

Appendix 7 — Compliance with the *Commonwealth Authorities and Companies Act 1997* annual report requirements

The reference to clauses in italics and brackets after each heading relates to the relevant clauses in Schedule 1, Report of Operations Schedule, to the Commonwealth Authorities and Companies (Report of Operations) Orders 2005, which specifies the requirements that Commonwealth authority directors are to follow in preparing the report of operations.

Enabling legislation (*Clause 8*)

The AIHW was established as a statutory authority in 1987 by the *Australian Institute of Health Act 1987*. In 1992, the role and functions of the then Australian Institute of Health were expanded to include welfare-related information and statistics, making it the Australian Institute of Health and Welfare. The Act is now entitled the *Australian Institute of Health and Welfare Act 1987* (AIHW Act) (Appendix 2, page 140).

The AIHW's mandate and objectives are set out in the AIHW's corporate governance arrangements (Appendix 4, page 172), which are issued by AIHW's minister, the Hon. Tony Abbott, the Minister for Health and Ageing.

Responsible minister (*Clause 8*)

Responsibility for the AIHW is exercised by the Minister for Health and Ageing, the Hon. Tony Abbott.

Organisational structure (*Clause 9*)

The AIHW's organisational structure is described on pages 5–11 of this report.

Review of operations and future prospects (*Clauses 10 and 13*)

Chapter 2 of this annual report outlines the AIHW's performance in 2006–07 against its reporting framework; the Portfolio Budget Statements and strategic directions for 2006–07. These imperatives support the achievement of the AIHW's vision and mandate from government.

In brief, the AIHW delivered quality information services (AIHW outputs) across a wide spectrum of areas to assist its clients achieve significant outcomes in the public interest.

The AIHW's financial statements commence at page 101.

Significant events (Clause 10)

No significant events in the context of s. 15 of the *Commonwealth Authorities and Companies Act 1997* (the CAC Act) occurred during 2006–07. This section deals with the need to notify the responsible minister of events such as proposals to form a company, partnership, trust, joint venture etc., to dispose of shares, to acquire or dispose of or commence or cease business activities, or to make other significant change.

Judicial decisions and reviews by outside bodies (Clause 11)

During 2006–07, there were no judicial decisions or decisions of administrative tribunals that have had, or may have, a significant impact on the AIHW's operations. Nor have there been any reports on the operations of the AIHW by the Auditor-General (other than the report on the financial statements) or by a parliamentary committee.

Ministerial directions (Clause 12)

There were no notifications of general policies of the Australian Government by the Minister for Health and Ageing under s. 28 of the CAC Act.

Directors (Clause 14)

AIHW has a board of directors and details of the Board and its activities are provided in Appendix 5, page 183 of this report.

Statement of governance (Clause 15)

The AIHW's corporate governance arrangements are outlined in Appendix 4, page 172.

Indemnities and insurance premiums for officers (Clause 16)

The AIHW provides an indemnity to the Director under the terms and conditions of her appointment, indemnifying her against liability to third parties incurred in good faith in connection with her duties, and reasonable legal costs in defending civil proceedings in which judgment is given in her favour or in defending criminal proceedings in which she is acquitted.

The AIHW also provides an indemnity to each non-executive member of the AIHW Board under the terms and conditions of his or her appointment, indemnifying him or her against liability to third parties incurred in good faith in connection with his or her duties, and for reasonable legal costs in defending civil proceedings in respect of such liability or in defending criminal proceedings in which he or she is acquitted.

Professional indemnity insurance and other appropriate insurances, including a Directors and Officers Liability and Company Reimbursement policy (D&O policy), have been acquired on terms and conditions that are consistent with provisions in the CAC Act.

Except as stated above, during 2006–07, the AIHW did not provide an indemnity to any current or former officer of the AIHW.

Other statutory requirements (*Clause 17*)

Ecologically sustainable development and environmental performance

Under s. 516A of the *Environment Protection and Biodiversity Conservation Act 1999*, the AIHW is required to report on ecologically sustainable development and environmental matters. The relevant details are provided on page 98 of this report.

Occupational health and safety

Under s. 74 of the *Occupational Health and Safety (Commonwealth Employment) Act 1991*, the AIHW is required to report on certain occupational health and safety matters. The relevant details are provided on page 97 of this report.

Freedom of information

As required by s. 8 of the *Freedom of Information Act 1982*, Appendix 6, page 188 is published regarding the organisation and functions of the AIHW, and how members of the public can gain access to documents in the possession of the AIHW.

Advertising and market research

Under s. 311A of the *Commonwealth Electoral Act 1918*, the AIHW is required to include particulars about their advertising and market research activities. During 2006–07, the AIHW did not enter into any advertising or market research contracts greater than \$10,000.

Commonwealth Disability Strategy (*Clause 18*)

Information regarding AIHW's Commonwealth Disability Strategy can be found on pages 98 of this report.