



ESTIMATES COMMITTEES STANDING ORDERS

Report No. 7

2004

Published by the Legislative Assembly, Parliament of Western Australia, Perth,
June 2004.



Printed by the Government Printer, State Law Publisher, Western Australia.

Procedure and Privileges Committee

Questions on Notice Report No. 7

ISBN: 1 920830 26 X

(Series: Western Australia. Parliament. Legislative Assembly. Committees.
Procedure and Privileges Committee. Report No. 7)

328.365

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Report No. 7

Presented by:
Mrs Dianne Guise, Deputy Speaker of the Legislative Assembly
Laid on the Table of the Legislative Assembly
on 17 June 2004

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COMMITTEE'S FUNCTIONS, POWERS AND TERMS OF REFERENCE

Legislative Assembly Standing Order No. 282 provides the following functions, powers and terms of reference to the Procedure and Privileges Committee -

Procedure and Privileges Committee

282. (1) A Procedure and Privileges Committee will be appointed at the beginning of each session to —

- (a) examine and report on the procedures of the Assembly; and
- (b) examine and report on issues of privilege; and
- (c) wherever necessary, confer with a similar committee of the Council.

(2) The Procedure and Privileges Committee will have the powers of a select committee.

(3) Membership of the committee will consist of the Speaker and four other members as the Assembly appoints.

(4) Standing Order 278 will apply except that where possible any report of the committee will be presented by the Deputy Speaker.

(5) When consideration of a report from the committee is set down as an order of the day it will be considered using the consideration in detail procedure.

RECOMMENDATIONS

Recommendation No. 1.

That Standing Orders Nos 222, 223 and 230 be deleted and the following new Standing Orders substituted -

Bills referred to estimates committees

222. (1) After the second reading of the Appropriation bill or bills which provide for the main recurrent and capital appropriations, the consideration in detail stage will be replaced by Estimates Committees A and B.

(2) The estimates committees will examine the bills and proposed expenditure contained in the Estimates and report on proposed expenditure by the Parliament and government departments and agencies funded from the Consolidated Fund.

(3) The estimates committees may also examine off-budget public corporations, as determined by the management committee, and ask questions regarding their budgets and operations.

Management committee

223. (1) There will be a management committee which will comprise the Leader of the House, one member nominated in writing to the Speaker by the Premier, and two members similarly nominated by the Leader of the Opposition.

(2) Before the estimates committees first meet, the Leader of the House will present to the Assembly the report of the management committee, which report will prescribe —

- (a) which parts of the Estimates are to be considered by each committee;
- (b) the time allotted for consideration of each part or any division or program of the Estimates and the budgets of those agencies referred to in Standing Order 222 (2) and (3); and
- (c) following consultation with Assembly members, which off-budget public corporations will attend estimates committee's hearings.

(3) On presentation of the report of the management committee, the Speaker will forthwith propose the question, "That the report be adopted." And debate may proceed for a maximum period of one hour on that question and any proposed amendments.

Ministerial advisers

230. (1) Advisers who are present at an estimates committee to assist Ministers will not directly answer questions or otherwise address the committee except with the approval of and in the presence of a Minister or Parliamentary Secretary.

(2) Representatives of off-budget public corporations are treated as Ministerial advisers for the purposes of this Standing Order.

MINISTERIAL RESPONSE

In accordance with Standing Order 277, the Procedure and Privileges Committee directs the Leader of the House to report to the Legislative Assembly as to the action, if any, proposed to be taken by the Government with respect to the recommendation of the Committee.

PROCEDURE AND PRIVILEGES COMMITTEE

1.1. Estimates Committees Sessional Orders

Estimates committees procedures for the last two budgets have included sessional orders as a trial that have allowed examinations by the estimates committees of up to five off-budget public corporations on each occasion. Your Committee believes these trials were extremely successful and accordingly it proposes that this procedure be made permanent and incorporated into the Legislative Assembly's Standing Orders.

1.2. Standing Orders

Your Committee, after reviewing the sessional orders, proposes that two minor amendments be made before incorporation into the Standing Orders: restrictions placed upon the number of off-budget corporations to be examined and the time allotted for each examination should not be included in the proposed new Standing Orders. Your Committee believes these matters should be left to negotiation between the Opposition and the Government, finalised in the report by the Management Committee, and ultimately determined by the House when it considers the report. There is no reason to specify the actual number of off-budget corporations as it is both a minimum and a maximum at the same time. Negotiation should be encouraged. The argument for elimination of the half hour minimum should be eliminated for the similar reasons.

Accordingly your Committee proposes that Standing Orders Nos 222, 223 and 230 be deleted and new Standing Orders substituted in their place.

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