



THIRTY-NINTH PARLIAMENT

REPORT 49
STANDING COMMITTEE ON ESTIMATES AND
FINANCIAL OPERATIONS
PROCEDURE FOR 2013/14 ANNUAL REPORT
HEARINGS

Presented by Hon Ken Travers MLC (Chair)

September 2014

STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

Date first appointed:

30 June 2005

Terms of Reference:

The following is an extract from Schedule 1 of the Legislative Council Standing Orders:

“3. Standing Committee on Estimates and Financial Operations

3.1 *An Estimates and Financial Operations Committee* is established.

3.2 The Committee consists of 5 Members, 3 of whom shall be non-government Members.

3.3 The functions of the Committee are to –

(a) consider and report on –

(i) the estimates of expenditure laid before the Council each year;

(ii) any matter relating to the financial administration of the State; and

(iii) any bill or other matter relating to the foregoing functions referred by the Council;

and

(b) consult regularly with the Auditor General.”

Members as at the time of this inquiry:

Hon Ken Travers MLC (Chair)

Hon Peter Katsambanis MLC (Deputy Chair)

Hon Martin Aldridge MLC

Hon Alanna Clohesy MLC

Hon Rick Mazza MLC

Staff as at the time of this inquiry:

Andrew Hawkes (Advisory Officer)

Kate McConigley (Advisory Officer)

Hannah Moore (Committee Clerk)

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REPORT OF THE STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

REPORT 49: PROCEDURE FOR 2013/14 ANNUAL REPORT HEARINGS

1 PURPOSE OF THE REPORT

- 1.1 The Standing Committee on Estimates and Financial Operations (the Committee) has decided to change its process for considering the Annual Reports laid before the Legislative Council for 2013/14.
- 1.2 Questions Prior to Hearings will be taken for all agencies/departments and the responses will be used to select some of the agencies/departments to appear for hearings. Not all agencies/departments that provide responses to Questions Prior to Hearings will be called to appear before the Committee.
- 1.3 Hearings will take place in two phases, in the first week of November and the second week of December 2014. The November hearings will be for agencies/departments selected by the Committee after consultation with Members. The agencies/departments appearing for the December hearings will be selected based upon their responses to Questions Prior to Hearings (see clause 2.)
- 1.4 In the December hearings, after questions by Committee Members or their nominees, Members who submitted Questions Prior to Hearings for that agency/department will be given priority to ask questions during that hearing.
- 1.5 The 2013/14 Annual Report Hearings Procedure Policy (attached) sets out the requirements in submitting Questions Prior to Hearings and hearing procedures.

2 OPPORTUNITY FOR MEMBERS TO SUBMIT QUESTIONS PRIOR TO HEARINGS FOR ANY AGENCIES OR DEPARTMENTS

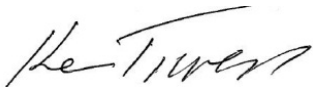
- 2.1 The Committee is inviting Members to submit Questions Prior to Hearing in relation to the 2013/14 Annual Reports for any agencies/departments in which Members have an interest. While public responses to questions will be available for all Members, the Committee will not necessarily have hearings with every agency/department which provides responses.
- 2.2 In determining the agencies/departments to appear at the December hearings, the Committee will base these decisions on the adequacies of the responses received and whether the response raises issues requiring further inquiries.
- 2.3 Members are urged to advise Committee Members when they have received responses to their Questions Prior to Hearings if they consider the responses inadequate.

CLOSING DATE FOR QUESTIONS PRIOR TO HEARINGS

- 2.4 Questions Prior to Hearings can be sent to the Committee email address at lcefoc@parliament.wa.gov.au and must be received by midday on Wednesday, 8 October 2014.
- 2.5 The Committee asks for Members to limit their submissions to a reasonable number of questions for each agency/department, given that departments and agencies will only have ten working days to respond. As per the Committee's Annual Report Hearing Procedure Policy, the Chair has the final say in determining the questions to be forwarded to the agencies/departments.

SCHEDULE FOR ANNUAL REPORT HEARINGS

- 2.6 The Committee will hold Annual Report Hearings with selected agencies on Tuesday, 4 November, Wednesday, 5 November and Friday, 7 November 2014 between 9:30am and 5:00pm.
- 2.7 In addition, the Committee will hold Annual Report Hearings on Monday, 8 December, Tuesday, 9 December and Wednesday, 10 December between 9:30am and 5:00pm.
- 2.8 The Committee will report to the House on the agencies/departments selected and the timetabling of hearings once this has been finalised.



Hon Ken Travers MLC

Chair

25 September 2014

APPENDIX 1
2013/14 ANNUAL REPORT HEARINGS PROCEDURE POLICY

APPENDIX 1

2013/14 ANNUAL REPORT HEARINGS PROCEDURE POLICY

1 CONDUCT OF THE 2013/14 ANNUAL REPORT HEARINGS

- 1.1 The Estimates and Financial Operations Committee (Committee) has the function of considering the annual reports laid before the Council each year. The conduct of the Annual Report Hearings is determined by the Committee in accordance with the Standing Orders of the Legislative Council.
- 1.2 A Member of the Committee will preside over the hearings and has those powers necessary or incidental to the maintenance of the orderly conduct of its proceedings.

2 SELECTION OF AGENCIES TO BE REVIEWED

- 2.1 The Committee will determine which departments/agencies are to be reviewed. Committee Members are authorised to talk to other Members about agencies/departments that they would like to appear and the new process for Questions Prior to Hearings being received for any agency/department.
- 2.2 The Committee is inviting Members of the Legislative Council to submit questions in relation 2013/14 Annual Reports for any agencies/departments in which Members have an interest. The Committee will consider the responses to these Questions Prior to Hearings when determining the agencies/departments to be called to appear.
- 2.3 The Committee will call agencies/departments when inadequate responses to Questions Prior to Hearings have been received, or where the response indicates issues requiring further inquiry. Members who have submitted Questions Prior to Hearing for that agency/department will get priority in the hearing with that agency, along with Committee Members.

3 CIRCULATION OF NOTICES, INVITATIONS AND PROCEDURAL GUIDELINES PRIOR TO THE HEARINGS

- 3.1 At the earliest possible opportunity, the Committee will issue invitations with these Procedural Guidelines attached and reports to the House as follows:
 - a) an invitation to the Chief Executive Officer (CEO) and the responsible Minister/Parliamentary Secretary for each department/agency to be examined by the Committee to attend the hearing, including the date and time of the hearing and this Procedure Policy and reserving the Committee's right to request officers with specific expertise to attend; and
 - b) where practicable, a report to the Legislative Council advising of the timetable for hearings.

4 WITNESS INFORMATION SHEET

- 4.1 Ministerial advisors and departmental/agency staff appearing before the Committee will be requested to complete a "Witness Information Sheet". All the information sought is

necessary to allow Hansard to meet various requirements involved in producing a final and correct document.

4.2 Ministerial staff cannot be a substitute for a Minister/Parliamentary Secretary at a hearing.

5 QUESTIONS PRIOR TO HEARING

5.1 The Committee will receive Questions Prior to Hearing from Members in relation to the 2013/14 Annual Reports for any agency or department.

5.2 Questions Prior to Hearing should be in word format and submitted to the Committee via the Estimates e-mail inbox (lfefoc@parliament.wa.gov.au). They must be received by the Committee Clerk by midday on **Wednesday, 8 October 2014** or as otherwise resolved by the Committee.

5.3 The procedure for handing up Questions Prior to Hearing is as follows:

- a) questions must be provided by electronic e-mail and must clearly identify:
 - the name of the Member asking the question; and
 - the correct name of the department/agency required to answer the question;
- b) each Member may provide a limited number of questions to each department/agency; and
- c) questions must comply in all other respects with this Procedure Policy.

5.4 Questions will be forwarded to the department/agency via the responsible Minister at the discretion of the Chair. The Committee expects to issue all questions by no later than Friday, 10 October 2014 and responses are required to be provided to the Committee Clerk by close of business on Monday, 27 October 2014. Upon receipt of the department/agency's written response, the Committee will consider the answers and make the answer public at their discretion. The responses remain private up until they are made public and published by the Committee.

5.5 Where departments/agencies believe that an answer should not be made public, they should clearly identify that the response is requested to be kept private and state the reasons for this request.

6 ASKING OF QUESTIONS DURING THE HEARING

6.1 Each Member may ask a number of questions at the discretion of the Chair.

6.2 The Chair will facilitate the asking of questions by all Members present at a particular hearing (subject to time constraints).

6.3 The calling of questions is at the Chair's discretion. During the hearings, questions should be directed through, and be acknowledged by, the Chair.

6.4 After questions by Committee Members or their nominees, Members who submitted Questions Prior to Hearings for that agency/department will be given priority during the hearing, followed by other Members, who will be selected to ask questions in rotation and in a balanced and fair way.

6.5 Questions must relate to the 2013/14 Annual Report.

- 6.6 The Chair has the discretion to rule a question out of order.
- 6.7 As a general guide for Members, the rules governing questions in the Chamber will be followed (Standing Orders 104 to 109 inclusive and Standing Orders 181 to 182 inclusive).
- 6.8 Questions will only be permitted during the time allocated for the hearing.

7 QUESTIONS TAKEN ON NOTICE DURING THE HEARING

- 7.1 Questions that are asked during the hearings which the departmental/agency representatives are unable to answer prior to the end of the hearing will be taken on notice. Each question taken on notice during the hearing will be allocated a number by the Chair to facilitate identification of the question in Hansard.
- 7.2 Following each hearing, the Committee Clerk will forward a copy of all questions taken on notice, as they appear highlighted within the uncorrected Hansard, to the office of the Minister responsible for the relevant department/agency, copied to the relevant department/agency CEO.
- 7.3 Departments/agencies responding to questions taken on notice should do so through their responsible Minister.
- 7.4 The department/agency's response to the questions taken on notice during the hearing and other supplementary information should be provided in both hard copy and electronic e-mail, in Word format.
- 7.5 Responses are required from agencies/departments within **ten working days** of the Committee Clerk's initial forwarding date of questions to the responsible Minister, or as otherwise resolved by the Committee.
- 7.6 If a department/agency believes that more time is needed to answer the questions taken on notice during the hearing, it should contact Committee Staff prior to the end of the ten working day period and seek an extension, giving reasons as to why an extension is required.
- 7.7 Where departments/agencies believe that an answer should not be made public and placed on the internet, they should clearly identify that the response is requested to be kept private and state the reasons for this request.

8 ADDITIONAL QUESTIONS

- 8.1 The Chair may (**at their sole discretion**) authorise Additional Questions relevant to the hearings be directed to the relevant department/agency for a response in writing.
- 8.2 Additional Questions should be in word format and submitted to the Committee via the Estimates e-mail inbox (**lcefoc@parliament.wa.gov.au**) as soon as possible after the hearing for forwarding to the department/agency via the responsible Minister.
- 8.3 Responses to these additional questions will be requested from the relevant department/agency within **ten working days** of issue or as otherwise resolved by the Committee.

- 8.4 Upon receipt of the department/agency's written response, the Committee will consider whether the response should be given a private or public status and whether they will be published on the internet.
- 8.5 If a department/agency believes that more time is needed to answer Additional Questions, it should contact Committee Staff prior to the end of the ten working day period and seek an extension, giving reasons as to why an extension is required
- 8.6 Where departments/agencies believe that an answer should not be made public and placed on the internet, they should clearly identify that the response is requested to be kept private and state the reasons for this request.