018 for eminent service to health and being an inspirational role model for aspiring women in business and those wanting to make a difference in society.

Honorary Doctor of Letters *honoris causa* University of Wollongong 2015 for significant contribution to AIDS/HIV, mental health and ageing in Australia, and advocacy for the respectful treatment of seniors.

Honorary Doctor of Letters *honoris causa* Macquarie University 2014 for contribution to the arts.

Relevant experience: 2012-2013: Chair, Reddo Media Services

1988-1994: Chief Executive, Capricorn Publishing

1988: Editor-in-Chief, The Sun-Herald

1980-1984: Editor-in-Chief, Daily and Sunday Telegraph

Current board memberships: Trustee, Moore Park & Centennial Park Trust  
Chair, Australian Mental Health Prize Advisory Board

Former board memberships: 1997-2001: The Smith Family

1990-1996: Prudential Corporation

1992-1993: Television & Telecasters Pty Ltd (Network TEN)

1981-1984: News Ltd Australia

1974-1980: Australian Consolidated Press

EEO categories: N/A  
(if available)





**SENATOR THE HON MITCH FIFIELD**  
 MINISTER FOR COMMUNICATIONS AND THE ARTS  
 MANAGER OF GOVERNMENT BUSINESS IN THE SENATE

Ms Ita Buttrose AO OBE  
 Chairperson  
 Australian Broadcasting Corporation  
 s47F

## Appointment as ABC Chairperson

Dear Ms Buttrose *Ita*

Congratulations on your appointment as Chairperson of the Australian Broadcasting Corporation (ABC) Board effective from 7 March 2019 until 6 March 2024.

As you know, the ABC is one of Australia's most important cultural institutions. Your appointment was made by the Governor-General under subsection 12(2) of the *Australian Broadcasting Corporation Act 1983* (the ABC Act).

The ABC is a Commonwealth Authority under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). The PGPA Act sets out some of the most significant duties to which the Directors of the ABC Board are subject. The functions and duties of the ABC and its Board are set out in the ABC Act.

The *Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2018* (the Determination) specifies annual fees payable to ABC Board Chairperson, Deputy Chairperson and Members. In accordance with the Determination, your remuneration as ABC Chairperson is \$174,690 per annum.

I would like to take this opportunity to express my appreciation of your agreement to accept the position as Chairperson of the ABC Board, restoring much desired stability to the leadership of the ABC. Your wealth of diverse skills and experience will make a valuable contribution to the ABC Board as it faces new challenges in a dynamic broadcasting and communications environment.

I look forward to working with you in your new role.

Yours sincerely

*Mitch Fifield*  
 MITCH FIFIELD

*31/3/19*

**Statement of reasons made by the Prime Minister, the Hon Scott Morrison, under subsection 24X(2) of the *Australian Broadcasting Corporation Act 1983* for the appointment of the Chairperson to the Australian Broadcasting Corporation Board**

*Reason for this statement*

On 7 March 2019, the Governor-General appointed Ita Buttrose AO OBE (the appointee) to the ABC Board as the Chairperson on a part-time basis, for a period of five years. Ms Buttrose's term commenced on 7 March 2019.

The appointee was not nominated in the written report of the Nomination Panel for Australian Broadcasting Corporation (ABC) and Special Broadcasting Service (SBS) Board Appointments (the Panel) which was provided to the Prime Minister and Minister in accordance with paragraph 24B(1)(d) of the *Australian Broadcasting Corporation Act 1983* (the Act).

Subsection 24X(1) of the Act provides that the Prime Minister must consult the Leader of the Opposition in the House of Representatives before recommending to the Governor-General the person to be appointed as Chairperson. The Prime Minister consulted the Leader of the Opposition in line with the requirements of the Act.

Subsection 12(5) of the Act provides that before the Governor-General appoints a person as the Chairperson of the ABC Board, the Prime Minister must be satisfied that the person is suitable for appointment because they have:

- had experience in connection with the provision of broadcasting services or in communications or management; or
- expertise in financial or technical matters; or
- cultural or other interests relevant to the oversight of a public organisation engaged in the provision of broadcasting services.

This statement is made for the purposes of subsection 24X(2) of the Act and is to be tabled in each House of Parliament.

*Selection criteria*

The Panel is required to assess all applicants for appointment against the selection criteria determined under subsection 24W(1), any additional selection criteria for a particular appointment notified under subsection 24W(2) and on the basis of merit.

On 9 December 2013, the former Minister for Communications made the Australian Broadcasting Corporation (Selection criteria for the appointment of non-executive Directors) Determination 2013, which determined the following selection criteria under subsection 24W(1):

1. Candidates must demonstrate substantial experience or knowledge in at least one of the following fields:
  - a. the media industry, including broadcasting, digital media and/or digital technologies;
  - b. business or financial management;
  - c. corporate governance, including managing large and/or complex operations in the private, public or not-for-profit sectors;



d. cultural industry and/or cultural policy, including its administration.

2. Candidates will possess:

- a. demonstrated high level leadership and vision, and the ability to articulate a clear direction for an organisation;
- b. a commitment to high standards of governance;
- c. high-level judgement;
- d. the highest standards of professional and personal integrity; and
- e. an understanding of the media environment, in particular the ABC, its Charter and its place within the Australian community.

*Reasons for the appointment and assessment against selection criteria: Ms Ita Buttrose*

In recommending the appointee to the Governor-General, I gave consideration to the Prime Minister's obligations under subsection 12(5) of the Act and the selection criteria determined by the former Minister under subsection 24W(1) of the Act.

I also gave consideration to gender balance, noting Ms Buttrose is only the second woman to Chair the ABC after Dame Leonie Kramer AC DBE in the early 1980s.

With reference to the selection criteria, Ms Buttrose is an exceptionally qualified candidate with a comprehensive background in the media industry. She has also made a significant contribution to Australia's cultural identity.

Ms Buttrose's leadership and media credentials are outstanding. As well as being 2013 Australian of the Year, Ms Buttrose is a member of the Australian Media Hall of Fame, founded Cleo Magazine, was Editor of The Australian Women's Weekly, Editor in Chief of the Daily Telegraph, Sunday Telegraph and The Sun-Herald and has worked for all the commercial television broadcasters.

Ms Buttrose has also served on the board of News Ltd, on the Advisory Board of the Australian Women Chamber of Commerce and Industry and as Director and board member for a range of charities including the National Breast Cancer Centre Advisory Network, The Smith Family and Alzheimer's Australia.

Ms Buttrose has an understanding of the ABC, its Charter and its importance to the Australian community. She expressed a strong belief that the ABC is critical in giving Australians a voice and reflection of their national identity both within Australia and internationally. Ms Buttrose also understands the importance of ABC's independence and role in providing a comprehensive broadcasting service to domestic and international audiences.

In light of Ms Buttrose's skills and experience being weighed against the determined selection criteria, it was decided that Ms Buttrose is an exceptionally strong and qualified appointee to the position of Chairperson of the ABC Board.