

From: [Foster, Stephanie](#)
To: [Rush, Peter](#)
Subject: FW: Confidential inquiry [SEC=OFFICIAL:Sensitive]
Date: Tuesday, 12 July 2022 5:38:26 PM

OFFICIAL: Sensitive

For action please Peter.

Stephanie Foster PSM
Deputy Secretary Governance
Department of the Prime Minister and Cabinet
t: (s 22(1)(a)(ii) m: s 22(1)(a)(ii)

From: Davis, Glyn <Glyn.Davis@pmc.gov.au>
Sent: Tuesday, 12 July 2022 12:03 PM
To: Woolcott, Peter <Peter.Woolcott@apsc.gov.au>
Cc: Foster, Stephanie <Stephanie.Foster@pmc.gov.au>
Subject: Re: Confidential inquiry

Thank you Peter. I will ask the Governance team to prepare the necessary paperwork.

Regards,

Glyn

On 12 Jul 2022, at 11:56 am, Woolcott, Peter <Peter.Woolcott@apsc.gov.au> wrote:

Glyn

I would strongly support Greg's reappointment for the reasons outlined.

Regards

Peter

Sent from my iPhone

On 12 Jul 2022, at 10:44 am, Davis, Glyn
<Glyn.Davis@pmc.gov.au> wrote:

Peter,

May I seek your advice on an appointment matter?

The Deputy Prime Minister has recommended the reappointment of Greg Moriarty as Secretary of the Department of Defence when his present appointment concludes later this year. He has argued Mr Moriarty brings the right skills and expertise at a crucial moment as the Department must make key procurement

decisions.

I support this recommendation, and have consulted the Prime Minister. He likewise welcomes a further term for Mr Moriarty.

The legislation makes clear your advice is an important part of this process, and I would appreciate a view from the Commissioner.

Regards,

Glyn

Professor Glyn Davis AC

Secretary,

Department of the Prime Minister and Cabinet

e. glyn.davis@pmc.gov.au | w. www.pmc.gov.au

One National Circuit Barton ACT 2600 | PO Box 6500

CANBERRA ACT AUSTRALIA 2600

~~PROTECTED Sensitive: Cabinet~~

PDR: MS22-000887

DEPARTMENT OF THE PRIME MINISTER AND CABINET

PM&C
Secretary
Ms Foster
Mr Reid
Mr Rush
Mr Martin

PMO
Mr Gartrell

To: Prime Minister (for signature by 20 July so the proposed re-appointment can be made by the Governor-General at the ExCo meeting on 4 August 2022)

SECRETARY REAPPOINTMENT: MR GREG MORIARTY

Recommendation - that you:

1. Sign (but do not date) the documents at Attachment A to propose the reappointment of Mr Greg Moriarty as Secretary of the Department of Defence, for a period of five years.

s 22(1)(a)(ii)

Signed / Not Signed

ANTHONY ALBANESE

Date:

22/7/22

Comments:

Key Points:

1. This brief constitutes a report under subsection 58(7) of the *Public Service Act 1999*.
2. As discussed, I recommend that you reappoint Mr Greg Moriarty as Secretary of the Department of Defence for a period of five years commencing on 4 September 2022.
 - a. Mr Moriarty's current, and first, term of appointment as Secretary of the Department of Defence expires on 3 September 2022.
3. I have consulted the Australian Public Service Commissioner, Mr Peter Woolcott AO, and the Deputy Prime Minister and Minister for Defence, the Hon Richard Marles MP, both of whom support this proposed reappointment.
 - a. I understand Mr Moriarty has performed exceptionally well in the position over the past five years and this proposed reappointment is key for continuity in the implementation of the Government's defence and national security priorities.
 - b. Mr Marles is strongly of the view that Mr Moriarty brings the right skills and expertise at a crucial moment as the Department of Defence must make key procurement decisions.
4. If you agree, the proposed reappointment could be made by the Governor-General at the Executive Council meeting scheduled on Thursday 4 August 2022, before Mr Moriarty's current term expires on 3 September 2022.
5. Mr Moriarty has confirmed he is willing and available for the proposed reappointment.

Glyn Davis
Secretary
15 July 2022

Policy Officer: Peter Rush
Phone no: s 22(1)(a)(ii)

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ATTACHMENTS

ATTACHMENT A EXECUTIVE COUNCIL DOCUMENTS



PRIME MINISTER

Departmental No. /2022

Minute Paper for the Executive Council

Executive Council
Meeting No.

Subject

Public Service Act 1999

Reappointment of Secretary of the Department of Defence

Approved in Council

Recommended for the approval of His Excellency the Governor-General in Council that, by instrument in the attached form and under subsection 58(1) of the *Public Service Act 1999*, he reappoint Greg Moriarty to be the Secretary of the Department of Defence for a period of five years commencing on 4 September 2022.

.....
David Hurley
Governor-General

s 22(1)(a)(ii)

.....
Filed in the Records
of the Council


Anthony Albanese
Prime Minister

.....
Secretary to the Executive Council

EXPLANATORY MEMORANDUM

Minute No. of 2022 – Prime Minister

Subject - Public Service Act 1999

Reappointment of the Secretary of the Department of Defence

This instrument would reappoint Mr Greg Moriarty as the Secretary of the Department of Defence for a period of five years.

Section 58 of the *Public Service Act 1999* (the Act) provides for the appointment of Secretaries of Departments.

Section 58(1) of the Act provides that the Secretary of a Department is to be appointed by the Governor-General, by written instrument, on the recommendation of the Prime Minister. Before recommending to the Governor-General that a person be appointed as Secretary of a Department other than the Prime Minister's Department, the Prime Minister must have received a report about the appointment from the Secretary of the Prime Minister's Department (subsection 58(7)). The report from the Secretary of the Prime Minister's Department about the appointment of the Secretary of another Department must be prepared in consultation with the Australian Public Service Commissioner and the person who is expected to be the Agency Minister of the other Department at the time the appointment is made (subsection 58(8)).

The Act also provides that where a person is appointed to an office of Secretary the instrument of appointment specifies the fixed period of the appointment. Initial appointments must be for a period of five years or a shorter period requested by the appointee and reappointments can be for any period not exceeding five years.

The Minute recommends that Mr Greg Moriarty be reappointed as the Secretary of the Department of Defence for a period of five years commencing on 4 September 2022. His current term will expire on 3 September 2022.

Mr Moriarty was appointed as Secretary of the Department of Defence for a period of five years commencing on 4 September 2017. Mr Moriarty has confirmed he is willing and available to be reappointed to the position.

A report about this appointment, prepared under subsection 58(7) of the *Public Service Act 1999*, after consultation with the Australian Public Service Commissioner and the Minister for Defence, was received from the Secretary of the Department of the Prime Minister and Cabinet.

.....
Prime Minister

Authority: Subsection 58(1) of the *Public Service Act 1999*