

GOVERNMENT RESPONSE

STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS – REPORT 86: CONSIDERATION OF THE 2020-21 ANNUAL REPORTS

Recommendation 1: The Treasurer direct the Department of Treasury to advise accountable authorities that the Treasurer’s prior approval is required to overdraw any agency special purpose account.

Supported.

The Department of Treasury will write to accountable authorities subject to the *Financial Management Act 2006* (FMA) reminding them of their obligations under the FMA, including that they obtain the Treasurer’s prior approval under section 19 of the FMA should they anticipate an agency special purpose account becoming overdrawn at any time, including for timing differences between receipts and payments.

Treasury hosts the chief finance officers’ (CFOs) forum twice yearly and will also bring this to the attention of CFOs at the November 2022 Forum.

Recommendation 2: The Attorney General advise each head of the respective courts of the *Guidelines for communications and relationships between the judicial branch and the legislative and executive adopted by the Council of Chief Justices of Australia and New Zealand on 23 April 2014.*

Supported.

The Attorney General will advise the heads of jurisdictions of Finding 1 and Recommendation 2 contained in Standing Committee on Estimates and Financial Operations – Report 86.

Recommendation 3: The Government amend section 83 of the *Financial Management Act 2006* to better enable documents, including annual reports, to be tabled in Parliament on non-sitting days.

Noted.

The Government notes the Committee’s observation about the tabling of agencies’ annual reports under the FMA.

An amendment to section 83 is not a current legislative priority for the Government.

Section 65 of the FMA which enables the Minister to inform Parliament if the annual report cannot be laid before each House of Parliament prior to 28 September or dealt with under section 83 is a viable alternative mechanism which worked effectively for a number of agencies in terms of their 2020-21 annual reporting and, as stated by the Committee, did not adversely affect the Committee’s consideration of agencies’ 2020-21 annual reports.