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## A Public Consultation

This appendix outlines the inquiry process and lists the individuals and organisations that have participated.

Following receipt of the terms of reference on 19 March 2009, the Commission placed a notice in the major metropolitan press inviting public participation in the inquiry. It released an issues paper in early April to assist participants to prepare their submissions. Prior to the release of the discussion draft in September 2009, the Commission received 105 initial submissions. After the Commission's discussion draft was released, a further 65 submissions were received (table A.1). Submissions were received from the key stakeholder associations, companies, governance consulting firms, remuneration consultants, proxy advisers, legal firms, unions, academics, retail shareholders and some members of the public.

The Commission conducted meetings and roundtables with a range of interested parties, predominantly in the financial centres of Sydney and Melbourne (tables A.2, A.3, A.6 and A.7). It also sought advice on taxation matters from Professor Rick Krever (Monash University). Commissioners also made presentations to various industry fora (tables A.4 and A.8).

An initial round of public hearings was held in Sydney, Melbourne and Brisbane in June and July, which attracted 30 participants (table A.5). A second round of public hearings was held in Melbourne and Sydney in October and November which attracted a further 18 participants (table A.9).

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**Table A.1 Submissions**

<i>Participant</i>	<i>Submission number<sup>a</sup></i>
Allens Arthur Robinson, Guerdon Assoc, CGI Glass Lewis and Regnan (joint submission)	DD168, DD170
ARAM Investment Services P/L	DD116
Australian Securities and Investments Commission	DD162
ASX Corporate Governance Council	73, DD141
Australian Bankers' Association	70*, DD135
Australasian Compliance Institute	31
Australian Council of Super Investors (ACSI)	71#, DD156
Australian Council of Trade Unions (ACTU)	82
Australian Chamber of Commerce and Industry	47
Australian Employee Ownership Association	76
Australian Human Resources Institute (AHRI)	49, 104, DD114
Australian Industry Group	48, DD151
Australian Institute of Company Directors (AICD)	59#, DD149
Australian Manufacturing Workers' Union	44, DD127
Australian Securities Exchange (ASX)	64, DD142
Australian Shareholders' Association (ASA)	54, DD121
Beattie, David	DD155
BHP Billiton	45, DD143
Bloomfield, David	14
BlueScope Steel	56, DD140
Boral	DD123
Braby, Robert	60
Bradley, Graham	30
Bricknell, Raymond	17
Buchanan, Neil	10
Business Council of Australia (BCA)	101, DD152
Caux Round Table	35
Chartered Secretaries Australia	5, DD147
CGI Glass Lewis and Guerdon Associates	80
Construction, Forestry, Mining and Energy Union (CFMEU)	78
CPA Australia	DD148
CPA Australia, The Institute of Chartered Accountants and the National Institute of Accountants (The Joint Accounting Bodies)	77
CRA Plan Managers	103
Dean, Prof Graeme	67#
Dobson, Lyne	23
Donovan, Andrew and Tunjic, Peter	81
Egan Associates	105*, DD160
Ernst and Young	92, DD136
FIL Investment Management (Australia)	83
Finance Sector Union	39, DD126
Fox, Robert	15
Fraser, Malcolm	DD166

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**Table A.1** (continued)

<i>Participant</i>	<i>Submission number<sup>a</sup></i>
Freehills	46, DD130
Gattenhof, Adrian	DD120
Giles, Jack	5
Gnanadickam, Ravi	29
Guerdon Associates	DD119, DD163
Hay Group	84, DD132
Hector, Donald	DD133
Hicks, Fay	25, DD122
Hills, Rodger	26
Hogbin, Geoff	99, DD134
Holmans Accounting	1
Hundley, Ian	37
In Tempore Advisory	86
Institute of Chartered Accountants in Australia	DD146
International Institute for Self-governance	34
Investment and Financial Services Association (IFSA)	90, DD144
Jacoby, Dr Jack	7
Johnson, Arthur	DD107
Johnson, Jill	27
Kealy, Leonce	20
Klemm, Barrie	68
Kovacevic, Dr Savo (Sam)	43
KPMG	95, DD145
Kyneton Branch ALP	33
La Brooy, Michael	40
Lance, John	79, 97
Law Council of Australia	DD150
Lenehan, Susan	38
Macek, Charles	55
Mackenzie, Dr Colin	88, DD117
Macquarie Group	52, DD157
Maxumise Consulting	69
May, Owen	DD125
Mayne, Stephen	63, 100
McAuley, Ian	11
McGregor, William	24
Mercer	41, DD139
Mercer, Stephen	DD109
Miller, Peter	DD108
Moss, Dr Simon	2
Murray, Andrew	28, DD112
Murrie, Bruce	18

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**Table A.1** (continued)

<i>Participant</i>	<i>Submission number<sup>a</sup></i>
National Australia Bank	DD153
Noonan, Maureen	3
O'Donnell, Carol	16, DD113
Oldfield, Elizabeth	98
Oppeus	61*
Origin Energy	93, DD129
Park, Kenneth	21
Peetz, David	50
Perpetual	DD128
Piljic, Rad	87
Potter, Allan	75, DD115
PricewaterhouseCoopers	85, DD138
Primary Industries and Resources South Australia	66*
Regnan Governance Research and Engagement (Regnan)	72, DD159, DD169
Remuneration Strategies Group	89
Remuneration Tribunal	102
RiskMetrics	58, DD164
Robitaille, Patrick	51
Russell, Rev Michael	DD106
Sainsbury, Mark	DD124
Scampoli, Lou	DD110
Segal, Jillian	DD167
Shah, Rajan	42
Sheehan, Kym	36, DD137
SIMMETHOD	32
Sirtex	DD165
Simpson, Geoff	DD154
Steiner, Carol	6,13
Stekhoven, W Stephen	4
Stern Stewart and Co	53
Stocker, Margrit	62, DD161
Tetley, Tim	94
The Australia Institute	DD131
The HR Nicholls Society	74
Thompson, Ken	19
Tusa, John	22
Unisuper	DD118
Vanderlaan, Michael	9
Versteegen, J and V	12
Wesfarmers	65
West, Norman	DD111
Westpac	DD158
Woldring, Klaas	8
Woolworths	91#

<sup>a</sup> A hash (#) indicates that the submission includes attachments. An asterisk (\*) indicates that the submission includes confidential information not available to the public.

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## Table A.2 Pre discussion draft visits

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*Participant (grouped by visit location)*

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### **Canberra**

Australia's Future Tax System Secretariat  
Treasury

### **Melbourne**

Australian Council of Super Investors  
Australian Council of Trade Unions  
Australian Securities and Investments Commission  
Business Council of Australia  
Deloitte  
Egan Associates  
Ernst and Young  
Hay Group  
KPMG  
Michael Chaney (Chairman of NAB, Woodside Petroleum and Gresham Partners Holdings)  
PricewaterhouseCoopers  
RiskMetrics

### **Sydney**

AMP Capital Investors  
Association of Superannuation Funds of Australia  
Australian Bankers' Association  
Australian Institute of Company Directors  
Australian Prudential Regulation Authority  
Australian Securities Exchange  
Australian Securities and Investments Commission  
Australian Shareholders' Association  
Fidelity International  
Future Fund  
Guerdon Associates  
Intech  
Investment and Financial Services Association  
Schroders Investment Management  
Westpac

### **Brisbane**

Queensland University of Technology

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**Table A.3 Roundtable discussions organised by the Business Council of Australia (pre discussion draft)**

*Participant*

***Roundtable of chief executive officers — Sydney 2 June 2009***

Accenture Australia  
 Alumina  
 Business Council of Australia  
 Credit Suisse Australia  
 CSR  
 Ernst and Young  
 Freehills  
 Macquarie Group  
 Perpetual  
 PricewaterhouseCoopers  
 Thales Australia

***Roundtable of chairman — Sydney 2 June 2009***

Ancor  
 Australian Unity  
 Business Council of Australia  
 Boral  
 Clayton Utz  
 David Jones  
 Freehills  
 Macquarie Group  
 Origin Energy  
 Perpetual

**Table A.4 Commissioner presentations to industry fora (pre discussion draft)**

<i>Commissioner</i>	<i>Forum</i>	<i>Date/s</i>
Gary Banks	Financial Services Institute of Australasia (FINSIA)	3 and 4 June 2009
Allan Fels	Australian Human Resources Institute	17 July 2009

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**Table A.5 Pre discussion draft public hearings**

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*Participant*

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**Sydney 16 June 2009**

CGI Glass Lewis and Guerdon Associates  
Regnan Governance Research and Engagement  
Australian Shareholders' Association  
Dr Klaas Woldring  
Australian Employee Ownership Association/International Institute for Self-governance  
Construction, Forestry, Mining and Energy Union  
Investment and Financial Services Association  
Australasian Investor Relations Association

**Sydney 17 June 2009**

Chartered Secretaries Australia  
Australian Human Resources Institute  
Australasian Compliance Institute  
Rodger Hills  
Maxumise Consulting  
Freehills  
Australian Institute of Company Directors

**Melbourne 24 June 2009**

Dr. Jack Jacoby  
Stephen Mayne  
Ian Hundley  
CPA Australia, the Institute of Chartered Accountants in Australia and the National Institute of Accountants (The Joint Accounting Bodies)  
Remuneration Strategies Group  
Andrew Donovan and Peter Tunjic

**Melbourne 25 June 2009**

Australian Council of Super Investors  
Mercer  
Finance Sector Union  
RiskMetrics  
KPMG  
Norman Geschke

**Brisbane 10 July 2009**

In Tempore Advisory  
Australian Institute of Management  
Effective Governance

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## Table A.6 Post discussion draft visits

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*Participant (grouped by visit location)*

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### **Sydney**

Australian Securities Exchange  
Spencer Stuart

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## Table A.7 Roundtable discussions (post discussion draft)

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*Participant*

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### **Roundtable of chairman and chief executive officers — Sydney 16 November 2009 (organised by the Business Council of Australia)**

ABB Australia  
Accenture Australia  
Allens Arthur Robinson  
Australian Investment Banking Credit Suisse  
Bilfinger Berger  
Boral  
Business Council of Australia  
Commonwealth Bank of Australia  
Downer EDI  
Dupont  
Foxtel  
Freehills  
Mallesons  
Origin Energy  
PricewaterhouseCoopers  
Qantas  
Sinclair Knight Merz  
Suncorp-Metway and TabCorp

### **Diversity Roundtable — Melbourne 23 November 2009**

Katie Lahey  
Siobhan McKenna  
Elizabeth Proust  
Jillian Segal

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**Table A.8 Commissioner presentations to industry fora (post discussion draft)**

<i>Commissioner</i>	<i>Forum Organiser</i>	<i>Date/s</i>
Gary Banks	ACSI	1 October 2009
Gary Banks/Allan Fels	Committee for Economic Development of Australia	7 October 2009
Gary Banks	ACT Economic Society	14 October 2009
Gary Banks	Guerdon Associates, CGI Glass Lewis, Allens Arthur Robinson	19 October 2009
Allan Fels	Mercer	19 October 2009
Robert Fitzgerald	Mercer	23 October 2009
Robert Fitzgerald	Financial Institutions Remuneration Group	23 October 2009
Robert Fitzgerald	KPMG	26 October 2009
Gary Banks	Hay Group	28 October 2009
Gary Banks	Freehills	11 November 2009

**Table A.9 Post discussion draft public hearings**

*Participant*

**Melbourne 27 October 2009**

Australian Human Resources Institute  
Norm West  
Australian Council of Trade Unions

**Sydney 9 November 2009**

KPMG  
Regnan Governance Research and Engagement  
Institute of Chartered Accountants in Australia

**Sydney 10 November 2009**

Guerdon Associates  
Chartered Secretaries Australia  
Australian Institute of Company Directors  
CPA Australia  
Australian Shareholders' Association  
Adrian Gattenhof  
Malcolm Fraser

**Melbourne 13 November 2009**

Ernst and Young  
Hay Group  
Business Council of Australia  
Australian Council of Super Investors  
RiskMetrics