

PILBARA PORTS AUTHORITY — ODYSSEY MARINE

**1004. Hon TJORN SIBMA to the Minister for Ports:**

I refer to the minister's confirmation via answers to questions without notice 960 and 984 on 4 and 5 September that under section 75 of the Port Authorities Act 1999, she requested that the Pilbara Ports Authority provide her with copies of a number of documents relating to the contractual arrangements of a single company, Odyssey Marine, so that she could provide those documents to the State Solicitor's Office for the purpose of it preparing "comprehensive advice on the legal aspects of the Pilbara Ports Authority's dealings with Odyssey Marine".

- (1) Of the myriad services provided under contract across all the state's ports, what is so compelling about the PPA's contract with Odyssey Marine that motivated the exercise of the minister's powers under section 75 of the act—the only occasion on which she has exercised that power in the period she has been Minister for Ports?
- (2) Did the PPA raise any issues with the minister regarding its contract with Odyssey Marine that might explain her course of action; and, if so, when did the PPA raise these issues with the minister, and what was the nature of those issues?
- (3) If no to (2), was the minister encouraged to investigate this contract by any third party; and, if so, who?
- (4) On how many occasions, on which times and dates and by what means did the minister and/or her office prevail upon the PPA, its officers and/or its board members to provide her with the contractual documents?
- (5) When did the minister receive the contractual documents from the PPA, and which specific documents did she receive?
- (6) When did the minister provide those documents to the SSO?

**The PRESIDENT:** That was a very lengthy question.

**Hon ALANNAH MacTIERNAN replied:**

I thank the member. This is a great travesty—a minister actually asks one of her agencies for some documents so that she can understand a decision that has been made! I find it extraordinary that the member sees this as such an amazing thing. But, anyhow, my answer is as follows.

- (1)–(6) This matter was raised with me shortly after I took over the ports portfolio. I undertook to investigate the matters, as the circumstances of the contractual dealings raised some prima facie probity questions. I formally requested advice and documentation from the Pilbara Ports Authority in order to obtain comprehensive advice from the State Solicitor's Office. Copies of the licences for the provision of line boat services and contracts for the provision of port vessel services were provided by the PPA on 1 May 2019 and my office provided them to the SSO on the same day.