

LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Standing Committee of Public Accounts

Annual Report

1 July 2009 — 30 June 2010

Report deemed as
a Tabled Paper in
the Legislative
Assembly, on
2 December 2010

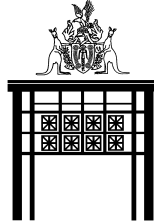
Standing Committee of Public Accounts

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1 July 2009 — 30 June 2010

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LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
11th Assembly

Standing Committee of Public Accounts

The Honourable Jane Aagaard MLA
Speaker
Legislative Assembly of the Northern Territory
GPO Box 3721
DARWIN NT 0801

1 December 2010

Dear Madam Speaker,

On behalf of the Standing Committee of Public Accounts and in accordance with section 21A of the Standing Orders of the Legislative Assembly of the Northern Territory, I submit this Annual Report on the activities, staffing and operations of the Committee for the financial year ending 30 June 2010.

I ask that this report be deemed as a Tabled Paper in the Legislative Assembly.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'MJG', with a long, sweeping horizontal line extending to the right.

MICHAEL GUNNER MLA
Chair

Chair's Overview

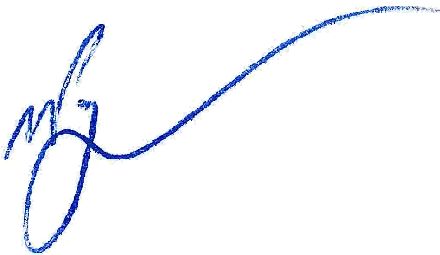
This annual report is to advise the Legislative Assembly of the Northern Territory of the Committee's activities, staffing and operations over the past 12 months.

The Committee's inquiry into self-referencing powers for the Committee was resolved through careful consideration of existing provisions within the Terms of Reference.

The Committee's inquiry into internal audit and control processes for NT Government Agencies has taught Committee members a great deal about the administrative processes used by Agencies to ensure the appropriate controls are in place for risk management and administrative management of accounts payable, credit card management, travel and procurement. Although the Committee is not yet ready to report on this inquiry, the Committee is so far assured that the right and effective processes are in place or being developed for implementation for internal audit function and internal control processes. The Committee hopes to conclude this inquiry in the very near future.

The changes to the Estimates Committee process had a positive impact on the process overall. Most notable were the increased number of hours, the addition of a 5th day and the changes to the Terms of Reference in regard to Estimates questions. This was the Legislative Assembly's 9th year of Estimates Committees.

The matters that have come before the PAC in the period to 30 June 2010 have engaged the Committee in robust discussion and investigation during meetings and briefings. Genuine bi-partisanship has been shown throughout all Committee activities. On behalf of the Committee, I commend this Annual Report to the House.



Mr. Michael Gunner, MLA

Committee Members



Mr. Michael GUNNER, MLA

Member for Fannie Bay

Party: Australian Labor Party

Parliamentary Position: Government Whip

Committee Membership:

Standing: Legal and Constitutional Affairs; Public Accounts; Standing Orders; Subordinate Legislation and

Publications; Members' Interests

Sessional: Environment and Sustainable Development; Council of Territory Co-operation

Other: Statehood Steering Committee

Chair: Public Accounts; Estimates, Subordinate Legislation and Publications



Ms. Marion SCRYMGOUR, MLA

Member for Arafura

Party: Australian Labor Party

Committee Membership:

Standing: Legal and Constitutional Affairs; House; Subordinate Legislation and Publications

Sessional: Environment and Sustainable Development; Council of Territory Co-operation

Chair: Environment and Sustainable Development



Ms. Lyn WALKER, MLA

Member for Nhulunbuy

Party: Australian Labor Party

Parliamentary Position: Deputy Speaker

Committee Membership:

Standing: Public Accounts

Sessional: Environment



Mr. John ELFERINK, MLA

Member for Port Darwin

Party: Country Liberals

Parliamentary Position: Manager of Opposition Business; Shadow Minister for Treasury, Public Employment and Essential Services

Committee Membership:

Standing: Public Accounts

Sessional: Environment and Sustainable Development



Mr. David TOLLNER, MLA

Member for Fong Lim

Party: Country Liberals

Parliamentary Position: Shadow Minister for Business and Employment; Tourism; Defence Support

Committee Membership:

Standing: Legal and Constitutional Affairs

Sessional: Environment and Sustainable Development



Mr. Gerry WOOD, MLA

Member for Nelson

Party: Independent

Committee Membership:

Standing: Public Accounts, Estimates

Sessional: Environment and Sustainable Development, Council of Territory Co-operation

Chair: Council of Territory Co-operation

Committee Secretariat

Committee Secretary: Mr Graham Gadd

Research Officer: Ms Maria Viegas

Administrative Assistant: Ms Kim Cowcher

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1. INTRODUCTION

Establishment of Committee

The Northern Territory Standing Committee of Public Accounts (PAC) is established by Standing Order 21A of the Legislative Assembly of the Northern Territory.

Functions of the Committee

The PAC derives its authority from the *Northern Territory (Self-Government) Act* (Cth), the *Legislative Assembly (Powers and Privileges) Act* (NT) and Standing Orders of the Northern Territory Legislative Assembly.

Under its Terms of Reference, the PAC can inquire into and report to the Legislative Assembly on any question in connection with the public accounts of the NT as it deems necessary as well as any matter referred to it by the Assembly, Administrator or any Minister. The complete Terms of Reference of the PAC are at Appendix A.

Powers of the Committee

Under its Terms of Reference the Committee has power to appoint sub-committees and to refer to any such sub-committee any matter that it is empowered to examine. Three members constitute a quorum of the Committee and three members constitute a quorum of a sub-committee.

The Committee or any sub-committee has the power to:

- (a) send for persons, papers and records;
- (b) to adjourn from place to place;
- (c) to meet and transact business in public or private session;
- (d) to sit during any adjournment of the Assembly;
- (e) print from day to day such papers and evidence as may be ordered by it; and
- (f) unless otherwise ordered by the Committee, a daily Hansard shall be published of such proceedings of the Committee as they take place in public.

In the reporting period, no sub committees were established.

2. COMMITTEE PROGRAMME

Committee Meetings

During the reporting period the Committee met four times. These meetings were held on the following days:

13 October 2009;
 23 February 2010;
 5 May 2010; and
 8 June 2010.

The meeting of 8 June 2010 was a meeting of the PAC, Estimates Committee and Government Owned Corporation Scrutiny Committee, all 3 committees having the same membership.

A summary of Deliberative Meetings held during the year follows in Table 1.

Table 1: Summary of Deliberative Meetings

Meeting No.	Date	Key Agenda Items
8	13 October 2009	<ul style="list-style-type: none"> Proposed self-referencing provision in the PAC Terms of Reference. Committee request for appropriate officer from the Department of the Chief Minister to brief the PAC on increases in employee expenses in the 4th Quarter of the Ministerial Expenditure Statement for the financial year ending 30 June 2009.
9	23 February 2010	<ul style="list-style-type: none"> ACPAC Biennial Conference 2011 Consideration of transcripts of briefings from Treasury on 13 October 2009, DBE on 15 October 2009 and DET on 15 October 2009.
10	5 May 2010	<ul style="list-style-type: none"> Auditor-General's November 2009 and February 2010 reports to the Legislative Assembly. The Committee noted that both reports had been debated and dealt within the Chamber. It was agreed to seek a briefing from the Auditor-General on the reports, particularly in relation to Power Water and the Territory Wildlife Park. Estimates Committee 2010 business: order of establishment; Terms of Reference, election of Deputy Chair, schedule of Ministers' appearances and schedule of ministerial portfolios and outputs.
11	8 June 2010	<ul style="list-style-type: none"> Estimates Committee business: schedule of time allocations to Departments per portfolio, press facilitation and cameras, Schedule of Ministerial Appearance and Ministers Appearance by Output Groups

In addition to the deliberative meetings, the Committee received six briefings. Five briefings were in relation to the Committee's internal audit and controls inquiry (more detail below) and one from the Auditor-General received on 8 June 2010 in relation to his November 2009 and February 2010 reports to the Legislative Assembly. The key issues covered in the briefing from the Auditor-General included Royal Darwin Hospital Management Board and Trustee compliance issues i.e. trust deeds and trust operations for the use of public hospital facilities by private practitioners to treat private patients.

Inquiries

Self-referencing powers of the Committee

This inquiry arose out of a Notice of Motion moved by the Member for Port Darwin during the August 2009 sittings to consider self referencing powers for the PAC. As a result of the debate in the House, the Committee was to further report in November 2009. However, in between time, the Committee agreed that the self-referencing question was satisfied by the ability of the Committee under Terms of Reference 21A (2)(b) to:

report to the Legislative Assembly with such comments as it thinks fit, any items or matters in or arising in connection with those accounts, statements or reports, or in connection with the receipt or disbursement of the moneys to which they relate, to which the committee is of the opinion that the attention of Parliament should be drawn;¹

Internal Audit and Control Processes

The Committee also continued its inquiry into internal audit and internal control processes of NT Government Agencies. The inquiry referred to the PAC by the Treasurer in September 2008², requires the Committee to assess the level of controls NT Government Agencies have for accounts payable, credit card management, procurement and travel procedures. To this end, the Committee received the following briefings during the reporting period:

- 13 October 2009; Treasury
- 15 October 2009; Department of Business and Employment

¹ Legislative Assembly of the Northern Territory, Standing Orders, 21A (2) (b)

² Referral letter from the Treasurer is at Appendix C.

- 15 October 2009; Department of Education and Training
- 23 February 2010; Department of Health and Families, Part 1
- 25 February 2010; Department of Health & Families, Part 2

The Committee is in the process of drafting its final report but anticipates receiving at least two further briefings before the draft report is finalised for consideration. This includes a briefing from the Department of Health and Families on its Risk Management and Assurance Framework.

Estimates Committee and Government Owned Corporations Scrutiny Committee 2010

The PAC sat as the Estimates Committee for 2010 and conducted hearings on Friday 11 June and from Tuesday 15 to Friday 18 June 2010 to examine the proposed expenditure contained in the schedule to the Appropriation Bill 2010 - 2011.

The PAC sat as the Government Owned Corporations Scrutiny Committee on 18 June 2010.

The Chair's reports on the Estimates Committee and the Government Owned Corporations Scrutiny Committee were tabled in the Legislative Assembly on 18th June 2010.

The total number of hours of Estimates hearings increased by more than 7 hours from 42 hours, 45mins to 50 hours. There was the addition of a fifth day to the Estimates Committee timetable. The effect of those changes was to provide more time for the examination of the Appropriation Bill 2010 - 2011.

This year there was an increase in time for questioning of the Government Owned Corporation, Power and Water, from 2 to 3 hours. This increased time was effectively used by the Committee.

The maximum number of hours that a Minister could appear was increased to 7 hours. This saw an increase in total questioning hours for several Ministers from previous years.

There were also changes to the Estimates Committee Terms of Reference for paragraphs 23, 24, and 25 covering questions and answers.³ Initial questions still needed to be directed through the Minister or Chair, but subsequent questions could be answered directly by the departmental officials present. This change in the terms of reference reflected the often conversational nature of estimates questioning, where practical.

This year, Estimates Committee hearings began with the Treasurer as the first Minister to be questioned, rather than the Speaker as in previous years. This important change allowed for the overall picture of service wide appropriations for 2010 - 2011 to be examined from the outset.

There was an increase in the total number of questions taken on notice during the proceedings. There are 169 questions on notice this year, four of which were for Power and Water. The number of questions represents an increase of 39 questions on last year. Twenty-four questions were responded to in writing during the hearings. All questions taken on notice and answers are available on the Department of the Legislative Assembly website.⁴

As in previous years, the substitution of members on the committee was set within certain parameters providing Opposition Shadow Ministers the opportunity to question Ministers and agency officers and also provided flexibility for members to be present when specific portfolios were being scrutinised.

There was an informal time sharing agreement reached amongst members of the Estimates Committee for the Opposition and Independents, and an informal roster for Agencies. The flexibility of all concerned allowed not just this part but the entire Estimates Committee process to run smoothly.

Future Programme

The Committee has an increased programme of meetings arranged for the latter part of 2010 together with briefings from a number of Agencies and Parliamentary Officers. Hearings and inquiries for its outstanding inquiry reference will be finalised in 2010 with a view to the Committee reporting in early 2011.

³ See 2010 Estimate Committee Terms of Reference at Appendix D.

⁴ Legislative Assembly of the Northern Territory, Estimates Committee 2010, Questions on Notice, <http://www.nt.gov.au/lant/hansard/hansard.shtml>, at 2 September 2010

3. COMMITTEE SECRETARIAT

Administration and Staffing

Each Parliamentary Committee is provided with a support team from the Parliamentary Committee Secretariat. During the reporting period the PAC Committee Secretariat consisted of:

Dedicated Staff

- 1 x Secretary (AO8) – permanent fulltime until April 2010. From April 2010 to current, this role is being fulfilled by the Clerk Assistant Chamber Services (EO1) in addition to the officer's other responsibilities.
- 1 x Research/Administrative Assistant (AO4) – permanent.

Shared Committee Support Staff

- 1 x AO7 Inquiry Secretary/ Research Officer from April 2010 to provide assistance to the Estimates Committee as well as research officer and report writer for PAC inquiries (shared resource with other Parliamentary Committees).
- 1 x Committee Support Assistant (AO2) – permanent full-time (shared resource with other Committees).

PAC Secretariat Objective

The objective of the PAC Secretariat is to support the Standing Committee of Public Accounts by providing the necessary expertise to enable the PAC to carry out its functions.

Employee and Administrative Expenditure 2009 - 2010

EXPENSES - EMPLOYEE	\$
Allowances	54
Payroll Tax	3
Total Expenses - Employee -	58
Expenses - General	
Bank Charges	19
Consumables / General Expenses	19
Document Production	157
Entertainment / Hospitality	4,299
Membership and Subscriptions	209
Office Requisites & Stationery	282
Training and Study Expenses	220
Total Expenses - General	5,206
TOTAL EXPENSES	5,263
NET SURPLUS / (DEFICIT) REVENUE LESS TOTAL EXPENDITURE	5,263

The above operational expenditure is directly attributable to the PAC. All other operational expenditure of the Committee for example Information Technology charges, library services or document production are attributable to the Parliamentary Committee Secretariat as a whole.

Estimates Committee Administrative Expenditure 2009 - 2010

Expenses - General	\$
Consumables / General Expenses	
Document Production	119
Information Technology Charges	8,099
IT Consultants	692
Total Expenses - General	8,910
TOTAL EXPENSES	8,910
NET SURPLUS / (DEFICIT) REVENUE LESS TOTAL EXPENDITURE	8,910

The staff assigned to support the PAC, support the Estimates Committee. The above operational expenditure is directly attributable to the Estimates Committee. Staffing and other operational expenditure is attributed to the PAC or the Parliamentary Committee Secretariat as a whole.

APPENDICES

Appendix A: Standing Committee of Public Accounts Terms of Reference

(Section 21A of the Standing Orders)

- (1) A Standing Committee of Public Accounts to consist of five members shall be appointed at the commencement of each Assembly.
- (2) The duties of the committee shall be -
 - (a) to examine the accounts of the receipts and expenditure of the Northern Territory and each statement and report tabled in the Legislative Assembly, pursuant to the *Financial Management Act* and the *Audit Act*;
 - (b) to report to the Legislative Assembly with such comments as it thinks fit, any items or matters in or arising in connection with those accounts, statements or reports, or in connection with the receipt or disbursement of the moneys to which they relate, to which the committee is of the opinion that the attention of Parliament should be drawn;
 - (c) to report to the Legislative Assembly any alteration which the committee thinks desirable in the form of the public accounts or in the method of keeping them or in the method of receipt, control, issue or payment of public moneys;
 - (d) to inquire into and report to the Legislative Assembly on any question in connection with the public accounts of the Northern Territory -
 - (i) which is referred to it by a resolution of the Assembly; or
 - (ii) which is referred to it by the Administrator or a Minister; and
 - (e) to examine the reports of the Auditor-General tabled in the Legislative Assembly with the accounts of an Agency of the Northern Territory, including any documents annexed or appended to those reports, pursuant to the *Audit Act*.
- (3) The committee shall examine only those accounts of receipts and expenditure of the Northern Territory and reports of the Auditor-General for financial years commencing after 30 June 1986 provided that this shall not prevent the consideration by the committee of matters included in reports of the Auditor-General for the year ending 30 June 1986 which have or may have a continuing effect on the form of the public accounts, the method of receipt, control issue or payment of public moneys.
- (4) Prior to determining whether to undertake an inquiry into any matter which may have arisen in connection with the public accounts of the Northern Territory, pursuant to paragraphs (2)(a) and (e), with the concurrence of the committee, the Chairman is empowered to write to the Chief Executive Officer of the relevant agency for a report on the matter.

- (5) The Committee shall take care not to inquire into any matters which are being examined by a Select Committee of the Assembly especially appointed to inquire into such matters and any question arising in connection therewith may be referred to the Assembly for determination.
- (6) The committee shall elect a Government Member as Chairman.
- (7) The Chairman of the Committee may, from time to time, appoint a member of the committee to be the Deputy Chairman of the Committee and the Member so appointed shall act as Chairman of the Committee at any time when there is no Chairman or when the Chairman is not present at a meeting of the committee.
- (8) In the event of an equality of voting, the Chairman, or the Deputy Chairman when acting as Chairman, shall have a casting vote.
- (9) The committee shall have power to appoint sub-committees and to refer to any such sub-committee any matter which the Committee is empowered to examine.
- (10) Three Members of the committee shall constitute a quorum of the committee and two Members of a sub-committee shall constitute a quorum of the sub-committee.
- (11) The committee or any sub-committee shall have power to send for persons, papers and records, to adjourn from place to place, to meet and transact business in public or private session and to sit during any adjournment of the Assembly.
- (12) The committee shall be empowered to print from day to day such papers and evidence as may be ordered by it and, unless otherwise ordered by the committee, a daily *Hansard* shall be published of such proceedings of the committee as take place in public.
- (13) The committee may proceed to the dispatch of business notwithstanding that all Members have not been appointed and notwithstanding any vacancy.
- (14) The committee shall report annually and shall have leave to report from time to time and to report its proceedings and evidence taken; and any Member of the committee shall have power to add a protest or dissent to any Report.
- (15) Unless otherwise ordered by the committee, all documents received by the committee during its inquiry shall remain in the custody of the Assembly provided that, on the application of a department or person, any document, if not likely to be further required, may, in the Speaker's discretion, be returned to the department or person from whom it was obtained.
- (16) The committee shall be provided with all necessary staff, facilities and resources and shall be empowered, with the approval of the Speaker, to appoint persons with specialist knowledge for the purposes of the committee.

Appendix B: Inquiry Referral from the Treasurer



Treasurer

Parliament House
State Square
Darwin NT 0800
minister.lawrie@nt.gov.au

GPO Box 3146
Darwin NT 0801
Telephone: 08 89014047
Facsimile: 08 89014169

DOCUMENT 1
PAGE 1 OF 1

Mr Gerry McCarthy
Chair, Public Accounts Committee
Legislative Assembly of the Northern Territory
Parliament House, Darwin NT

Dear Mr McCarthy,

RE: Public Accounts Committee – Agency Internal Audit Processes

The Auditor-General provides a Report to Parliament twice a year, outlining the results of agency audits conducted over the previous six month period. On a number of occasions his Report has indicated that some further investigation on agency internal control processes would be worthwhile.

He has not found instances where this has resulted in a serious issue, however due to the limitation of some internal controls, there may be a potential risk to Government.

It would be of significant benefit to the Legislative Assembly and government agencies if the Public Accounts Committee could investigate and assess the level of internal controls agencies have in place for a range of processes, including:

- Accounts payable;
- Credit card management; and
- Procurement and travel procedures.

Yours sincerely


DELIA LAWRIE

16.9.08



Appendix C: Estimates Committee 2010 Terms of Reference

ESTIMATES COMMITTEE 2010/2011

TERMS OF REFERENCE

A. INTRODUCTION

1. That, notwithstanding anything contained in Standing Orders and Sessional Orders there be appointed an Estimates Committee of the Legislative Assembly for the purposes of examining and reporting on the estimates of proposed expenditure contained in the Appropriation Bill 2010/2011.
2. That the Schedule to the Appropriation Bill 2010/2011 and related budget documents be referred to the Estimates Committee for examination and report on proposed expenditure when the Bill has been presented.
3. That the Committee may not vote on but may examine and report on the proposed expenditure contained in the Bill by no later than 18 June 2010.
4. That the Committee examine the proposed expenditure contained in the Bill by portfolio units in accordance with the Schedule published by the Estimates Committee and that the proposed expenditure be considered on an output by output basis for each portfolio unit.
5. That the Committee consider the *Appropriation Bill* and related Budget Papers. To the extent that transactions of other public sector entities are included in the Budget Papers, these transactions can be questioned by the Committee. This would apply to Community Service Obligations paid to and dividends received from the Power and Water Corporation, a Government Owned Corporation under the *Government Owned Corporations Act*. The Statement of Corporate Intent for the Power and Water Corporation for 2010/2011 stands referred to the Government Owned Corporations Scrutiny Committee.

B. MEMBERSHIP

6. The membership of the Estimates Committee shall consist of the membership of the Public Accounts Committee.
7. The Chairman of the Public Accounts Committee shall be the Chairman of the Estimates Committee.
8. The Committee, before the commencement of business, shall elect one of its members to be Deputy Chairman.
9. Other Members of the Assembly may not vote on any matters before the Committee.
10. Other Members of the Assembly may participate in public hearings of the Committee, provided that at any time participating Members are limited to seven (7) Members comprising the Chair, two (2) Government Members, three (3) Opposition Members and one (1) Independent Member.
11. Members may be substituted from time to time, subject to notification to the Chairman, and in accordance with conditions provided for in paragraph 10 above.

12. The Committee may proceed with business despite a vacancy in its membership.
13. The Chairman of the Committee and the Deputy Chairman when acting as Chairman shall have a deliberative and a casting vote.
14. The quorum of the Committee is to be 4 of the members of the Committee.
15. If at any time a quorum is not present, the Chairman will suspend proceedings of the Committee until a quorum is present, or adjourn the Committee until a time and/or date to be fixed.

C. SITTING TIMES

16. The Estimates Committee will meet in accordance with the dates and times in the Schedule adopted by the Assembly or as otherwise ordered by the Committee and advised by the Chairman.
17. Unless otherwise ordered by the Committee the Committee shall sit during the following periods:
 - (a) on Friday 11 June 2010;
 - (b) on Tuesday 15 June, 2010;
 - (c) on Wednesday 16 June, 2010;
 - (d) on Thursday 17 June, 2010;
 - (d) on Friday 18 June, 2010; and
 - (e) the Committee arrange by published schedule the order, time allotted to Ministers, Speaker and Government Owned Corporation up to a maximum of 7 hours for each Minister and Government Owned Corporation hearing; and the overall maximum time for questioning during the Estimates and Government Owned Scrutiny Committees hearings being 50 hours;
 - (f) the Committee may suspend the hearings from time to time.
18. The Estimates Committee may sit only when the Assembly is not sitting.

D. HEARING PROCEDURE

19. All hearings of the Estimates Committee are open to the public unless the Committee otherwise orders.
20. The Committee will consider proposed expenditure on an output by output basis, following procedures agreed to by the Estimates Committee in accordance with the other provisions of this Order and Standing Orders.

21. Unless the Committee otherwise determines, the Minister (or Speaker) may make an opening statement lasting up to five (5) minutes which may be extended with the leave of the Committee.
22. Members of the Committee may ask for explanations from a Minister (or Speaker) relating to proposed expenditure and outputs.
23. An initial question should be directed to the Minister (or Speaker) in the first instance and then officers of the relevant departments may provide assistance to a Minister (or Speaker) in providing information. Ministers (or Speaker) may defer to the Chief Executive Officer (who may defer to another officer) who may then be directly questioned on subsequent questions on the same subject. Questions may be ruled by the Chair as not appropriate for an officer to answer, whereupon a Minister (or Speaker) may choose to provide information or take such matters on notice.
24. Officers may answer questions at the request of the Minister (or Speaker), but shall not be required to comment on policy matters, including giving an opinion and the Minister (or Speaker) or CEO may at any time intervene and answer questions that are asked of departmental officers.
25. All questions should conform to Standing Orders 112, 113 and 114 (general rules for questions).

E. QUESTIONS TAKEN ON NOTICE AT HEARINGS AND ADDITIONAL INFORMATION

26. The Minister (or Speaker) may advise the Estimates Committee that an answer to a question or part of a question will be provided later to the Committee.

At that time the Chairman shall note the question or that part of the question taken on notice and any clarification required. The text of questions on notice will be distributed to the Minister (or Speaker) by the Committee Secretariat.

27. A Minister (or Speaker) may also give the Committee additional information about an answer given by them or on their behalf.
28. The additional information or answer, is to be written and given by a time decided by the Committee and may be included in a volume of additional information to be laid on the table of the Assembly by the Chairman of the Committee at the time of its report or at a later date, which shall be no later than the next sittings of the Assembly and may be authorised for publication by the Committee prior to that material being tabled in the Assembly.

F. HANSARD REPORT AND OTHER TABLED DOCUMENTS

29. The Clerk of the Legislative Assembly is authorised to publish an unedited transcript of the Estimates Committee proceedings in a manner similar to that used for the daily *Hansard* as soon as practicable after the Committee's proceedings are concluded.
30. Evidence taken in public by the Committee and documents presented to the Committee are deemed to be authorised for publication by the Committee, unless the Committee otherwise orders.

31. The provisions of Standing Order 274 and section 22 of the *Legislative Assembly (Powers and Privileges) Act* as applicable to the Committee, are limited to documents prepared for and submitted to the Committee, evidence taken by the Committee or a report of such evidence.

G. BROADCASTING AND TELEVISIONING OF PROCEEDINGS

32. Sound and vision broadcast and re-broadcast of the hearings of the Estimates Committee will be allowed, subject to the same conditions which apply to the sittings of the Assembly and as determined by the Committee.

H. DISORDER

33. At an Estimates Committee hearing the Chairman may, after a warning, order any Member of the Assembly whose conduct, in the opinion of the Chairman, continues to be disorderly or disruptive to withdraw from the Committee for a period of 1 hour.
34. A member ordered to withdraw in accordance with the direction of the Chairman must immediately withdraw for the stated period.
35. If a Member persistently disrupts the business of the Committee:
- (a) The Chair may name the Member;
 - (b) If the Member named is a member of the Estimates Committee, suspend the sittings until the Chair has reported the offence to the Speaker;
 - (c) If the Member named is not a member of the Estimates Committee, orders that the Member withdraw from the sittings of the Committee until the Chair has reported the offence to the Speaker.
36. As soon as practicable, the Chair advises the Speaker who then gives notice that the member of the Estimates Committee be replaced.
37. If any objection is taken to a ruling or decision of the Chair:
- (a) The objection must be taken at once and stated in writing;
 - (b) The Chair as soon as practicable advises the Speaker who makes a ruling on the matters; and
 - (c) The Estimates Committee may continue to meet but not further examine the matter then under consideration and which is the subject of the objection.

I. REPORT OF ESTIMATES COMMITTEE

38. A report of the Estimates Committee will be presented by the Chairman to the Committee-of-the-Whole Assembly and the report should contain any resolution or expression of opinion of the Committee.

-
39. When the Report of the Estimates Committee is presented it shall be taken into consideration forthwith, together with the Report of the Government Owned Corporations Scrutiny Committee.
40. The following time limits shall apply to consideration of the reports of the Committees on the question:
- "that the proposed expenditure be agreed to and that the resolutions or expressions of opinion as agreed to by the committees in relation to the proposed expenditure or outputs with reference to the Appropriation Bill 2010/2011; and
- the transactions of public sector entities included in the Budget Papers and applicable Community Service Obligations paid to and dividends received from the Power and Water Corporation, a Government Owned Corporation under the *Government Owned Corporations Act*, be noted."
- Ministers, Leader of the Opposition and Shadow Ministers—20 minutes;
 - Any other Member—10 minutes,
 - The maximum period for consideration shall be 5 hours.
41. When the consideration of the reports of the Committees has been completed the following question is proposed and put forthwith:
- "that the remainder of the Bill be agreed to".
42. When the Bill has been agreed to by the Committee-of-the-Whole and reported to the Assembly, the third reading may be taken into consideration forthwith.

Appendix D: Government Owned Corporations Scrutiny Committee Terms of Reference

GOVERNMENT OWNED CORPORATIONS SCRUTINY COMMITTEE 2010/2011

TERMS OF REFERENCE

INTRODUCTION

1. That, notwithstanding anything contained in Standing Orders and Sessional Orders there be appointed a Committee of the Legislative Assembly to be known as the Government Owned Corporations Scrutiny Committee for the purpose of examining and reporting on the activities, performance, practices and financial management of the Power and Water Corporation, a Government Owned Corporation under the *Government Owned Corporations Act*, with reference to the Power and Water Corporation's Statement of Corporate Intent for 2010/2011.

MEMBERSHIP

2. The membership of the Government Owned Corporations Scrutiny Committee shall consist of the membership of the Public Accounts Committee.
3. The Chairman of the Public Accounts Committee shall be the Chairman of the Government Owned Corporations Scrutiny Committee.
4. The Committee, before the commencement of business, shall elect one of its members to be Deputy Chairman.
5. Other Members of the Assembly may not vote on any matters before the Committee.
6. Other Members of the Assembly may participate in public hearings of the Committee, provided that at any time participating Members are limited to seven (7) Members comprising the Chair, two (2) Government Members, three (3) Opposition Members and one (1) Independent Member.
7. Members may be substituted from time to time, subject to notification to the Chairman, and in accordance with conditions provided in for paragraph 6 above.
8. The Committee may proceed with business despite a vacancy in its membership.
9. The Chairman of the Committee and the Deputy Chairman when acting as Chairman shall have a deliberative and a casting vote.
10. The quorum of the Committee is to be 4 of the members of the Committee.

11. If at any time a quorum is not present, the Chairman will suspend proceedings of the Committee until a quorum is present, or adjourn the Committee until a time and/or date to be fixed.

SITTING TIMES

12. The Government Owned Corporations Scrutiny Committee will meet in accordance with the dates and times in the Schedule published by the Government Owned Corporations Scrutiny Committee and advised by the Chairman.
13. The Government Owned Corporations Scrutiny Committee may sit only when the Assembly is not sitting.
14. The Committee shall sit on Friday 18 June 2010 for 2 hours from 1.30pm to 3.30pm.

HEARING PROCEDURE

15. All hearings of the Committee are open to the public unless the Committee otherwise orders.
16. The Committee will examine the financial and budgetary activities of the Power and Water Corporation following similar procedures to that of the Estimates Committee and in accordance with the provisions of this Order and Standing Orders.
17. Unless the Committee otherwise determines, the Chairman of the Board of the Power and Water Corporation may make an opening statement lasting up to five (5) minutes which may be extended with the leave of the Committee.
18. Members of the Committee may ask questions for the purpose of examining the activities, performance, practices and financial management of the Power and Water Corporation with reference to its Statement of Corporate Intent for 2010/2011.

QUESTIONS

19. Questions shall be put directly to the Chairman of the Board of the Power and Water Corporation, the Managing Director and other officers may assist the Chairman in the provision of relevant information. Otherwise, questions shall adhere with the general terms and conditions applying to questioning of the Estimates Committee at paragraphs 23, 24 and 25.
20. The Chairman or other witnesses will advise when evidence is of a commercially sensitive or confidential nature and may request that such evidence be heard 'in camera'. The Chairman of the Committee will invite the Chairman or the witnesses to give the reasons for the request.
21. Questions and explanations should be brief and avoid irrelevance and tedious repetition.

QUESTIONS TAKEN ON NOTICE AT HEARINGS AND ADDITIONAL INFORMATION

22. The Chairman of the Power and Water Corporation may advise the Committee that an answer to a question or part of a question will be provided later to the Committee.
23. At that time the Chairman of the Committee shall note the question or that part of the question taken on notice and any clarification required. The text of questions on notice will be distributed to the Chairman of the Power and Water Corporation by the Committee Secretariat.
24. The Chairman of the Power and Water Corporation may also give the Committee additional information about an answer given by the witnesses or on their behalf.
25. The additional information or answer, is to be written and given by a time decided by the Committee and may be included in a volume of additional information to be laid on the table of the Assembly by the Chairman of the Committee at the time of its report or at a later date, which shall be no later than the next sittings of the Assembly and may be authorised for publication by the Committee prior to that material being tabled in the Assembly.

HANSARD REPORT AND OTHER TABLED DOCUMENTS

26. The Clerk of the Legislative Assembly is authorised to publish an unedited transcript of the Government Owned Corporations Scrutiny Committee proceedings in a manner similar to that used for the daily *Hansard* as soon as practicable after the Committee's proceedings are concluded.
27. Evidence taken in public by the Committee and documents presented to the Committee are deemed to be authorised for publication by the Committee, unless the Committee otherwise orders.
28. The provisions of Standing Order 274 and section 22 of the *Legislative Assembly (Powers and Privileges) Act* as applicable to the Committee, are limited to documents prepared for and submitted to the Committee, evidence taken by the Committee or a report of such evidence.

BROADCASTING AND TELEVISIONING OF PROCEEDINGS

29. Sound and vision broadcast and re-broadcast of the hearings of the Committee will be allowed, subject to the same conditions which apply to the sittings of the Assembly and as determined by the Committee.

DISORDER

30. At a Committee hearing the Chairman may, after a warning, order any Member of the Assembly whose conduct, in the opinion of the Chairman, continues to be disorderly or disruptive to withdraw from the Committee for a period of 1 hour.
31. A Member ordered to withdraw in accordance with the direction of the Chairman must immediately withdraw for the stated period.
32. If a Member persistently disrupts the business of the Committee:
 - (a) The Chair may name the Member;
 - (b) If the Member named is a member of the Government Owned Corporations Scrutiny Committee, suspend the

- sittings until the Chair has reported the offence to the Speaker;
- (c) If the Member named is not a member of the Government Owned Corporations Scrutiny Committee, orders that the Member withdraw from the sittings of the Committee until the Chair has reported the offence to the Speaker.
33. As soon as practicable, the Chair advises the Speaker who then gives notice that the member of the Government Owned Corporations Scrutiny Committee be replaced.
34. If any objection is taken to a ruling or decision of the Chair:
- (a) The objection must be taken at once and stated in writing;
- (b) The Chair as soon as practicable advises the Speaker who makes a ruling on the matters; and
- (c) The Government Owned Corporations Scrutiny Committee may continue to meet but not further examine the matter then under consideration and which is the subject of the objection.

REPORT OF GOVERNMENT OWNED CORPORATIONS SCRUTINY COMMITTEE

35. A report of the Government Owned Corporations Scrutiny Committee will be presented by the Chairman to the Committee-of-the-Whole Assembly and the report should contain any resolution or expression of opinion of the Committee.
36. When the Report of the Committee is presented it shall be taken into consideration forthwith, together with the Report of the Estimates Committee.
37. The following time limits shall apply to consideration of the reports of the Committees on the question:
- "that the proposed expenditure be agreed to and that the resolutions or expressions of opinion as agreed to by the committees in relation to the proposed expenditure or outputs with reference to the *Appropriation Bill* 2010/2011, or the activities, performance, practices and financial management of the Power and Water Corporation with reference to its Statements of Corporate Intent for 2010/2011, be noted "
- Ministers, Leader of the Opposition and Shadow Ministers—20 minutes;
 - Any other Member—10 minutes,
 - The maximum period for consideration shall be 5 hours.