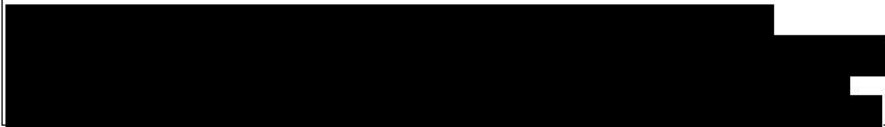


NCP Annual Reporting Questionnaire 2023

Survey response 1

A. Contact information

Please indicate your country:
Australia
Please provide the names, titles and contact information of all the people to be included in the contacts list on the ONE Community:
Names, job titles and emails of all people to be included:
AusNCP Secretariat secretariat@ausncp.gov.au 61 2 6263 2224


B. Institutional arrangements - (a) Structure, location and composition of the NCP

1. What is the structure of the NCP?
Hybrid
1. What is the structure of the NCP? [Other]
1a. Did the structure of the NCP change in 2023? If yes, please provide details in the comment box at the end of this section.
No
2. Who are the staff of the NCP? Please describe the functions of the NCP staff.
The AusNCP structure is managed by the Australian Treasury and has a secretariat staffed by Treasury employees. In 2023, decision-making and management of complaints was contracted to four individual Independent Examiners (remunerated, part time), supported by the AusNCP Secretariat. Independent Examiners also undertake promotion activities when requested by the Secretariat. The AusNCP structure also includes a multistakeholder Governance and Advisory Board with members from the Australian Government, civil society, business and trade unions, with oversight, advisory and promotional responsibilities.
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Business]
No
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Business][Comment]
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Trade unions]
No

3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Trade unions][Comment]
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Civil society]
No
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Civil society][Comment]
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Government (include ministry/department/agency they represent)]
Yes
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Government (include ministry/department/agency they represent)][Comment]
Senior Official, Tom Dickson; [REDACTED] [REDACTED]
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Other NCP members]
Yes
3. Please select all groups represented in the NCP structure (excluding advisory body), and list the members. [Other NCP members][Comment]
Independent Examiners contracted to make decisions on complaints: Shanta Martin, John Southalan, Shiv Martin and Aleta Moriarty
4. Does the NCP have a secretariat?
Yes
4. (Continued) If the NCP has a Secretariat, in which ministry or agency is the Secretariat located?
Ministry with an economic focus (economy, finance, treasury, trade, etc.)
4. (Continued) If the NCP has a Secretariat, in which ministry or agency is the Secretariat located? [Other]
4. (Continued) If the NCP has a Secretariat, in which department of the ministry or agency is the Secretariat located?
Market Conduct and Digital Division
4. (Continued) If the NCP has a Secretariat, did the location of the Secretariat change in 2023?
No
5. Has the NCP been established through a legislative, regulatory or administrative instrument (e.g. a statute, a decree, a ministerial decision)? If yes, please provide the name and date of this instrument, and a link if available, in the comments box.
Not established by a legal instrument
5. Has the NCP been established through a legislative, regulatory or administrative instrument (e.g. a statute, a decree, a ministerial decision)? If yes, please provide the name and date of this instrument, and a link if available, in the comments box. [Comment]
Additional comments on the section Structure, location and composition of the NCP:
nil

B. Institutional arrangements - (b) Advisory body

6. Does the NCP have one or several advisory bodies?
Yes, one advisory body
6. (continued) Was the advisory body added/modified in 2023? Please describe.
Yes

6. (continued) Was the advisory body added/modified in 2023? Please describe. [Comment]
New government department added - the Department of Climate Change, Energy, Environment and Water

6. (Continued) If the NCP has several advisory bodies, please specify.

6. (Continued) If yes, please describe the advisory body(ies)' functions (e.g. advising on promotion, on specific instance handling in general, on individual cases, providing oversight, etc.)
Provides oversight of complaint handling
Assists with promotional efforts and policy coherence goals
Provides advice and accountability on governance and, promotion and procedural matters.

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Business]
Yes

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Business][Comment]
Pillar Two (business consultancy firm), Australian Chamber of Commerce and Industry, Business Council of Australia, UN Global Compact Network of Australia

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Trade unions]
Yes

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Trade unions][Comment]
Australian Council of Trade Unions, United Workers Union

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Civil society]
Yes

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Civil society][Comment]
Human Rights Law Centre representing the Australian Corporate Accountability Network, Serena Lillywhite (Independent civil society expert)

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Government]
Yes

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Government][Comment]
Attorney-General's Department, Department of Climate Change, Energy, the Environment and Water, Export Finance Australia, Australian Trade and Investment Commission, Australian Human Rights Commission, Department of Industry, Science and Resources

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Other]

6. (Continued) Did the advisory body(ies) contain representatives from the following groups? Please select all that apply and list the members from each group in the adjacent comment box. [Other comment]

6. (Continued) Please indicate how often the advisory body(ies) has met in 2023.
Twice

6. (Continued) Please indicate how often the advisory body(ies) has met in 2023. [Other]

7. If an advisory body provides oversight, please describe the oversight procedure:

Oversight of complaint handling procedures is detailed in the AusNCP's complaint handling procedures, but broadly, Board reviews draft statements prior to these being provided to parties for comment, and their comments are considered by the relevant Independent Examiner. <https://ausncp.gov.au/sites/default/files/2022-07/AusNCP-complaint-procedures.pdf>. Each Board meeting includes a session on open and recently closed complaints with an opportunity to discuss key issues and for Board members to ask questions.

Broader responsibilities are detailed in the publicly available Board terms of reference.

Additional comments on the section Advisory body(ies):

B. Institutional arrangements - (c) Human and financial resources

8. Does the NCP have dedicated full-time staff members?

Yes

8. (Continued) Please indicate the number of full-time staff members:

4

9. Does the NCP have dedicated part-time staff members?

Yes

9. (Continued) Please indicate the number of part-time staff members:

2

9. (Continued) Please indicate the percentage of time spent on NCP matters for each part-time staff member:

#1 - 10% of time

#2 - 100% of their part time hours = 67%

10.1 Have any full-time staff members joined the NCP during the year?

Yes

10.1 (Continued) Please indicate how many full-time staff members joined the NCP during the year:

1

10.2 Have any part-time staff members joined the NCP during the year?

No

11.1 Have any full-time staff members left the NCP during the year?

Yes

11.1 (Continued) Please indicate how many full-time staff members left the NCP during the year:

1

11.2 Have any part-time staff members left the NCP during the year?

No

12. Did the NCP have a dedicated budget this year?

Yes

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Handle specific instances in an efficient and timely manner]

Yes

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Organise promotional events]

Yes

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Provide support to efforts by their government to develop, implement, and foster coherence of policies to promote RBC]

Yes

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Attend NCP meetings at the OECD]

Yes

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Attend events organised by other NCPs]

N/A

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Attend events organised by stakeholders]

Yes

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Cover professional mediator fees or in-house mediator fees]

Yes

13. During the year, did the human and financial resources available to the NCP allow it to: Please select "N/A" if the response was not relevant to the NCP's work in 2023 (e.g. if the NCP did not handle specific instances). [Conduct fact-finding research into specific instances]

Yes

13. (Continued) If you have answered "no" to any of the above, please specify:

Additional comments on the section Human and financial resources:

B. Institutional arrangements - (d) Reporting

14. Does the NCP report to the executive on its activities?

Yes

14. (Continued) If yes, how often?

On an ongoing basis

15. Does the NCP report to the legislative body on its activities?

Yes

15. (Continued) If yes, how often?

Three times a year

16. Please indicate any other relevant transparency requirement(s) (e.g. access to information or disclosure laws) applicable to the NCP in your country:

Freedom of Information Act

Additional comments on the section Reporting:

AusNCP also reports publicly via the Australian Treasury's annual report

C. Information and promotion - (a) Website

17. Does the NCP have a website?
Yes
17. (Continued) If yes, please provide the link:
https://ausncp.gov.au/
17. (continued) Was the website created/renovated this year?
The NCP website was renovated in 2023 (excludes routine updates).
18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [The text of the Guidelines]
Yes
18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [A description of the Guidelines]
Yes
18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [The OECD Due Diligence Guidance Documents]
Yes
18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [Explanatory text about due diligence]
Yes
18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [OECD Recommendation on the Role of Government in Promoting Responsible Business Conduct]
No
18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [Ministerial Declaration on Promoting and Enabling Responsible Business Conduct in the Global Economy]
No
18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [Information on the NCP and its mandate]
Yes
18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [The NCP Annual Report submitted to the OECD]
Yes
18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [The NCP's Report to the executive and/or legislative (if applicable)]
No
18.1 Are the following items available on the NCP website? Information about the Guidelines and the role of the NCP: [The NCP's peer review report (if applicable)]
Yes
18.2 Are the following items available on the NCP website? Information about specific instances [Information on how to submit a specific instance]
Yes
18.2 Are the following items available on the NCP website? Information about specific instances [An online form to submit a specific instance]
Yes
18.2 Are the following items available on the NCP website? Information about specific instances [The NCP's rules of procedure]
Yes
18.2 Are the following items available on the NCP website? Information about specific instances [All final statements since 2011]
Yes
18.3 Are the following items available on the NCP website? Information on promotional activities: [The NCP's promotional plan]
No

18.3 Are the following items available on the NCP website? Information on promotional activities: [Information on upcoming events promoting the Guidelines]

Yes

18.3 Are the following items available on the NCP website? Information on promotional activities: [Information on past events promoting the Guidelines]

Yes

18.4 Are the following items available on the NCP website? Contact information: [Information on how to make an enquiry to the NCP]

Yes

18.4 Are the following items available on the NCP website? Contact information: [A phone number to reach the NCP directly]

Yes

18.4 Are the following items available on the NCP website? Contact information: [An email address to reach the NCP directly]

Yes

Additional comments on the section NCP website:

C. Information and promotion - (b) Promotional activities*

19. Does the NCP have a promotional plan for the coming year(s)? If yes and it is public, please provide a link in the comments box.

Yes

19. Does the NCP have a promotional plan for the coming year(s)? If yes and it is public, please provide a link in the comments box. [Comment]

20. Did the NCP organise or co-organise events to promote the Guidelines and/or the NCP during the year? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire.

Yes

21. Did the NCP make a presentation to promote the Guidelines and/or the NCP in events organised by others? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire.

Yes

22. Did the NCP make use of social media to communicate on NCP promotional activities during the year?

Yes

22. (Continued) If yes, please list the accounts from which the NCP posts.

Australian Treasury LinkedIn and X (Twitter), Advisory Board members and other relevant Australian Government accounts reposting, including:

Department of Foreign Affairs Trade Talk (X/Twitter)

Australian Delegation to the OECD (X/Twitter)

Various Australian Embassy and Ambassador accounts (Facebook, X)

Export Finance Australia (X/Twitter and LinkedIn)

Business Council of Australia (X/Twitter and LinkedIn)

Australian Human Rights Commission (X/Twitter)

Australian Trade and Investment Commission (X/Twitter)

Malaysia Australia Business Council (Facebook)

Serena Lillywhite (civil society board member)

Pillar Two (business board member)

23. Did the NCP hold a stakeholder meeting during the year?

Yes

24. Did the NCP promote the Guidelines among the business community during the year?

Yes

25. Did the NCP carry out any training on the Guidelines aimed at businesses during the year?
Yes
26. Did the NCP promote the Guidelines among NGOs during the year?
Yes
27. Did the NCP promote the Guidelines among trade unions during the year?
Yes
28. Did the NCP focus on any of the following during promotional activities during the year: [OECD Due Diligence Guidance for Responsible Business Conduct]
Yes
28. Did the NCP focus on any of the following during promotional activities during the year: [OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector]
No
28. Did the NCP focus on any of the following during promotional activities during the year: [Due Diligence for Responsible Corporate Lending and Securities Underwriting and/or Responsible Business Conduct for Institutional Investors and/or Responsible Business Conduct Due Diligence for Project and Asset Finance Transactions]
No
28. Did the NCP focus on any of the following during promotional activities during the year: [OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas]
No
28. Did the NCP focus on any of the following during promotional activities during the year: [OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector]
No
28. Did the NCP focus on any of the following during promotional activities during the year: [OECD-FAO Guidance for Responsible Agricultural Supply Chains]
No
Additional comments on the section Promotional activities:
OECD Guidelines included in FAST: Finance against Slavery and Trafficking e-Learning course for government officials in Southeast Asia.
Information about the OECD Guidelines and AusNCP also included on the websites of Australian missions overseas, including some in local languages.

D. Specific Instances - (a) NCP case-handling procedures for specific instances

29. Does the NCP have case-handling procedures?
Yes
30. Are the case-handling procedures available online?
Yes
30. (Continued) If yes, please provide a link in the text box.
www.ausncp.gov.au/complaints/complaints-process
30. (continued) If no, please upload a copy of the case-handling procedures in the Additional Materials section at the end of the online questionnaire.
31. Were the NCP's case-handling procedures modified this year?
No
31. (continued) If no, what are the NCP's plans to update its case-handling procedures in alignment with the 2023 version of the Guidelines? Please indicate estimated completion date and provide relevant details in the comments box.
Q1 2024

31. (continued) If no, what are the NCP's plans to update its case-handling procedures in alignment with the 2023 version of the Guidelines? Please indicate estimated completion date and provide relevant details in the comments box. [Comment]

AusNCP publicly consulted on updated case handling procedures in Q3 of 2023. Refinements are being considered by the AusNCP Advisory Board and will be published as soon as practicable.

Additional comments on the section Case-handling procedures:

See news item on public consultation, including survey links at <https://ausncp.gov.au/whats-happening/news/public-consultation-ausncp-complaint-procedures>

D. Specific Instances - (b) Specific instances in practice

32. Has the NCP ever received a specific instance?

Yes

32. (continued) If yes, how many years ago did the NCP receive its most recent specific instance?

Within the last year

33. Does the NCP request feedback from the parties on the procedure following the conclusion of a specific instance? Please select N/A if the NCP has never received a specific instance

Yes

34. Has the NCP staff undergone training in dispute resolution or problem solving (e.g. mediation)?

Yes

35. Did the NCP conduct mediation this year?

Yes

35. (continued) If yes, who conducted the mediation?

Mediation was conducted by a professional mediator.

Additional comments on the section Specific instances in practice:

Mediation is conducted by AusNCP Independent Examiners if they hold professional mediation qualifications.

D. Specific Instances - (c) Reporting specific instances

36. Did the NCP receive new specific instance submissions during the year? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire.

Yes

37. Did the NCP close specific instances during the year? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire.

Yes

38. Of the specific instances that were already in progress at the start of the year, are there any that are still ongoing at the end of the year? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire. Select N/A if no specific instances were in progress at the start of the year.

Yes

39. Did the NCP follow up on a case during the year? If yes, please also provide details in the NCP Reporting Questionnaire Annex document that will be uploaded at the end of the questionnaire. Select N/A if no specific instances were concluded before the start of the year.

No

40. Is the OECD database of specific instances accurate and up to date with regard to cases handled by the NCP? Select N/A if the NCP has never received a specific instance.

Yes

40. (Continued) Please provide details (missing cases, out of date entries, broken links, etc.) in the box below:

Additional comments on the section Reporting specific instances:

E. Peer learning and peer reviews

41. Did the NCP take part in the following activities with other NCPs during the year: [Host a peer learning activity]

No

41. Did the NCP take part in the following activities with other NCPs during the year: [Participate in peer learning activities hosted by other NCPs]

No

41. Did the NCP take part in the following activities with other NCPs during the year: [Co-operate with other NCPs in handling specific instances]

Yes

41. Did the NCP take part in the following activities with other NCPs during the year: [Provide mentoring/capacity building to another NCP]

Yes

41. Did the NCP take part in the following activities with other NCPs during the year: [Participate in/host a meeting of regional networks of NCPs (excluding during the NCP meetings at the OECD)]

No

42. Is the NCP interested in hosting an NCP learning/experience-sharing event in 2024?

No

43. Which topic would the NCP consider to be a priority to cover in a peer learning event?

bringing enterprises to the table

44. Is the NCP interested in participating in developing tools for use by NCPs?

Yes

45. Did the NCP act as a peer reviewer during a peer review onsite visit in 2023?

No

46. Did the NCP undergo a peer review (onsite visit) in 2023?

No

46. (continued) If yes, please specify the date on which the onsite visit began.

47. Is the NCP interested in acting as a peer reviewer in 2024?

No

47. (continued) If yes, please specify the semester:

47. (continued) If no, please specify the NCP's earliest availability to act as a peer reviewer.

Time and cost of travel from Southern Hemisphere is a constraint. Open to (relatively) closer reviews or in and around in-person WP or NCP Network meetings.

Additional comments on the section Peer-learning and peer reviews:

F. Support for government policies to promote RBC* - (a) Promotional work

48. Did the NCP have resources to provide support for government policies to promote RBC in 2023?

Yes

49. In 2023, did the NCP promote the Guidelines among: [Embassies abroad]
Yes
49. In 2023, did the NCP promote the Guidelines among: [Trade and investment promotion agencies (or other government entity in charge of trade and investment support)]
Yes
49. In 2023, did the NCP promote the Guidelines among: [Government agencies]
50. Did the NCP promote the Recommendation on the Role of Government in Promoting RBC among relevant government officials during the year?
Yes
50. Did the NCP promote the Recommendation on the Role of Government in Promoting RBC among relevant government officials during the year? [Comment]
Referenced in presentations to other government departments.
Additional comments on the section Promotional work for policy coherence:

F. Support for government policies to promote RBC - (b) RBC policy landscape and the role of the NCP

51. Have the Guidelines and/or the Recommendation on the Role of Government in Promoting RBC been referred to in national legislation/regulations/policies/economic agreements adopted during the year? (e.g. on responsible business conduct; non-financial reporting, export credits, public procurement, trade and investment)
No
51. (Continued) Please provide a short summary and a link to the legislation/regulation/policies/economic agreement. If a link is not available, please upload a copy of the legislation at the end of the questionnaire, on the "Additional materials" page.
52. Did your country adopt a National Action Plan (NAP) on Business and Human Rights or Responsible Business Conduct this year?
No
52. (Continued) Please indicate the scope of the National Action Plan: [NAP on Business and Human Rights]
N/A
52. (Continued) Please indicate the scope of the National Action Plan: [NAP on Responsible Business Conduct]
N/A
52. (Continued) Please provide a link to the NAP on Responsible Business Conduct: If a link is not available, please upload a copy of the legislation at the end of the questionnaire, on the "Additional materials" page.
52. (Continued) Did the NAP on Responsible Business Conduct make reference to: [The Guidelines?]
52. (Continued) Did the NAP on Responsible Business Conduct make reference to: [The NCP?]
52. (Continued) Did the NAP on Responsible Business Conduct make reference to: [The Recommendation on the Role of Government in Promoting RBC?]
52. (Continued) Please provide a link to the NAP on Business and Human Rights: If a link is not available, please upload a copy of the legislation at the end of the questionnaire, on the "Additional materials" page.

52. (Continued) Did the NAP on Business and Human Rights make reference to: [The Guidelines?]
52. (Continued) Did the NAP on Business and Human Rights make reference to: [The NCP?]
52. (Continued) Did the NAP on Business and Human Rights make reference to: [The Recommendation on the Role of Government in Promoting RBC?]
53. Was a NAP in development this year?
No
53. (Continued) If yes, please indicate the scope of the NAP: [NAP on Business and Human Rights]
N/A
53. (Continued) If yes, please indicate the scope of the NAP: [NAP on Responsible Business Conduct]
N/A
54. Does your national legislation or policy on public procurement refer to the Guidelines and/or OECD due diligence instruments and/or to the NCP process?
No
54. (Continued) Please provide a link to the legislation. If a link is not available, please upload a copy of the legislation at the end of the questionnaire, on the "Additional materials" page.
Additional comments on the section RBC policy landscape and the role of the NCP

F. Support for government policies to promote RBC - (c) Engagement with relevant officials

55. Did the NCP share statements, data and other insights with: [Officials responsible for public procurement]
No
55. Did the NCP share statements, data and other insights with: [Officials responsible for public procurement][Comment]
55. Did the NCP share statements, data and other insights with: [Officials responsible for trade and investment support (including trade missions)]
Yes
55. Did the NCP share statements, data and other insights with: [Officials responsible for trade and investment support (including trade missions)][Comment]
55. Did the NCP share statements, data and other insights with: [Officials responsible for SOEs]
No
55. Did the NCP share statements, data and other insights with: [Officials responsible for SOEs][Comment]
55. Did the NCP share statements, data and other insights with: [Officials in relevant government agencies]
Yes
55. Did the NCP share statements, data and other insights with: [Officials in relevant government agencies][Comment]
56. Did the NCP inform officials responsible for reviewing eligibility for government support and services* of companies' engagement in specific instances? *(e.g. such as trade advocacy, economic diplomacy, or other benefits)
Yes

57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [As part of a public procurement process]

No

57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [As part of a public procurement process][Comment]

57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [As part of dedicated events or training]

Yes

57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [As part of dedicated events or training][Comment]

Information included in training material

57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [Other]

Yes

57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [Other][Comment]

Trade promotion and export credit agencies represented on AusNCP advisory board

57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [N/A: the NCP has not engaged or exchanged with officials/practitioners in this context]

No

57. To what extent has the NCP engaged or exchanged with public procurement officials/practitioners, trade and investment officials, or SOEs officials? [N/A: the NCP has not engaged or exchanged with officials/practitioners in this context][Comment]

58. Please identify any specific initiatives/good practices in your country, involving RBC and other policy areas like public procurement, trade and investment, and/or SOEs.

59. Please include any other examples of policy coherence activities:

Consultations when developing Australia's position on RBC elements of trade agreement negotiations

Exchanges with relevant of government areas when they are considering/developing reforms to domestic policy settings.

Routinely sharing OECD tools, webinars and guidance with other areas of government.

Additional comments on Engagement with relevant officials

G. Challenges

60. Has the NCP faced any particular challenge(s) it would like to highlight this year?

nil.

Annex: NCP Promotional activities (Part 1) & Specific instances (Part 2)

NATIONAL CONTACT POINT REPORTING QUESTIONNAIRE 2023

Annex

This document is to provide detailed information on **NCP promotional activities (Part 1 below)** and on **specific instances (Part 2 below)**.

INSTRUCTIONS

This document should be completed and saved locally on a computer and uploaded from the same computer at the end of the online questionnaire in the section “**Annex: NCP Promotional activities & Specific Instances**” (after question 60).

Please note that only **Word files** (.doc or .docx) can be uploaded.

Guidance and instructions on how to complete the questionnaire ([here](#)) and the annex ([here](#)) are accessible on the NCP O.N.E Community Space.

HELP & ASSISTANCE

Please contact emily.halstead@oecd.org for any help or assistance to complete the questionnaire.

STRUCTURE

Part 1: NCP PROMOTIONAL ACTIVITIES

Part 2: SPECIFIC INSTANCES

Please enter country name of NCP:

Australia

PART 1: NCP PROMOTIONAL ACTIVITIES

Please provide information on the events organised or co-organised by the NCP (Table 1), and events in which the NCP has participated (Table 2) to promote the NCP itself, Guidelines and related due diligence guidance.

Please add the indicated information in the table below. Any links to recordings or announcements from events may be included in the comments box. They may also be uploaded as documents with the Annex.

Please add additional lines if needed. (Right click and select insert rows. The selection fields can be copied and pasted into the new rows)

TABLE 1

NCP-organised and co-organised events to promote the Guidelines and/or the NCP

Title	Date (dd/mm/yyyy)	Location	Type of event	Size of audience	Organised or co-organised? If co-organised, include details of the co-organiser in comments box	Targeted audience <i>Select all that apply.</i>	Theme/Comments <i>e.g. the OECD Guidelines, the NCP activities on sector due diligence guidance documents, etc.</i>
ACCI Virtual Roundtable - OECD Guidelines on Multinational Enterprises update	01-Mar-2023	Virtual	Meeting	10-50	Co-organised	<input checked="" type="checkbox"/> Business <input type="checkbox"/> NGOs <input type="checkbox"/> Trade Unions <input type="checkbox"/> Academia <input type="checkbox"/> Government <input type="checkbox"/> Other, please specify	Including presentation on the OECD Guidelines, introducing the AusNCP and process to update the guidelines. Also had BIAC speakers.
AusNCP and the OECD Guidelines – Attorney General’s Department	31-Oct-2023	In-person (Canberra) and virtual	Other Presentation	10-50	Co-organised	<input type="checkbox"/> Business <input type="checkbox"/> NGOs <input type="checkbox"/> Trade Unions <input type="checkbox"/> Academia <input checked="" type="checkbox"/> Government <input type="checkbox"/> Other, please specify	Click here to enter text.
AusNCP and the OECD Guidelines – Department of Foreign Affairs and Trade	01-Nov-2023	In-person (Canberra) and virtual	Other Presentation	10-50	Co-organised	<input type="checkbox"/> Business <input type="checkbox"/> NGOs <input type="checkbox"/> Trade Unions <input type="checkbox"/> Academia <input checked="" type="checkbox"/> Government <input type="checkbox"/> Other, please specify	Click here to enter text.
Click here to enter text.	Click here to enter a date.	Click here to enter text.	Choose an item.	Choose an item.	Choose an item.	<input type="checkbox"/> Business <input type="checkbox"/> NGOs <input type="checkbox"/> Trade Unions <input type="checkbox"/> Academia	Click here to enter text.

						<input type="checkbox"/> Government <input type="checkbox"/> Other, please specify	
--	--	--	--	--	--	---	--

Additional comments:	
-----------------------------	--

Total number of events:	3
--------------------------------	---

TABLE 2

Presentations by the NCP to promote the Guidelines and/or the NCP in events organised by others

Title	Date (dd/mm/yyyy)	Location	Type of event	Size of audience	Targeted audience <i>Select all that apply.</i>	Organiser(s)	Theme of the intervention
Presentation to Australia-Mekong Partnership – Laos delegation on attracting high quality foreign direct investment	23-Mar-2023	In-person, Canberra	Other Presentation	10-50	Choose an item. <input type="checkbox"/> Business <input type="checkbox"/> NGOs <input type="checkbox"/> Trade Unions <input type="checkbox"/> Academia <input checked="" type="checkbox"/> Government <input type="checkbox"/> Other, please specify	Department of Foreign Affairs and Trade	Guidelines and due diligence
Modern Slavery Conference	28-Jun-2023	In-person, Melbourne	Conference	>100	<input checked="" type="checkbox"/> Business <input checked="" type="checkbox"/> NGOs <input checked="" type="checkbox"/> Trade Unions <input checked="" type="checkbox"/> Academia <input checked="" type="checkbox"/> Government <input type="checkbox"/> Other, please specify	Attorney-General's Department	OECD Guidelines
UN GCNA Business and Human Rights Dialogue – blue washing session panel appearance	31-Aug-2023	In-person, Melbourne	Conference	50-100	<input checked="" type="checkbox"/> Business <input checked="" type="checkbox"/> NGOs <input checked="" type="checkbox"/> Trade Unions <input checked="" type="checkbox"/> Academia <input checked="" type="checkbox"/> Government <input type="checkbox"/> Other, please specify	United Nations Global Compact - Australia	OECD Guidelines and Blue washing / Blue hushing
UN GCNA Business and Human Rights Dialogue – policy coherence panel appearance	30-Aug-2023	In-person, Melbourne	Conference	50-100	<input checked="" type="checkbox"/> Business <input checked="" type="checkbox"/> NGOs <input checked="" type="checkbox"/> Trade Unions <input checked="" type="checkbox"/> Academia <input checked="" type="checkbox"/> Government <input type="checkbox"/> Other, please specify	United Nations Global Compact - Australia	OECD Guidelines and policy coherence / policy making
Click here to enter text.	Click here to enter a date.	Click here to enter text.	Choose an item.	Choose an item.	<input type="checkbox"/> Business <input type="checkbox"/> NGOs <input type="checkbox"/> Trade Unions <input type="checkbox"/> Academia <input type="checkbox"/> Government <input type="checkbox"/> Other, please specify	Click here to enter text.	Click here to enter text.

Additional comments:	
-----------------------------	--

Total number of events:	4
--------------------------------	---

PART 2: SPECIFIC INSTANCES

Please provide details of the following in the table below:

1. Specific instances **in progress** during the year (specific instances received and pending initial assessment, or found to merit further examination after the initial assessment and under consideration by the NCP).
2. Specific instances **concluded** during the year (specific instances that the NCP found to merit further examination after the initial assessment and that have subsequently been closed).
3. Specific instances **not accepted** during the year (specific instances that the NCP found not to merit further examination after initial assessment).
4. Specific instances for which **follow up** was performed during the year (the NCP monitored whether the agreement reached by the parties or its recommendations to the parties have been implemented)

Please add additional lines if needed.

We encourage all NCPs to inform the OECD Secretariat on received specific instances and to provide statements as soon as they become available, in order to keep the OECD database updated at all times. For all specific instances that have not yet been reported to the OECD Secretariat, please complete and send this [form](#) to ncp-specific-instances@oecd.org¹.

¹ According to paragraph 53 of the Commentaries on the Implementation Procedures of the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, “[...] NCPs will submit their annual report to the WPRBC and the Investment Committee in order to include in the Annual Report on the OECD Guidelines information on all specific instances that have been initiated by parties. The WPRBC will provide the Committee with an analysis of NCP annual reports to include in the Annual Report on the Guidelines. NCP annual reports should include specific instances in Coordination, Initial Assessment, Good offices, Conclusion or Follow-up.”.

For all specific instances that are currently IN PROGRESS:

Names of parties ²	Date received (dd/mm/yyyy)	Submitter type (NGO, trade union., etc—see list in reporting form)	Industry sector (Construction, manufacturing, etc—see list in reporting form)	Country/ies where the issues are taking place	Themes (MNE Guidelines chapters)	Date of initial assessment (leave blank if pre-IA)	Link to OECD database and/or public statement, if available	Did the NCP coordinate with other NCPs in the handling of this specific instance? If yes, which NCP(s).
Individual against a Canada-based enterprise	30-Oct-2023	Individual(s)	Transportation and storage	Australia	Consumer Interests	Click or tap to enter a date.	Database link	Yes, Canada NCP.
		Click here to enter text.	Click here to enter text.					
Evangelical Lutheran Church of Papua New Guinea, Centre for Environmental Law and Community Rights Inc and Jubilee Australia Research Centre on behalf of affected Morobe Province communities against Newcrest Mining Ltd and Harmony Gold (Australia) Pty Ltd	09-Nov-2022	NGO	Mining and quarrying	Papua New Guinea	General policies, Disclosure, Human rights, Environment	01-Aug-2023	https://mneguidelines.oecd.org/database/instances/au0027.htm	Yes, USA
		Click here to enter text.	Click here to enter text.					
Marque Lawyers on behalf of affected individuals against Qatar Airways	10-Dec-2021	Other interested parties	Transportation and storage	Qatar and Australia	Human rights	24-Aug-2022	https://mneguidelines.oecd.org/database/instances/au0026.htm	No
		Click here to enter text.	Click here to enter text.					
Andrew and Robert Starkey against Saab Australia and Saab Group Sweden	28-Sep-2021	Individual(s)	Public administration and defence	Australia	General policies, Human rights	01-Apr-2022	https://mneguidelines.oecd.org/database/instances/au0023.htm	Sweden
		Click here to enter text.	Manufacturing					
Human Rights Law Centre on behalf of affected individuals against Rio Tinto	28-Sep-2020	NGO	Mining and quarrying	Papua New Guinea	General policies, Human rights, Environment	15-Sep-2023	https://mneguidelines.oecd.org/database/instances/au0017.htm	No
		Click here to enter text.	Click here to enter text.					
Click here to enter text.	Click here to enter a date.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click or tap to enter a date.	Click here to enter text.	Click here to enter text.
		Click here to enter text.	Click here to enter text.					

² If the NCP's case-handling procedures prevent disclosing such information while the case is pending, please include generic information such as 'a company active in such sector' or 'an environmental NGO'.

Additional comments:	
-----------------------------	--

Total number of specific instances in progress:	5
--	---

For all specific instances that were CONCLUDED during the year:

Names of parties	Date received (dd/mm/yyyy)	Date concluded (dd/mm/yyyy)	Submitter type (NGO, trade union,, etc—see list in reporting form)	Industry sector (Construction, manufacturing, etc—see list in reporting form)	Country/ies where the issues are taking place	Themes (MNE Guidelines chapters)	Link to OECD database if available	Outcomes achieved	Does the final statement plan for a follow up?	Did the NCP coordinate with other NCPs in the handling of this specific instance? If yes, which NCPs.	Were parallel proceedings involved while handling the specific instance? If yes, please select the type.
SAVEducation Pty Ltd and a India-based enterprise	18-Dec-2022	06-Jun-2023	Business	Information and communication	Australia and India	Combating bribery, bribe solicitation and extortion	https://mneguidelines.oecd.org/database/instances/au0028.htm	Settlement outside NCP process - complaint withdrawn.	No follow-up	No	Choose an item.
			Click here to enter text.	Click here to enter text.							Click here to enter text.
Project Sepik and Jubilee Australia Research Centre on behalf of affected Sepik River communities and PanAust Limited	08-Dec-2021	03-Oct-2023	NGO	Mining and quarrying	Papua New Guinea	General policies, Disclosure, Human rights, Environment	https://mneguidelines.oecd.org/database/instances/au0024.htm	The final statement found that most of the company's actions were not inconsistent with the Guidelines but made several recommendations for improvement.	Follow-up planned for the future	No	Choose an item.
			Click here to enter text.	Click here to enter text.							Click here to enter text.
Publish What You Pay Australia on behalf of Myanmar-based civil society organisations against Mallee Resources Ltd (formerly Myanmar Metals Ltd)	14-Sep-2021	02-Aug-2023	NGO	Mining and quarrying	Myanmar	General policies, Disclosure, human rights	https://mneguidelines.oecd.org/database/instances/au0022.htm	The final statement found the enterprise's actions were not consistent with the guidelines and recommendations were made for improvement.	Follow-up planned for the future	No	Choose an item.
			Click here to enter text.	Click here to enter text.							Click here to enter text.
Justicia y Reparación on behalf of affected individuals against	03-Sep-2021	23-Mar-2023	NGO	Mining and quarrying	Chile	Human rights, environment	Instances - Organisations - https://mneguidelines.oecd.org/database/instances/au0021.htm	Settlement outside the NCP process – complaint withdrawn.	No follow-up	Yes	Chile
			Click here to enter text.	Click here to enter text.							Click here to enter text.

Australian-based enterprise (mining sector)			Click here to enter text.	Click here to enter text.							Click here to enter text.
Parella Law (on behalf of an individual) & Australian-based enterprise (property and infrastructure sector)	20-Aug-2021	01-Feb-2023	Individual	Construction	United States	Human rights, employment and industrial relations	Instances - Organisa...~https://mneguidelines.oecd.org/data-base/instances/au0020.htm	Settlement outside the NCP process – complaint withdrawn.	No follow up.	Yes	United States
Global Legal Action Network & BHP Group, also identical complaint to Glencore and Anglo-American	19-Jan-2021	31-Jul-2023	NGO	Mining and Quarrying	Columbia	General policies, human rights and environment	Instances - Organisa...~https://mneguidelines.oecd.org/data-base/instances/au0025.htm	Nil. Submitter requested withdrawal of the complaint.	No follow up.	Yes	Switzerland and United Kingdom

Additional comments:	
-----------------------------	--

Total number of specific instances concluded:	6
--	---

For all specific instances for which FOLLOW UP was performed during the year:

For all specific instances that were NOT ACCEPTED during the year:

Names of parties ³	Date received (dd/mm/yyyy)	Date concluded (dd/mm/yyyy)	Submitter type (NGO, trade union,, etc—see list in reporting form)	Industry sector (Construction, manufacturing, etc—see list in reporting form)	Country/ies where the issues are taking place	Themes (MNE Guidelines chapters)	Link to OECD database if available	Reasons for not accepting the specific instance:	Did the NCP coordinate with other NCPs during the handling of this specific instance? If yes, which NCPs.	Were parallel proceedings involved while handling the specific instance? If yes, please select the type.
Click here to enter text.	Click here to enter a date.	Click here to enter a date.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.
			Click here to enter text.	Click here to enter text.						Click here to enter text.
Click here to enter text.	Click here to enter a date.	Click here to enter a date.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.
			Click here to enter text.	Click here to enter text.						Click here to enter text.
Click here to enter text.	Click here to enter a date.	Click here to enter a date.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.
			Click here to enter text.	Click here to enter text.						Click here to enter text.

Additional comments:

Total number of specific instances not accepted:

0

Names of parties	Date received (dd/mm/yyyy)	Date concluded (dd/mm/yyyy)	Date of follow up (dd/mm/yyyy)	Submitter type (NGO, trade union,, etc—see list in reporting form)	Industry sector (Construction, manufacturing, etc—see list in reporting form)	Country/ies	Themes (MNE Guidelines chapters)	Was a public follow up statement issued?	Link to the follow up statement, if applicable
------------------	----------------------------	-----------------------------	--------------------------------	---	--	-------------	----------------------------------	--	--

³ If, following an initial assessment, the NCP has decided not to disclose the name of one or several parties pursuant to paragraph 40 of the Procedures, please include generic information for that/those party/ies such as ‘a company active in such sector’ or ‘an environmental NGO’.

Click here to enter text.	Click here to enter a date.	Click here to enter a date.	Click here to enter a date.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.
				Click here to enter text.	Click here to enter text.				
Click here to enter text.	Click here to enter a date.	Click here to enter a date.	Click here to enter a date.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.	Click here to enter text.
				Click here to enter text.	Click here to enter text.				
				Click here to enter text.	Click here to enter text.				

Additional comments:	
-----------------------------	--

Total number of follow ups:	0
------------------------------------	---