

From: [Pearson, Nicole](#)
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: FOR CLEARANCE || 2021/019: Josh Frydenberg [SEC=OFFICIAL:Sensitive]
Date: Tuesday, 5 October 2021 12:14:35 PM
Attachments: [image001.gif](#)
[image002.jpg](#)

SEC=OFFICIAL:Sensitive

Hi [REDACTED]

Cleared.

Kind regards

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
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SEC=OFFICIAL:Sensitive

From: [REDACTED]
Sent: Friday, 1 October 2021 1:58 PM
To: Pearson, Nicole <Nicole.Pearson@IPEA.gov.au>
Cc: [REDACTED]
Subject: FOR CLEARANCE || 2021/019: Josh Frydenberg [SEC=OFFICIAL:Sensitive]

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Dear Nicole

FOR CLEARANCE (by COB Friday 15 October 2021)

I have attached an Assurance Review (and relevant attachments) for your clearance. This AR relates to COMCAR travel in Sydney, NSW during the period 5 to 6 December 2019 for the Treasurer, the Hon Josh Frydenberg MP. I have reviewed the AR and agree with the recommendation.

[REDACTED] and/or I would be happy to discuss if you have any questions or would like further information.

Regards

[REDACTED]

[REDACTED]

Director, Audit and Assurance
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Australian Government
Independent Parliamentary
Expenses Authority

ASSURANCE REVIEW MEMORANDUM – [2021/019]

The Hon Josh Frydenberg MP, Treasurer: Use of work expenses to attend a Christmas Party hosted by Mr Lachlan Murdoch on 5 December 2019

Date: 1 October 2021

To: Nicole Pearson

Branch Manager, Transparency, Assurance & Legal

RECOMMENDATION

It is recommended that you:

- i. Note the contents of this assurance review and accept the matter as closed with no further action required.

NOTED & ACCEPTED AS CLOSED / PLEASE DISCUSS

Date: October 2021
Nicole Pearson
Branch Manager
Transparency, Assurance & Legal Branch

Prepared by:

Reviewed by:

Date: 1 October 2021

s 47F

Assistant Director, Audit & Assurance
Transparency, Assurance & Legal Branch

s 47F

Date: 1 October 2021

s 47F

Director, Audit & Assurance
Transparency, Assurance & Legal Branch

SCOPE

1. The period in scope of the Assurance Review (review) is 5 and 6 December 2019 (the relevant period).

PURPOSE

2. The review aims to determine the dominant purpose of the travel that was undertaken by the Treasurer, Hon Josh Frydenberg MP, in Sydney on 5 and 6 December 2019.

BACKGROUND

3. On 4 December 2020, The Guardian published an article '*PM and treasurer bill taxpayers for private jet to Lachlan Murdoch's Christmas party*' (**Attachment A**).
4. The article reported that Mr Frydenberg used COMCAR while in Sydney on the day of the Christmas Party event.
5. In accordance with IPEA's protocol on dealing with misuse of parliamentary work expenses, a preliminary assessment was conducted. The assessment found that travel resources were used (COMCAR) to travel to the location of the Christmas party event on the night of 5 December 2019. An additional use of travel resources (COMCAR) was also used on 6 December 2019.
6. In accordance with IPEA's protocol on dealing with misuse of parliamentary work expenses, an Assurance Review into this matter commenced on 31 August 2021.

LEGISLATIVE FRAMEWORK

7. Relevant legislation includes:
 - *Parliamentary Business Resources Act 2017*
 - *Parliamentary Business Resources Regulations 2017*
 - *Parliamentary Business Resources (Parliamentary Business) Determination 2017*
 - *Parliamentary Business Resources (Commonwealth Transport) Determination 2017*

Obligations

8. The principles based legislative Framework imposes a number of obligations on parliamentarians in relation to their use of public resources. In summary, parliamentarians are personally responsible and accountable for their use of public resources. They must be prepared to publicly justify their use of public resources for conducting their parliamentary business and must act ethically and in good faith in using, and accounting for the use of, those resources. Specifically, a parliamentarian must not claim public resources unless they are claimed for the dominant purpose of conducting their parliamentary business.

Definitions

9. "Parliamentary business" has the meaning given by section 6 of the PBR Act. Activities that fall within the four duty streams of parliamentary business are set out in the Determination

as "parliamentary duties", "electorate duties", "party political duties", and "official duties" (**Attachment B**).

ANALYSIS

10. IPEA obtained data in relation to COMCAR use by Mr Frydenberg for the period 5 and 6 December 2019. It was showed that COMCAR had been used twice during the relevant period.
11. Further information was obtained from COMCAR for this use, which provided IPEA with more detailed trip data including pick up and drop off addresses.
12. Based on the information obtained, there was reason to believe that Mr Frydenberg may have used COMCAR to attend a Christmas Party event, hosted by Mr Lachlan Murdoch on 5 December 2019.
13. On 16 September 2021, correspondence was sent to Mr Frydenberg, asking that he describe the nature of his parliamentary business in relation to the use of COMCAR during the relevant period (**Attachment C**).
14. A response was received on 27 September 2021 (via email), with Mr Frydenberg providing information about the nature of his parliamentary business in Sydney (**Attachment D**).
15. In Mr Frydenberg's response, he stated that he *"travelled to Sydney and met with business leaders on December 5, 2019"* and that he *"stayed overnight at Kirribilli House for discussions with the Prime Minister before departing Sydney on December 6, 2019"*.

CONCLUSION

16. Based on the description of the business stated in Mr Frydenberg's response, IPEA believes that the use of travel resources fits within the definition of parliamentary business as defined in Schedule 4 of the *Parliamentary Business Resources (Parliamentary Business) Determination 2017*.
17. Given Mr Frydenberg's response outlining the reasons for his travel in Sydney on 5 and 6 December 2019, IPEA is of the view that the dominant purpose of his use of COMCAR meets the definition of parliamentary business and was not inconsistent with the Framework.