

AusNCP Governance and Advisory Board Meeting Minutes – 18 November 2025

ATTENDANCE

GOVERNMENT MEMBERS	EXTERNAL MEMBERS
<p>Chair: Director, AusNCP Secretariat, and Michael Quinlivan, Assistant Secretary, Corporations Branch, Department of the Treasury (Treasury)</p> <p>Ms Victoria Bennett, (A/g) Assistant Secretary, Human Rights Branch, Attorney-General’s Department</p> <p>Mr Richard Emerson-Elliott, Assistant Secretary, FTA Implementation and Inclusive Trade Branch, Department of Foreign Affairs and Trade</p> <p>Ms Katherine Stevens, Deputy General Counsel, Export Finance Australia</p> <p>Mr David Tonkin, Chief Counsel, Legal, Integrity and Fraud, Australian Trade and Investment Commission</p> <p>Ms Lorraine Finlay, Commissioner, Australian Human Rights Commission</p> <p>Mr Anthony Murfett, First Assistant Secretary, International Strategy and National Security Division, Department of Industry, Science and Resources</p>	<p>Ms Vanessa Zimmerman, Chief Executive Officer, Pillar Two</p> <p>Mr Peter Grist, Chief Economist, Australian Chamber of Commerce and Industry</p> <p>Mr Pero Stojanovski, Chief Economist, Business Council of Australia</p> <p>Mr Dan Wilcock, Head of Sustainability Governance, UN Global Compact Network Australia</p> <p>Ms Clare Middlemas, International Officer, Australian Council of Trade Unions</p> <p>Ms Freya Dinshaw, Steering Committee member, Australian Corporate Accountability Network</p> <p>Ms Serena Lillywhite,* independent civil society representative with expertise in the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (OECD Guidelines)</p> <p><i>*Ms Serena Lillywhite was absent for some items of the meeting agenda.</i></p>
OBSERVERS	APOLOGIES
<p>Mr John Southalan, Independent Examiner</p> <p>Ms Shiv Martin, Independent Examiner</p> <p>Mr Christopher Evans, Australian Anti-Slavery Commissioner</p> <p>AusNCP Secretariat, Treasury</p>	<p>Ms Miranda Lello, Chief Data Officer, Portfolio Strategy and Integration Branch, Department of Climate Change, Energy, the Environment and Water</p> <p>Ms Larissa Harrison, Director – Strategic Power, United Workers Union</p>

1. WELCOME (CHAIR)

The meeting was opened by the Director of the AusNCP Secretariat with an Acknowledgement of Country, followed by introductions from AusNCP Board members, including the new Chair.

2. ACTIONS FROM LAST MEETING (AUSNCP SECRETARIAT)

The AusNCP Secretariat advised the AusNCP Board that all action items arising from the meeting held on 27 June 2025 had either been completed or were progressing, as outlined below:

	ACTION ITEM	COMPLETION
1	The AusNCP Secretariat to share the <i>AusNCP Complaint Frequently Asked Questions (FAQs)</i> and the <i>Template Terms of Engagement for AusNCP Dispute Resolution</i> with Board members for feedback once finalised.	Actioned. Papers on these two enterprise engagement items were circulated to AusNCP Board members prior to this meeting for discussion at Item 6 of the agenda.
2	AusNCP Board members to suggest stakeholder network opportunities for Mr Allan Jorgensen (OECD Centre for Responsible Business Conduct) during his August 2025 visit to Australia.	Actioned. Mr Jorgensen attended several key events and met with the Hon Dr Andrew Leigh MP. Some AusNCP Board members also facilitated meetings between Mr Jorgensen and their respective organisations.
3	The AusNCP Secretariat to update the AusNCP Board on progress regarding the First Nations webinar.	Actioned. A joint AusNCP–Diplomacy Training Program webinar on <i>Free, Prior and Informed Consent, Indigenous Rights and the OECD Guidelines</i> was held on 29 October 2025.
4	The AusNCP Secretariat to consider and progress stakeholder engagement suggestions raised by AusNCP Board members at the 27 June 2025 meeting.	Actioned. The AusNCP promoted new fact sheets at the <i>UN Responsible Business and Human Rights Forum, Asia-Pacific</i> in Bangkok and took part in the <i>UN Regional Forum on Business and Human Rights</i> in Melbourne.
5	The AusNCP Secretariat to further progress policy work on responses to actual and potential reprisals, including incorporating AusNCP Board feedback.	Progressed. Feedback from AusNCP Board members and the three institutional stakeholders to the <i>OECD Working Party on Responsible Business Conduct</i> was addressed.
6	The AusNCP Secretariat to inform AusNCP Board members once the review of the AusNCP Board’s Terms of Reference has commenced.	Actioned. A paper on the Terms of Reference review was circulated to AusNCP Board members prior to this meeting for discussion at Item 7 of the agenda.

3. AUSNCP UPDATE (CHAIR / AUSNCP SECRETARIAT)

The Director of the AusNCP Secretariat provided an update on recent AusNCP staffing changes. The AusNCP Secretariat also advised AusNCP Board members of key highlights from the October 2025 meetings of the *OECD Working Party on Responsible Business Conduct* and the *Network of National Contact Points for Responsible Business Conduct*, including:

- Australia’s intervention in support of the continued development and publication of the *OECD Due Diligence Guidance for Responsible Artificial Intelligence (AI)*
- the OECD Centre for Responsible Business Conduct’s preparations for the 50th anniversary of the OECD Guidelines in June 2026.

Ms Vanessa Zimmerman sought clarification on whether further OECD guidance is expected on ‘responsible disengagement’, while Ms Freya Dinshaw asked about ‘Coordination’ timeframes for complaints. Independent Examiner John Southalan responded and noted the increasing use of AI in enquiries and submissions to judicial and non-judicial bodies, including the AusNCP.

4. PRESENTATION FROM THE INAUGURAL AUSTRALIAN ANTI-SLAVERY COMMISSIONER (CHRIS EVANS)

The Australian Anti-Slavery Commissioner, Mr Chris Evans, spoke to the AusNCP Board, as suggested by Ms Zimmerman at the 27 June 2025 meeting, on the OECD Guidelines, responses to modern slavery risks, and trends and developments observed during his first year in the role.

Mr Evans advised the AusNCP Board that, in October 2025, the Attorney-General launched the Office of the Australian Anti-Slavery Commissioner’s *Strategic Plan 2025–2028*, which includes a focus on improving business compliance with the *Modern Slavery Act 2018*.

Mr Evans noted that the AusNCP plays an important role in promoting the purposes and use of the OECD Guidelines and the due diligence expectations they set. He further noted the need for clearer and more accessible due diligence guidance, particularly on government procurement, alongside continued awareness raising on due diligence across government and businesses.

5. 2026 STAKEHOLDER ENGAGEMENT STRATEGY (AUSNCP SECRETARIAT)

The AusNCP Board commenced consideration of the draft *2026 AusNCP Stakeholder Engagement Strategy (the 2026 Strategy)*, which set out the approach the AusNCP Secretariat proposed to take in 2026 to deliver on Australia’s responsible business conduct obligations.

AusNCP Board members expressed support for the AusNCP Secretariat’s proposal to refocus stakeholder engagement efforts on multinational enterprises operating in or from Australia, including targeted outreach to sectors that are increasingly represented in AusNCP complaints. Members also supported the proposed monitoring arrangements, including the use of lead indicators, and early promotional ideas to mark the 50th anniversary of the OECD Guidelines.

Action item:

- AusNCP Board members to review and endorse the 2026 Strategy prior to finalisation.

6. DELIVERING ON THE ENTERPRISE ENGAGEMENT PROJECT (AUSNCP SECRETARIAT)

The AusNCP Board agreed that the *AusNCP Complaint FAQs* were helpful and informative. Members suggested several enhancements to further improve clarity and accessibility, including visual representations, hyperlinks to key resources, examples and case studies, and translations.

The AusNCP Board further emphasised that the *Template Terms of Engagement for AusNCP Dispute Resolution* should be offered to all parties to reduce the risk of protracted negotiations.

The AusNCP Board noted that both materials would be offered to parties from 1 January 2026.

Action item:

- AusNCP Secretariat to finalise and circulate updated enterprise engagement materials.

7. COMMENCING REVIEW OF THE AUSNCP BOARD TERMS OF REFERENCE (CHAIR / AUSNCP SECRETARIAT)

The AusNCP Board discussed the paper presented for consideration, which confirmed that the AusNCP Board had provided valuable advice and oversight since its establishment in 2019. Members noted that attendance at biannual meetings remains higher than that of the former *Oversight Committee*, at around 73.6 per cent over the period from April 2019 to June 2025.

The AusNCP Board also discussed the role and limitations of proxies for external members, as well as the core responsibilities of full members. There was broad support for proxy members to be made full AusNCP Board members, which would increase the size of the AusNCP Board from eight to sixteen members. The AusNCP Secretariat closed the item by advising the AusNCP Board of revised arrangements for the tabling of its conflict of interest register at each meeting.

Action item:

- AusNCP Secretariat to develop revised Terms of Reference for the AusNCP Board, taking into account written and verbal feedback from AusNCP Board members.

8. COMPLAINTS DISCUSSION WITH INDEPENDENT EXAMINERS

Independent Examiners John Southalan and Shiv Martin provided an update on their respective AusNCP complaints. AusNCP Board members discussed complaint handling and observed conflict of interest arrangements, including recusal where required. As active complaints are confidential and sensitive matters, detailed information has been excluded from these minutes.

9. OTHER BUSINESS, NEXT MEETING (CHAIR / AUSNCP SECRETARIAT)

Mr Michael Quinlivan thanked attendees for their contributions and the AusNCP Secretariat for facilitating the meeting, and advised members that he looked forward to working with them in his capacity as the Chair of the AusNCP Board. The next meeting was scheduled for June 2026.