



***PROCEDURE AND PRIVILEGES
COMMITTEE***

STANDING COMMITTEE DESIGNATION

Report No. 3

2007

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COMMITTEE***

STANDING COMMITTEE DESIGNATION

Report No. 3

Presented by:
Mrs Dianne Guise, MLA,
Deputy Speaker of the Legislative Assembly
on 5 April 2007

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Hon. Fred Riebeling, MLA
(Speaker of the Legislative Assembly)

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(Deputy Speaker and Member for
Wanneroo)

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(Member for Southern River)

Mr Rob Johnson, MLA
(Member for Hillarys)

Mr Max Trenorden, MLA
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STAFF

Clerk to the Committee

Mr John D. Mandy
(Deputy Clerk of the Legislative
Assembly)

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(Clerk of the Legislative Assembly)

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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.

RECOMMENDATION

Recommendation

Your Committee recommends that –

- (1) (a) SO 282 Procedure and Privileges Committee be amended -
 - (i) in suborder (1) by deleting “session” and substituting -
“Parliament”;
 - (ii) by deleting sub order (2).
- (b) SO 282 Procedure and Privileges Committee, as amended, be renumbered as SO 284;
- (2) SO 283 Parliamentary Services Committee be renumbered as SO 282;
- (3) SO 284 Establishment of PAC be renumbered as SO 285;
- (4) SO 285 Powers of PAC be renumbered as SO 286;
- (5) SO 286 General provisions of standing and select committees be renumbered as SO 283;
- (6) SO 288 be deleted;
- (7) SO 289 Appointment of Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 288;
- (8) SO 290 Functions of Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 289;
- (9) SO 291 Membership of Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 290;
- (10) SO 292 Reports of Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 291;
- (11) SO 293 Certain Standing Orders to apply to the Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 292. ”.

STANDING COMMITTEE DESIGNATION - PROCEDURE AND PRIVILEGES COMMITTEE

The Chairman of the Committee, as Speaker, brought to the attention of the Committee an inconsistency in the Standing Orders in relation to the recently adopted changes to the Standing Orders relating to 'single session' Parliaments.

The Procedure and Privileges Committee continues to be identified in the Standing Orders as a 'sessional' committee which is appointed at the beginning of each new session of Parliament. In practice the Committee is appointed at the beginning of a session and continues to function for up to 4 years. Similarly the workload of the Committee has increased substantially in recent years to similar levels experienced by other Standing Committees. Your Committee proposes the Standing Orders be amended to include the Procedure and Privileges Committee as one of the standing committees of the Legislative Assembly.

Your Committee also considered the type of role and activity undertaken by the Legislative Assembly's Parliamentary Services Committee. Your Committee considers the level of activity (approximately 4 meetings per year) and type of business undertaken by the Committee bears little relationship those undertaken by the Assembly's standing committees and therefore proposes the Legislative Assembly's Parliamentary Services Committee continue as a sessional committee.

The proposed changes below delete the word "session" in the standing order for the Procedure and Privileges Committee and substitutes "Parliament". Suborder (2) relating to the PPC having the powers of a Select Committee is also deleted because the Committee will now have the same powers as a standing committee. There is also some minor renumbering of standing orders.

Accordingly, your Committee proposes that -

- (1) (a) SO 282 Procedure and Privileges Committee be amended -
 - (i) in suborder (1) by deleting "session" and substituting -
"Parliament";
 - (ii) by deleting sub order to (2).
- (b) SO 282 Procedure and Privileges Committee, as amended, be renumbered as SO 284.

These changes tidy up the Standing Order in relation to the redesignation of the Committee as a standing committee;

- (2) SO 283 Parliamentary Services Committee be renumbered as SO 282 but remains in the chapter for Sessional Committees;
- (3) SO 284 Establishment of PAC be renumbered as SO 285 - no change;
- (4) SO 285 Powers of PAC be renumbered as SO 286 - no change;
- (5) SO 286 General provisions of standing and select committees be renumbered as SO 283 and becomes a general standing order that applies to all standing committees - it replaces duplicated standing orders and effectively there is no change;
- (6) SO 288 be deleted - duplication of the general provisions of standing and select committees standing order;

- (7) SO 289 Appointment of Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 288 - no change;
- (8) SO 290 Functions of Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 289 - no change;
- (9) SO 291 Membership of Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 290 - no change;
- (10) SO 292 Reports of Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 291 - no change;
- (11) SO 293 Certain Standing Orders to apply to the Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 292 - no change.

The Standing Orders will now read -

“

CHAPTER 25

SESSIONAL COMMITTEE

Parliamentary Services Committee

282. (1) A Parliamentary Services Committee will be appointed at the beginning of each session to advise the Speaker on matters dealing with *Hansard*, Library, Catering and Building Management in the Parliament.

(2) The committee will have power to meet while the Assembly is not sitting, to adjourn from time to time and to confer with a similar committee of the Council.

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

(4) Standing Orders 249, 251, 252, 253, 254, 257, 258, 259, 260 and 261 will apply to the committee.

CHAPTER 26

STANDING COMMITTEES

General provisions of standing and select committees to apply

283. The general provisions for standing and select committees will apply to each standing committee.

PROCEDURE AND PRIVILEGES COMMITTEE

284. (1) A Procedure and Privileges Committee will be appointed at the beginning of each Parliament 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) Membership of the committee will consist of the Speaker and four other members as the Assembly appoints.

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

(4) 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.

PUBLIC ACCOUNTS COMMITTEE

Establishment

285. At the commencement of every Parliament the Assembly will appoint a Public Accounts Committee to inquire into and report to the Assembly on any proposal, matter or thing it considers necessary, connected with the receipt and expenditure of public moneys, including moneys allocated under the annual Appropriation bills and Loan Fund.

Powers of committee

286. The Committee may —

- (1) Examine the financial affairs and accounts of government agencies of the State which includes any statutory board, commission, authority, committee, or trust established or appointed pursuant to any rule, regulation, by-law, order, order in Council, proclamation, ministerial direction or any other like means.
- (2) Inquire into and report to the Assembly on any question which —
 - (a) it deems necessary to investigate;
 - (b) is referred to it by resolution of the Assembly;
 - (c) is referred to it by a Minister; or
 - (d) is referred to it by the Auditor General.
- (3) Consider any papers on public expenditure presented to the Assembly and such of the expenditure as it sees fit to examine.
- (4) Consider whether the objectives of public expenditure are being achieved, or may be achieved more economically.

PORTFOLIO-RELATED STANDING COMMITTEES

Appointment and functions

287. (1) At the commencement of every Parliament the Assembly will appoint three portfolio-related standing committees, namely —

- (a) Community Development and Justice;
- (b) Education and Health;
- (c) Economics and Industry.

(2) The functions of each committee are to review and report to the Assembly on —

- (a) the outcomes and administration of the departments within the committee's portfolio responsibilities;

- (b) annual reports of government departments laid on the Table of the House;
- (c) the adequacy of legislation and regulations within its jurisdiction; and
- (d) any matters referred to it by the Assembly including a bill, motion, petition, vote or expenditure, other financial matter, report or paper.

(3) At the commencement of each Parliament and as often thereafter as the Speaker considers necessary, the Speaker will determine and table a schedule showing the portfolio responsibilities for each committee. Annual reports of government departments and authorities tabled in the Assembly will stand referred to the relevant committee for any inquiry the committee may make.

JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

Appointment

288. At the commencement of every Parliament, a Joint Standing Committee on the Corruption and Crime Commission will be appointed by resolution of the Assembly and forwarded to the Council for its concurrence.

Functions

289. It is the function of the Joint Standing Committee to –

- (a) monitor and report to Parliament on the exercise of the functions of the Corruption and Crime Commission and the Parliamentary Inspector of the Corruption and Crime Commission;
- (b) inquire into, and report to Parliament on the means by which corruption prevention practices may be enhanced within the public sector; and
- (c) carry out any other functions conferred on the Committee under the *Corruption and Crime Commission Act 2003*.

Membership

290. The Joint Standing Committee will consist of four members, of whom —

- (a) two will be members of the Assembly; and
- (b) two will be members of the Council.

Reports

291. A report of the Joint Standing Committee will be presented to the Assembly and the Council by members of the Joint Standing Committee nominated by it for that purpose.

Certain Standing Orders to apply

292. Without limiting the effect of anything contained in Standing Orders 289 to 292, the Standing Orders of the Assembly relating to standing and select committees will be followed as far as they can be applied.

293. (*Intentionally left blank*) ”.

Recommendation

Your Committee recommends that –

- (1) (a) SO 282 Procedure and Privileges Committee be amended -
 - (i) in suborder (1) by deleting “session” and substituting -
“Parliament”;
 - (ii) by deleting sub order (2).
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- (9) SO 291 Membership of Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 290;
- (10) SO 292 Reports of Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 291;
- (11) SO 293 Certain Standing Orders to apply to the Joint Standing Committee on the Corruption and Crime Commission be renumbered as SO 292. ”.

HON. FRED RIEBELING, MLA
 CHAIRMAN TO THE COMMITTEE
 5 April 2007