

**JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION**

*Seventy-first Report — “Inquiry into a Systemic Issue Arising out of Nine Court and Tribunal Instruments — Terms of Reference” — Tabling*

**MS S.F. McGURK (Fremantle)** [10.08 am]: I present for tabling the seventy-first report of the Standing Committee on Delegated Legislation.

[See paper 1525.]

**Ms S.F. McGURK:** This report notifies the house of term of reference 10.7(b), which states —

It is also a function of the Committee to inquire into and report on —

...

(b) any systemic issue identified in 2 or more instruments of subsidiary legislation;

The committee has identified a systemic issue in nine court and tribunal instruments that have increased fees. Unlike other agencies and departments’ instruments that increase fees, the Department of the Attorney General is unable to accurately cost its fees to the satisfaction of the committee. In the absence of further information, it lacks the appropriate costing model and cannot cost the fees individually. Thus, pursuant to term of reference 10.7(b), the committee will inquire into and report on —

- (1) The actual methodology for calculating fee increases applied within the Department of the Attorney General;
- (2) The extent to which the Department of the Attorney General fee increases are calculated in accordance with relevant law, together with appropriate standards, including Department of Treasury guidelines and Office of the Auditor General recommendations;
- (3) The extent to which individual Department of the Attorney General fees can be said to be reasonable cost recovery in all the circumstances; and
- (4) Other matters of relevance to the foregoing.

The committee advises the house that this is the first time term of reference 10.7(b) has been used. The committee will report its findings and recommendations during 2014.