



Received 5/6/11

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THE HON KEVIN RUDD MP

—CONFIDENTIAL—

MINISTER FOR FOREIGN AFFAIRS
CANBERRA

Dear Prime Minister *Tulka*

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Subsequently (on 3 December 2010) I received a Ministerial Submission from DFAT regarding the proposed Approver. s34(3) & s47C

In responding to that Submission, I decided on 17 December to appoint the Secretary of DFAT as the Approver.

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DFAT put this decision into practice, establishing a Tender Evaluation Plan, a Tender Evaluation Board (TEB), and the Secretary of DFAT as Approver. The TEB consisted of representatives from PM&C, Treasury, Finance and DBCDE nominated by their portfolio ministers and a Chair, appointed by me from outside Government – Pamela Fayle, a former

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Deputy Secretary of DFAT and Ambassador to Germany, with considerable experience in Asia.

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This discussion occurred between my Chief of Staff, Philip Green, and your international adviser, Richard Maude.

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That response read:

"The Tender Evaluation Board is currently considering the tender bids. There is no set timeframe for the decision.

The recommendation of the Tender Evaluation Board will be considered by the approver, who is the Secretary of the Department of Foreign Affairs and Trade.

Cabinet and Caucus are not a part of the decision-making process."

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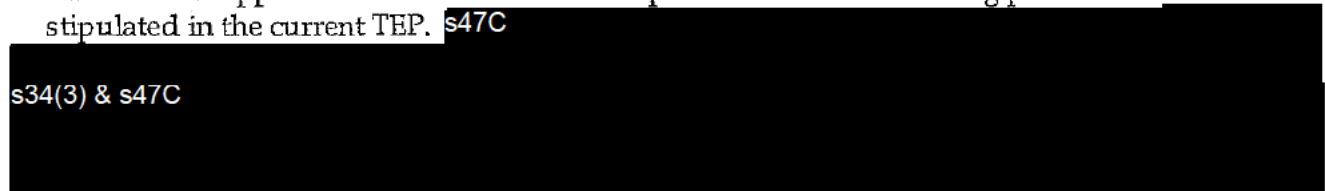
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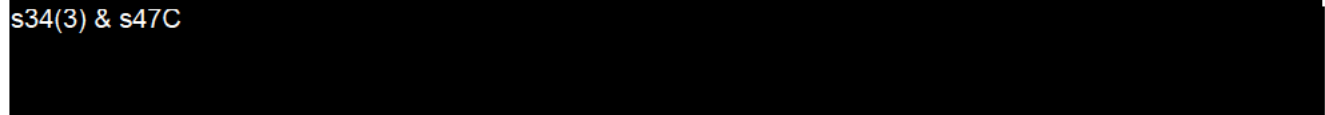
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The tender process is well advanced, with the Approver already in possession of a report from the TEB. It is on the public record that the Secretary of DFAT is the Approver and that Cabinet is not part of the decision making process. This is also stipulated in the current TEP. s47C

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Yours sincerely



Kevin Rudd