

Commonwealth Ombudsman Office of the Commonwealth Ombudsman

The Commonwealth Attorney-General, Senator the Hon Michaelia Cash, is seeking expressions of interest from suitably qualified persons for appointment as the Commonwealth Ombudsman. The position is established under the *Ombudsman Act 1976*.

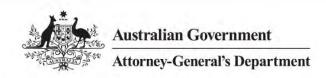
The Commonwealth Ombudsman safeguards the community in its dealings with government agencies and ensures that the administrative actions of Australian Government departments and agencies are fair and accountable. As an independent statutory office holder, the Ombudsman can consider complaints or initiate investigations relating to most federal government organisations. The Ombudsman is also the ACT Ombudsman, the Private Health Insurance Ombudsman, Postal Industry Ombudsman as well as the Overseas Student, VET Student Loans and Defence Force Ombudsman. The Ombudsman inspects, and reports to Parliament about, aspects of law enforcement agencies' use of covert and intrusive powers, inspects immigration detention facilities and oversees the operation of the *Public Interest Disclosure Act 2013*. Information about the Office of the Commonwealth Ombudsman is available at www.ombudsman.gov.au.

As Commonwealth Ombudsman, you will be responsible for the strategic leadership and day-to-day management of the Office and with the development of policies, systems and processes for conducting effective and timely complaint investigations and compliance audits. You will build strong and enduring working relationships with key stakeholders, including the senior staff of government departments and agencies and private sector organisations and represent the Office in a wide range of public forums.

You will need to be an outstanding leader and manager with well-honed conceptual and analytical skills and an impressive record of achievement. You will have proven ability to coordinate and lead complex investigations and to engage critical senior stakeholders from diverse sectors within the Australian community. This will be complemented by excellent representational skills, sound judgement and a personal style that engenders trust and respect. Experience in administrative law and/or senior government administration would be an advantage for this role.

The Commonwealth Ombudsman is appointed by the Governor-General for a term of up to 7 years. This statutory appointment will be based in Canberra.

Information about the position, including eligibility and selection criteria, and details on how to apply, is available on the Attorney-General's Department website Careers page - https://www.ag.gov.au/about-us/careers/statutory-appointments. Expressions of interest close at 5:00 pm (EST) on Monday, 28 June 2021. Enquiries can be directed to appointments@ag.gov.au.



Office of the Commonwealth Ombudsman

Commonwealth Ombudsman

Information pack

10 June 2021

Contents:

- Information about the Office of the Commonwealth Ombudsman (OCO)
- Role of the Commonwealth Ombudsman (Ombudsman)
- Eligibility
- Selection criteria
- Terms and conditions
- How to apply

Information about the OCO

The OCO is a non-corporate Commonwealth entity established under the *Ombudsman Act 1976* (the Ombudsman Act) that sits within the Attorney-General's Portfolio. The OCO is an independent and impartial oversight agency that is responsible for providing assurance that Australian Government entities and prescribed private sector organisations act with integrity and treat people fairly.

The Ombudsman is the Chief Executive of the Office and is assisted by a Deputy Ombudsman. The Ombudsman and Deputy Ombudsman are appointed by the Governor-General. A staff of over 200 is employed under the *Public Service Act 1999*.

The national office is in Canberra and there are state offices in Adelaide, Perth, Brisbane, Melbourne and Sydney. For further information about the Office of the Commonwealth Ombudsman go to: www.ombudsman.gov.au.

Role of the Ombudsman

The Commonwealth Ombudsman is an independent statutory officer appointed under the Ombudsman Act. The Ombudsman safeguards the community in its dealings with government agencies and ensures that the administrative actions of Australian Government departments and agencies are fair and accountable. The Ombudsman has six major functions:

- complaint investigations
- own motion investigations

Page 2 of 23

- · compliance audits
- immigration detention oversight
- Commonwealth Public Interest Disclosure scheme oversight
- Private health insurance consumer information.

The Ombudsman Act also confers the following specialist roles on the Ombudsman:

- Defence Force Ombudsman—handling complaints by serving and former members of the Australian Defence Force relating to their service and in relation to allegations of abuse
- Postal Industry Ombudsman—handling complaints about Australia Post and private postal operators registered with the Postal Industry Ombudsman scheme
- Overseas Students Ombudsman handling complaints from overseas students about private education providers in Australia
- Private Health Insurance Ombudsman protecting the interests of private health insurance consumers
- VET Student Loans Ombudsman handling complaints from past or current students about their
 VET FEE-HELP or VET Student Loan debts.

The Ombudsman is also responsible for overseeing immigration detention and the inspection and monitoring of the use of certain covert and intrusive powers by law enforcement agencies. The Ombudsman is the National Preventive Mechanism Coordinator for the implementation of OPCAT in Australia.

In undertaking these roles, the Ombudsman is impartial and independent. The Ombudsman is not an advocate for complainants or for agencies. The guiding principle in an Ombudsman investigation is to examine whether the administrative action under investigation is unlawful, unreasonable, unjust, oppressive, improperly discriminatory, factually deficient or otherwise wrong. At the conclusion of an investigation, the Ombudsman can recommend that corrective action be taken by an agency. This may occur either specifically in an individual case or more generally by a change to relevant legislation, administrative policies or procedures.

A key objective of the Ombudsman is to foster good public administration within Australian Government agencies, ensuring that the principles and practices of public administration are sensitive, responsive and adaptive to the interests of members of the public. The Ombudsman can consider complaints about almost all Australian Government departments and agencies, and most contractors delivering services to the community for, or on behalf of, the Australian Government.

The Commonwealth Ombudsman is also the ACT Ombudsman in accordance with section 28 of the ACT Self-Government (Consequential Provisions) Act 1988 (Cth). The role of the ACT Ombudsman is performed under the Ombudsman Act 1989 (ACT), and is funded under a services agreement between the Commonwealth Ombudsman and the ACT Government.

The Ombudsman is responsible for the strategic leadership and day-to-day management of the OCO and with the development of policies, systems and processes for conducting effective and timely complaint investigations and compliance audits. The Ombudsman is required to build strong and enduring working relationships with key stakeholders, including the senior staff of government

Page 3 of 23

departments and agencies and private sector organisations, and represent the OCO in a wide range of public forums.

Eligibility

Applicants must have, or be able to hold, an NV2 security clearance. To be eligible for an Australian Government security clearance, you must be an Australian citizen and have a checkable background.

Selection Criteria

To be a strong candidate for this role, applicants will need to be an outstanding leader and manager with well-honed conceptual and analytical skills and an impressive record of achievement. Applicants will have proven ability to coordinate and lead complex investigations and to engage critical senior stakeholders from diverse sectors within the Australian community. This will be complemented by excellent representational skills, sound judgement and a personal style that engenders trust and respect. Experience in administrative law and/or senior government administration would be an advantage for this role.

In accordance with the guidelines on merit-based selection of APS agency heads and statutory office holders, applicants will need to demonstrate their capability against the following criteria:

- Demonstrates high level leadership and vision
 - sets a strategic vision and inspires others to achieve this
 - o innovative in dealing with issues
 - o articulates a clear direction for their organisation
- Manages large and/or complex operations
 - o achieves results within the context of organisational and/or Government policy
 - strong people management skills
 - o strong financial management, ensuring efficient, effective and ethical use of resources
 - o understanding of and commitment to quality organisational governance
- Works with others to meet objectives
 - o operates collaboratively with others to meet organisational objectives
 - cultivates productive relationships
 - listens to people and values different perspectives
- High level of judgement
- Demonstrates a high standard of professional and personal integrity and capacity to promote these in an organisation.

Additional desirable criteria:

- Substantial administrative experience and knowledge of public administration, Government policy, delivery of Government services to the public, administrative review and administrative law
- Demonstrated capacity to conduct major investigations at a very senior level, in an independent and impartial manner.

Page 4 of 23

• A good understanding of political, economic and social issues which may impact on the Office of the Commonwealth Ombudsman.

Terms and conditions

This full-time position is based in Canberra. The successful candidate will be offered an initial appointment term of up to five years.

Remuneration and allowances for this position are set by the Remuneration Tribunal and can be viewed on the <u>Remuneration Tribunal</u> website (Remuneration and Allowances for Holders of Full-time Public Office Determination 2020).

How to apply

Applications must include:

- an expression of interest, of no more than 4 pages, including a statement of claims against the eligibility and selection criteria as outlined
- a comprehensive resume including full particulars of qualifications, experience and expertise
- the names and contact details of at least two referees who have direct and relevant experience of the applicant's work. Applicants will be notified prior to referees being contacted.

Applications should be emailed to appointments@ag.gov.au by 5.00pm (EST) on **Monday,** 28 June 2021.

Contact

Enquiries about the position or application can be emailed to appointments@ag.gov.au.

Assessment process

Applicants will be initially assessed by a panel on their written application. Shortlisted applicants will be further assessed by the panel at interview. Shortlisted candidates will be asked to complete a private interests declaration.

Communication

All advice and communication will be sent to applicants via email. Please ensure the email address provided is correct.

Page 5 of 23

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Australian Government

Commonwealth Ombudsman

Office of the Commonwealth Ombudsman

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THE WEEKEND AUSTRALIAN, JUNE 12-13, 2021 theaustralian.com.au

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Australian Government

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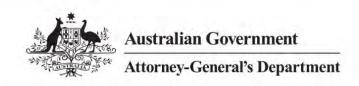
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15 September 2021

Statutory Appointment Assessment Panel Report

Office of the Commonwealth Ombudsman

Commonwealth Ombudsman

VACANCY DETAILS						
Position title:	Commonwealth Ombudsman					
Agency:	Office of the Commonwealth Ombudsman					
Term of appointment:	5 years (maximum appointment term of 7 years)					
Date advertised on APSJobs:	11/6 - 28/6/2021					
Other advertising:	Australian Financial Review (11/6/21); Weekend Australian (12/6/21); Koori Mail (16/6/21); digital ads in Seek, Koori Mail, Lawyers Weekly (11/6 - 28/6/21)					
Scribe name and provider name:	s 47F(1) Hudson Executive					

ASSESSMENT PANEL RECOMMENDATIONS

Assessment Panel membership:

Ms Katherine Jones (Chair) Secretary, Attorney-General's Department

Mr Peter Woolcott AO Australian Public Service Commissioner, Australian Public Service Commission

Ms Jaala Hinchcliffe
Integrity Commissioner, Australian Commission for Law Enforcement Integrity

Seventeen applications were received and considered by the Assessment Panel with three applicants shortlisted for interview. Interviews were held on the 13th of September 2021 with each candidate attending via video conference for a 30-minute interview.

The Panel interviewed the three candidates utilising a set of five questions covering four key areas of capability aligned to the selection criteria. The questions covered the following: demonstrated high level leadership and vision; the ability to manage large and/or complex organisations; the ability to work with others to meet objectives; and demonstrated high level judgement. The Panel then assessed each candidate based on their interview performance and their experience and determined suitability. Following the interviews, one candidate (Mr Iain Anderson) was recommended to progress to reference check stage, which were undertaken by the Panel Chair.

s 47F(1)

The Panel has confirmed that the following candidate rated as suitable for appointment meet all eligibility and selection criteria for appointment as Commonwealth Ombudsman (see **Appendix A**):

Iain Anderson

The Panel recommends the following candidate as the preferred candidate for the role:

Iain Anderson

Signature s 47F(1) s 47F(1)	Name	Ms Katherine Jones	Date	21.9.21
Signature		/Ir Peter Woolcott	Date	21.09.2021
Signature s 47F(1)	Name	Ms Jaala Hinchcliffe	Date	22.9.21

Individual Assessment

CANDIDATE:	lain Anderson
ASSESSMENT:	Highly Suitable
General comments	
s 47F(1)	
The Panel rated Mr Anderso	on as Highly Suitable for the role and is the recommended candidate.

Individual Assessment

ASSESSMENT:	Not Ranked and Not Recommended
CANDIDATE:	s 22(1)

General comments

s 22(1)	is currently the	s 22(1)
		provided a solid application with sound claims against the capabilities
of the role an	d was selected fo	or interview.
s 22(1)		
		The panel didn't pursue comments from referees
for s 22(1)	and agreed s	was Not Ranked or Recommended.

Individual Assessment

CANDIDATE:	s 22(1)
ASSESSMENT:	Not Ranked and Not Recommended

General comments

s 22(1)	is curre	ently	the s 2	2(1)										
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													prov	ided
a solid ap	plication	with	sound	claims	against	the	capabilities	of	the	role	and	was	selected	for
interview.														
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Eligibility and Selection Criteria

Eligibility

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Selection Criteria

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- Works with others to meet objectives
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 - o cultivates productive relationships
 - o listens to people and values different perspectives
- High level of judgement
- Demonstrates a high standard of professional and personal integrity and capacity to promote these in an organisation.

Additional desirable criteria:

- Substantial administrative experience and knowledge of public administration, Government policy, delivery of Government services to the public, administrative review and administrative law.
- Demonstrated capacity to conduct major investigations at a very senior level, in an independent and impartial manner.



ATTORNEY-GENERAL CABINET SECRETARY

Minute Paper for the Executive Council Departmental No. 252 of 2022 Subject **Executive Council** Meeting No. Ombudsman Act 1976 Commonwealth Ombudsman - Appointment 2022 Recommended for the approval of His Excellency the Governor-General in Council that, by instrument in the attached form and under subsection 21(1) of the Ombudsman Act 1976, he appoint Iain Anderson as the Commonwealth Ombudsman for Approved in Council a period of five years beginning on 1 August 2022. David Hurley Governor-General Mark Dreyfus QC Attorney-General Cabinet Secretary Filed in the Records of the Council

Secretary to the Executive Council



Commonwealth Ombudsman - Appointment 2022

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 21(1) of the *Ombudsman Act 1976*, appoint Iain Anderson as the Commonwealth Ombudsman for a period of five years beginning on 1 August 2022.

Dated

2022

David Hurley Governor-General

By His Excellency's Command

Mark Dreyfus QC

Attorney-General Cabinet Secretary

EXPLANATORY MEMORANDUM

Minute No. 252 of 2022 - Attorney-General, Cabinet Secretary

Subject -

Ombudsman Act 1976

Commonwealth Ombudsman - Appointment 2022

The proposed instrument would appoint Iain Anderson as the Commonwealth Ombudsman for a period of five years beginning on 1 August 2022.

The Ombudsman Act 1976 (the Act) provides for the appointment of a Commonwealth Ombudsman and defines their functions and powers. The function of the Commonwealth Ombudsman is to investigate the administrative action taken by Australian Government agencies. The Commonwealth Ombudsman can investigate such actions on the basis of a complaint made by a member of the public or on his or her own motion.

Subsection 4(1) of the Act provides that for the purposes of the Act there shall be a Commonwealth Ombudsman and at least one, and not more than three, Deputy Commonwealth Ombudsmen.

Subsection 21(1) of the Act provides that an Ombudsman shall be appointed by the Governor-General. Section 22 of the Act provides that an Ombudsman holds office for such period, not exceeding seven years, as is specified in the instrument of appointment, but is eligible for re-appointment.

The Minute recommends the appointment of Mr Iain Anderson as Commonwealth Ombudsman for a period of five years commencing on 1 August 2022. Mr Anderson would fill the vacancy that resulted from the resignation of Mr Michael Manthorpe PSM in 2021. The Deputy Commonwealth Ombudsman, Ms Penny McKay, has been acting as Commonwealth Ombudsman since Mr Manthorpe's retirement.

Mr Anderson is considered highly suitable for the position of Commonwealth Ombudsman on the basis of his knowledge and extensive leadership experience.

Mr Anderson is a highly experienced public servant with 31 years in the Australian Public Service, including 24 years in Senior Executive Service positions. Mr Anderson's experience extends across a variety of Commonwealth departments and agencies and across a wide range of legal and social policy areas. Throughout his career, Mr Anderson has displayed a high level of integrity and resilience and has demonstrated that he is capable of exercising the necessary independence required of the Ombudsman.

The Act specifies no conditions that need to be satisfied before the power to make the proposed appointment may be exercised.

Mr Anderson's curriculum vitae is attached.

The Minute recommends that the appointment be made in the form proposed.

Authority: Subsection 21(1) of the Ombudsman Act 1976





TAX INVOICE/ADJUSTMENT NOTE

Master Client Attorney-Generals

Attorney-Generals

[AGSAGR] [2080OP]

@ag.gov.au

Invoice No 36581 Date

Client **Product**

Commonwealth Ombudsman

s 22(1) @ag Attorney-Generals 3-5 National Circuit Barton, ACT, 2600

25/06/2021

Country

Australia

Australia

Schedule

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Page 1 of 1 **Page**

Media Type

Newspapers

Purchase Order Approval No

Attn: s 22(1)

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Finance Fee = WOAGA - Whole of Australian Government Administration Fee Payment due: 30 days from Inv. date. Citibank Sydney BSB 242-000 A/c 232874015

Total Cost

s 47G(1)(a) s 47G(1)(a)

Commission Rebate

Finance Fee WOAGA s 47G(1)(a

Finance Fee **Total Charges Goods and Services Tax Amount Payable**



TAX INVOICE/ADJUSTMENT NOTE

Master Client Attorney-Generals Client

Attorney-Generals Commonwealth Ombudsman [AGSAGR]

@ag.gov.au

Invoice No

36582

Product

[2080OP]

s 22(1) @ag Attorney-Generals 3-5 National Circuit Barton, ACT, 2600

Date

X=SIZE, S=SPOT, P=PACKGE, A=CPA, F=FIXED, K=CPC, M=CPM, %=Perc., C=Cum.Perc.

25/06/2021

Country

Australia

[2080OP]

Page 1 of 1 **Page**

Schedule Media Type

21RAGS2080OP

Govt Advertising Services

Purchase Order

Attn: s 22(1)

Australia

Approval No

	Program / Placement	Duration / Size	Reference	No	Rate and Loading(s)	Total
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Total Cost

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Total Charges Goods and Services Tax Amount Payable



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Master Client Attorney-Generals Client

Attorney-Generals

[AGSAGR]

@ag.gov.au

Invoice No

36583

Product

Commonwealth Ombudsman

[2080OP]

s 22(1) @ag Attorney-Generals 3-5 National Circuit Barton, ACT, 2600

25/06/2021 Date

Country

Australia

Australia

Page 1 of 1

Schedule

[2080OP]

Page

21RAGS2080OP

Media Type Purchase Order Digital Display

Approval No

Attn: s 22(1)

X=SIZE, S=SPOT, P=PACKGE, A=CPA, F=FIXED, K=CPC, M=CPM, %=Perc., C=Cum.Perc.

Date	Program / Placement	Duration / Size	Reference	No	Rate and Loading(s)	Total
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					Total Seek Ltd Current	s 47G(1)(a)

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Total Cost

Commission Rebate

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	s 47G(1)(

Finance Fee **Total Charges Goods and Services Tax Amount Payable**



Invoice No

Date

40176

27/09/2021

TAX INVOICE/ADJUSTMENT NOTE

Master Client Attorney-Generals Client

Attorney-Generals

Commonwealth Ombudsman

Australia Country

Schedule 21RAGS2080OP

Media Type Digital Display

Purchase Order Approval No

Product

s 22(1) @ag Attorney-Generals 3-5 National Circuit @ag.gov.au

Barton, ACT, 2600 Australia

[AGSAGR]

[2080OP]

[2080OP]

Page Page 1 of 1

Attn: s 22(1)

X=SIZE, S=SPOT, P=PACKGE, A=CPA, F=FIXED, K=CPC, M=CPM, %=Perc., C=Cum.Perc.

Date	Program / Placement	Duration / Size	Reference	No	Rate and Loading(s)	Total
Momentum Media Group PL	Lawyers Weekly Online					
Monday 05/07/2021 05/07/2021 - 05/07/2021	Package Original Date 11/06/2021 Cell No 4 AQ 131274	Premium Listing	2080OP / 28	-1	s 47G(1)(a)	s 47G(1)i
	AQ 131274				Total Lawyers Weekly Online	s 47G(1)
					Total Momentum Media Group PL	s 47G(1)
					Total Momentum Media Group PL	

s 47G(1)(a)
Payment due 30 days from date of receipt. Credit card options available. Citibank Sydney BSB 242-000 A/C 232874015

Finance Fee WOAGA

Total Cost

Finance Fee **Total Charges Goods and Services Tax Amount Payable**

s 47G(1 47G(1)

s 47G(1)



Great people. Great performance.

udson G oba Resources (Aust) Pty Ltd ABN: 21 002 888 762

s 22(1)

Attorney-Genera's Department Robert Garran offices Barton ACT 2600 AUSTRALIA

Tax Invoice

Invoice Number: AU1216543
Invoice Date: 13.10.2021
Due Date: 12.11.2021
C ient ID: 1100148
Invoice Currency: AUD

For Professional Services

Description	Qty	Unit Cost	Tax	Price
Scribe Consulting Fees for: Commonwealth Ombudsman Position	1	\$927.27	GST	\$927.27
Job Reference Number: 206755				
		Su	btota :	\$927.27
		GST - 10	0.00%:	\$92.73
			Total:	\$1,020.00

Contact Information

Emai: invoices@hudson.com

Ca: 02 8233 2588 Web: au.hudson.com

udson G oba Resources (Aust) Pty Ltd GPO Box 3951 Sydney NSW 2001 AUSTRALIA

Payment Options

Pay with Credit Card:

Pay in month y insta ments with Procuret:

Pay via e ectronic funds transfer:

Send remittance to: auremittances@hudson.com

Click Here









Bank: Nationa Austra ia Bank Account Number: 21 044 2624 SWIFT: NATAAU3303M

BSB: 082 057

Account Name: udson G oba Resources (Aust)

Pty Ltd

Commonwealth Ombudsman GPO Box 442 CANBERRA ACT 2601

Lisa Collett

Direct Inquiries to: s 22(1) Phone: s 22(1)

Customer Tax Invoice

Invoice Number

6129006

Issue Date **13.04.2022**

Due Date

11.05.2022

Customer Number

222044

Page **1** of **1**

Item Description		No.Units	Amt/Unit	Value
001 Cost recove Ombudsman a process	nppointment	1	s 47G(1)(a)	s 47G(1)(a)
Goods & Sei	vices Tax			0.00
Total (excluding Total GST: Total (including total)			AUD AUD AUD	s 47G(1)(a)

Payment Methods - Direct Debit: Deposit your payment into the following a/c and send an email to xxx.xxxxxxxx@xx.xxx.xx stating the customer number, amount paid, date paid and the invoice number(s) to which the payment applies. Bank Name: Reserve Bank of Australia Bank Address: 20-22 London Circuit, Canberra ACT 2600 Australia

A/C No: 110695 A/C Name: Attorney General's Official Deptl Acct (

BSB: 092009 **Bank**: RBA

SWIFT Code: RSBKAU2S

- Credit Card (Cards accepted: MasterCard, Visa & American Express)

by Phone: Call 1300 453 579 (local call charge) Customer Reference Number: 1116 1290 066

by Fax: Fill out the following details and fax this full page to 02 6141 3563.

- **By Mail:** Please attach this portion to your remittance with cheques/money orders made payable to **Attorney-General's Department** and forward to the Collector of Public Monies:

Attorney-General's Department Robert Garran Offices 3-5 National Circuit BARTON ACT 2600

Due Date	11.05.2022
Customer number	222044
Invoice number	6129006
Amount Owing	s 47G(1)(a)
Amount Paid	
Date Paid	
Other invoices paid in this remittance	