



## **PROCEDURE AND PRIVILEGES COMMITTEE**

# **A Review of the Government's Response to the Recommendations contained in the Procedure and Privileges Committee's Report on the Operations of the Estimates Committees (2001)**

**and**

# **A Review of the Operations of the Estimates Committees in 2002**

Tabled by

Mrs Dianne Guise, Deputy Speaker of the Legislative Assembly  
on Thursday, 20 March 2003

2003



## COMMITTEE MEMBERS

**Chairman**

Hon. Fred Riebeling, MLA  
Speaker of the Legislative Assembly

**Members**

Dianne Guise, MLA  
Katie Hodson-Thomas, MLA  
Norm Marlborough, MLA  
Dan Sullivan, MLA

## COMMITTEE STAFF

**Clerk to the Committee**

John Mandy  
Deputy Clerk of the Legislative Assembly  
Peter McHugh  
Clerk of the Legislative Assembly

## COMMITTEE ADDRESS

Procedure and Privileges  
Legislative Assembly  
Parliament House  
Harvest Terrace  
PERTH WA 6000

Tel: (08) 9222 7222  
Fax: (08) 9222 7818  
Email: [jmandy@parliament.wa.gov.au](mailto:jmandy@parliament.wa.gov.au)  
Website: [www.parliament.wa.gov.au](http://www.parliament.wa.gov.au)



**CONTENTS:**

	<b>Page No.</b>
<b>Part 1. Review of the Government's Response to the Recommendations Contained in the Procedure and Privileges Committee's Report on the Operations of the Estimates Committees (2001)</b>	7
(1) Recommendation No. 1 - Crowded conditions in the Legislative Assembly Committee Room (Estimates Committee B)	7
(2) Recommendation No. 2 - Completion of Parts or Portfolios early or the time allocated expires before completion	7
(3) Recommendation Nos 3 and 4 - Examination of off-budget authorities	8
(4) Recommendation No. 5 - Tele-conferencing	11
(5) Recommendation No. 6 - Allocation and type of questions	12
(6) Recommendation No. 7 - Presentation of the Estimates Papers	12
<b>Part 2. Review of the Operations of the Estimates Committees in 2002 -</b>	14
(1) Comfort breaks for Ministers and their advisers	14
(2) Allocation of questions	14
(3) Length and relevance of Minister's answers to questions	14
(4) Rotation of questions	14
(5) Examination of off-budget authorities	14
(6) Scheduling of Estimates Committees	15
(7) Use of the Legislative Council Chamber	15
(8) Structure of the Budget Papers	15
(9) Electronic and hard copy pagination of the Budget Papers	15
(10) Estimates Committees Chairmen's Guide	15
<b>Government's response to recommendations</b>	15



Your Committee, having reviewed the Government's response to the recommendations contained within the Committee's Report on the Operations of the Estimates Committees (2001), now presents its review and comments and, where necessary, additional recommendations to the Legislative Assembly for its consideration.

Your Committee also reviewed the operations of the Estimates Committees in 2002, which is in Part 2 of this report, and now presents its review to the Legislative Assembly for its consideration.

**PART 1. REVIEW OF THE GOVERNMENT'S RESPONSE TO THE RECOMMENDATIONS CONTAINED IN THE PROCEDURE AND PRIVILEGES COMMITTEE'S REPORT ON THE OPERATION OF ESTIMATES COMMITTEES (2001)**

**(1) Recommendation No. 1 - Crowded conditions in the Legislative Assembly Committee Room (Estimates Committee B)**

*Recommendation in your Committee's previous report*

1. That the Leader of the House, when drafting the estimates program for the Management Committee's consideration, ensures the Legislative Assembly Committee Room is allocated to the smaller agencies.

*Government's response -*

Recommendation 1 is supported by the Government - This is an administrative matter. There is also the option of using the LC Chamber if that House is not sitting.

Your Committee notes the Government's response and agreed, That no further action is required by the Committee.

**(2) Recommendation No. 2 - Completion of Parts or Portfolios early or the time allocated expires before completion**

*Recommendation in your Committee's previous report*

2. That the allocation of time for parts or portfolios within the estimates should continue to be fully considered by the Leaders of the House and the Opposition before the estimates programme is presented to the Management Committee for its consideration.

*Government's response -*

Recommendation 2 is supported by the Government - The Government agrees this should continue to be a matter for consideration by the Leader of the House and the Leader of the Opposition.

Your Committee notes the Government's response and agreed, That no further action is required by the Committee.

**(3) Recommendation Nos 3 and 4 - Examination of off-budget authorities***Recommendation in your Committee's previous report*

3. (a) That off-budget Public Non-Financial Corporations and Public Financial Corporations be identified annually in the Budget Papers and that they be subject to examination; and
- (b) That a minimum of an additional half-hour be allocated to Ministers where an examination has been requested for an off-budget authority within their portfolio responsibilities.

*Government's response -*

Recommendation 3 (a) is supported in principle and should be implemented in the following manner -

The Leader of the House, in consultation with members of the Legislative Assembly, set up a maximum of 5 off-budget authorities to attend estimates hearings each year. These should be determined through a survey (conducted by the Leader of the House's office staff) and included in the draft Estimates program prepared by that office for submission to the Estimates Management Committee. Time allocated for the relevant Ministers' Estimates would be reduced to accommodate the off-budget authorities. The Government supports off-budget Public Non-Financial Corporations and Public Financial Corporations continuing to be listed in the Budget Papers.

Recommendation 3 (b) is supported providing there is a restriction of no more than 15 to 30 minutes being allocated to any portfolio and that the overall time allocated for each Minister is not increased.

Your Committee recommends that the matters raised in the Government's response to Recommendation 3 be included in a draft Sessional Order for consideration by the Legislative Assembly. It also agreed, That a minimum time of 30 minutes be allocated for each off-budget authority attending the Estimates Committees hearings (maximum of 5 authorities). See Recommendation No. 1 on page 10.



*Recommendation in your Committee's previous report*

4. That Standing Orders 222, 223, and 230 be amended as shown, with underlined words to be inserted and struck through words to be deleted –

#### **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 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 House the report of the management committee, which report will prescribe —

- (a) which parts of the Estimates are to be considered by each committee; ~~and~~
- (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
- (c) where any member has so requested the Leader of the House within one week of the presentation of the budget, the time allotted for off-budget public corporations.

#### **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.

*Government's response -*

Recommendation 4 is supported by the Government providing the following changes are made –

1. SO 230 (3) is modified by making it clear that the Estimates Committees may only examine the budgets and operations of those off-budget public corporations specified within the Estimates program as approved by the Estimates Management Committee.
2. SO 223 (c) is not supported by the Government – see Government response to recommendation 3(a)
3. SO 230 (2) is supported by the Government.

Your Committee recommends that, subject to there being a minimum of 30 minutes for each off-budget public corporation attending the estimates committees' hearings, the matters raised in the Government's response to Recommendation No. 4 also be included in a draft Sessional Order, see below, for consideration by the Legislative Assembly.

**Committee Recommendation No. 1**

Your Committee recommends the following Sessional Order be adopted by the Legislative Assembly prior to the Estimates Committees hearings in 2003 -

“

That for the present Session Standing Orders 222, 223, and 230 are suspended and replaced by the following Sessional Order -

**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 a maximum of five 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; ~~and~~
- (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 five off-budget public corporations will attend estimates committee's hearings for a minimum of 30 minutes per corporation.

#### **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.

#### **(4) Recommendation No. 5 - Tele-conferencing**

*Recommendation in your Committee's previous report*

5. That audio- or tele-conferencing for Estimates Committees only be used in exceptional circumstances where ministerial advisers are unable travel to Perth.

*Government's response -*

Recommendation 5 is not supported by the Government - the Government requests the PPC to further consider the matter by taking into consideration the costs associated with bringing staff from remote regions of WA while at the same time balancing this with the value to the Estimates Committees of having regional CEOs appearing in person.

As requested, your Committee furthered considered the use of tele-conferencing for ministerial advisers and reaffirms it is highly desirable to have ministerial advisers meet face to face with Committee members when their Ministers appear before the Estimates Committees. Accordingly your Committee recommends that Recommendation No. 5 be implemented.

**Recommendation No. 2**

Your Committee reaffirms its recommendation -

“

That audio- or tele-conferencing for Estimates Committees only be used in exceptional circumstances. ”.

**(5) Recommendation No. 6 - Allocation and type of questions**

*Recommendation in your Committee's previous report*

6. That questions in an Estimates Committee be allocated to achieve some balance between members while also allowing a reasonable opportunity in all the circumstances for a member to follow a particular line of questioning.

*Government's response -*

Recommendation 6 is supported by the Government - The Government agrees it is a matter for the Chairmen of the Estimates Committees. Statistics for the 2002 Estimates Committees operations already suggest this recommendation has been successfully implemented.

Your Committee notes the Government's response and, as mentioned in Part 2 of this report, statistics confirm the majority of questions (78%) were asked by the Opposition during the 2002 Estimates Committees hearings. Your Committee agreed, That no further action is required.

Your Committee agreed, That this matter should also be addressed in the proposed Estimates Committees Chairmen's Guide.

**(6) Recommendation No. 7 - Presentation of the Estimates Papers**

*Recommendation in your Committee's previous report*

7. That the presentation of the estimates papers be improved by –
  - (a) Ensuring pagination in the electronic version matches the hard copy of the Estimates, and
  - (b) Providing a comprehensive index that includes direct reference to the appropriation of administered funds.

*Government's response -*

Recommendation 7 is supported by the Government - Treasury is currently investigating the technical issues relating to recommendation 7(a).

The Speaker, as Chairman of your Committee, has undertaken to write to the Under Treasurer and draw his attention to Recommendation No. 7 of your Committee, the Government's response to the recommendation and to seek the Under Treasurer's advice regarding the proposed format of the Budget Papers in 2003. It was agreed, That no further action is required by your Committee.

## **PART 2. REVIEW OF THE OPERATIONS OF THE ESTIMATES COMMITTEES IN 2002**

### **(1) Comfort breaks for Ministers and their advisers.**

Several members raised the need of comfort breaks for Ministers and their staff to be scheduled in the Estimates Committees programme. Ministers (and to a lesser extent their advisers) are unable to leave the Estimates Committee without affecting the Committees' proceedings. An example given was the scheduling of one Minister from 9.00 am to 10.00 pm with only lunch and dinner scheduled as breaks.

Your Committee agreed, That this is clearly an administrative matter, which must be taken into account by the Estimates Management Committee and the Chairmen of the Estimates Committees. While your Committee agreed, That no further action is required, it proposes the matter be addressed in the proposed Estimates Committees Chairmen's Guide.

### **(2) Allocation of questions**

Several members queried the method used by Chairmen to allocate questions between Government and Opposition members. However, statistics presented to the House by the Deputy Speaker demonstrated the majority of questions were asked by Opposition members (78%). Your Committee agreed, That no further action is required.

### **(3) Length and relevance of Ministers' answers to questions**

Several members claimed some Ministers were using answers as an opportunity to make ministerial statements which were often irrelevant to the questions asked. Another member was concerned that when several advisers also contributed to answers it made them very long. Your Committee agreed, That this is a matter for the Estimates Committees' Chairmen and proposes the subject be addressed in the proposed Estimates Committees Chairmen's Guide.

### **(4) Rotation of questions**

It was suggested that the rotation of questions does not allow members to fully explore issues to their conclusion. Statistics for the 2002 Estimates Committees suggest this problem is already being addressed successfully. Your Committee agreed, That no further action is required by the Committee and proposes this matter also be included in the proposed Estimates Committees Chairmen's Guide.

### **(5) Examination of off-budget authorities**

See the Government's response to Recommendation Nos 3 and 4 (see page 8).

**(6) Scheduling of Estimates Committees**

Some members requested the draft Estimates programme to be released earlier to allow Assembly members to sort out timetable clashes and to have an input into the final Estimates programme.

It was also suggested the Estimates Committees hearings should be conducted over several sitting weeks, as this would allow members to conduct more in depth investigations into various issues.

Your Committee supports the proposal for the draft Estimates Committees programme to be released earlier and undertakes to draw the Leader of the House's attention to this suggestion.

Your Committee agreed, That it is impractical to extend the Estimates Committee schedule over several weeks while the Assembly is sitting and therefore does not support the suggestion.

**(7) Use of the Legislative Council Chamber**

Several members spoke in favour of using the Legislative Council Chamber for Estimates Committee B. This is supported by your Committee (see also page 7).

**(8) Structure of the Budget Papers**

Your Committee notes members' comments about the need to review the structure of the Budget Papers and believes the review should be undertaken by the Public Accounts Committee.

**(9) Electronic and hard copy pagination of the Budget Papers**

This is currently being investigated by Treasury and the Chairman of the Committee has agreed, as Speaker, to pursue this matter with the Under Treasurer.

**(10) Estimates Committees Chairmen's Guide**

Your Committee proposes the Guide, once drafted, be presented to the Speaker for his review and approval prior to its circulation to the Estimates Committees Chairmen.

**GOVERNMENT'S RESPONSE TO RECOMMENDATIONS**

The Committee, in accordance with SO 277, directs the Leader of the House to report, within not more than three months or at the earliest opportunity after that time if the Legislative Assembly is adjourned or in recess, as to what action, if any, is proposed to be taken by the Government with respect to the recommendations of the Committee.

HON. FRED RIEBELING, MLA  
CHAIRMAN TO THE COMMITTEE