



**SENATOR THE HON STEPHEN CONROY
DEPUTY LEADER OF THE OPPOSITION IN THE SENATE
SHADOW SPECIAL MINISTER OF STATE
SHADOW MINISTER FOR SPORT
SENATOR FOR VICTORIA**

AFP RAID

The Australian Federal Police (AFP) has advised me that they will conduct a raid on Department of Parliamentary Services at Parliament House this morning to access the emails of Labor staff members.

NBN Co initiated this investigation to cover up Malcolm Turnbull's gross mismanagement of the National Broadband Network (NBN). Under Mr Turnbull, the NBN has been beset by lengthy delays and cost blowouts. In fact, the cost of the Mr Turnbull's second-rate copper NBN has nearly doubled to up to \$56 billion.

This is a shameful attempt by Malcolm Turnbull to hide his incompetent administration of the NBN.

It is an extraordinary attack on the Parliament and its constitutional duty to hold the government of the day to account.

NBN Co initiated this investigation based on a claim that it is entitled to special protections from disclosure of information about its operations because it is part of the Commonwealth.

However, this is contrary to its own enabling legislation which clearly and unambiguously states that NBN Co is not a public authority, not part of the Commonwealth and not entitled to any of the immunities or privileges of the Commonwealth:

Section 95 National Broadband Network Companies Act 2011 - NBN Co is not a public authority

NBN Co is taken for the purposes of the laws of the Commonwealth, of a State or of a Territory:

(a) not to have been incorporated or established for a public purpose or for a purpose of the Commonwealth; and

(b) not to be a public authority or an instrumentality or agency of the Crown (however described); and

(c) not to be entitled to any immunity or privilege of the Commonwealth;

except so far as express provision is made by this Act or any other law of the Commonwealth, or by a law of a State or of a Territory, as the case may be.

https://www.legislation.gov.au/Details/C2016C00381/Html/Text#_Toc449685831

NBN Co needs to explain how the AFP investigation it has initiated has any legal justification.

I will continue to assert parliamentary privilege over all material and information gathered as part of this investigation, including in the raid this morning.

Parliamentary privilege ensures Parliament is able to do its job without interference by the Executive. It protects the right of the Parliament, on behalf of all Australians, to scrutinise waste and maladministration even when the truth embarrasses the Government.

It is my duty as a Senator to hold the Government to account. That is what I intend to do.

WEDNESDAY, 24 AUGUST 2016