



THIRTY-NINTH PARLIAMENT

REPORT 63

**STANDING COMMITTEE ON ESTIMATES AND
FINANCIAL OPERATIONS**

BUDGET ESTIMATES HEARINGS 2015–16

Presented by Hon Ken Travers MLC (Chair)

May 2016

STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

Date first appointed:

30 June 2005

Terms of Reference:

The following is an extract from Schedule 1 of the Legislative Council Standing Orders:

‘3. Standing Committee on Estimates and Financial Operations

3.1 *An Estimates and Financial Operations Committee* is established.

3.2 The Committee consists of 5 Members, 3 of whom shall be non-government Members.

3.3 The functions of the Committee are to –

(a) consider and report on –

(i) the estimates of expenditure laid before the Council each year;

(ii) any matter relating to the financial administration of the State; and

(iii) any bill or other matter relating to the foregoing functions referred by the Council;

and

(b) consult regularly with the Auditor General.’

Members as at the time of this inquiry:

Hon Ken Travers MLC (Chair)

Hon Peter Katsambanis MLC
(Deputy Chair)

Hon Rick Mazza MLC

Hon Alanna Clohesy MLC

Hon Liz Behjat MLC
(until 9 May 2016)

Hon Martin Aldridge MLC
(until 5 September 2015)

Hon Helen Morton MLC
(from 10 May 2016)

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Government response

This Report is subject to Standing Order 191(1):

Where a report recommends action by, or seeks a response from, the Government, the responsible Minister or the Leader of the House shall provide its response to the Council within not more than 2 months or at the earliest opportunity after that time if the Council is adjourned or in recess.

The two-month period commences on the date of tabling.

CONTENTS

GOVERNMENT RESPONSE	I
REPORT.....	1
1 REFERENCE AND PROCEDURE.....	1
The Committee’s function of expenditure review.....	1
2 BUDGET ESTIMATES HEARINGS	2
Questions on notice.....	7
3 COMMITTEE COMMENT.....	7
Generally.....	7
Provision of information	7
Claim of commercial-in-confidence.....	8
Claim of Cabinet-in-confidence	9
Notices pursuant to section 82 of the Financial Management Act 2006	9
APPENDIX 1 LETTER TO THE AUDITOR GENERAL.....	13
APPENDIX 2 LETTER FROM THE AUDITOR GENERAL	15

REPORT OF THE STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

IN RELATION TO THE

BUDGET ESTIMATES HEARINGS 2015–16

1 REFERENCE AND PROCEDURE

The Committee's function of expenditure review

- 1.1 It is a function of the Estimates and Financial Operations Committee (Committee) to consider and report to the Legislative Council on the estimates of expenditure laid before the Council each year and any matter relating to the financial administration of the State.¹
- 1.2 The Committee conducts annual Budget Estimates Hearings for the consideration of the estimates of expenditure. This facilitates the examination by Members of the finances and expenditure of the Executive, thereby improving the financial management of the State.
- 1.3 Government revenue is credited to the Consolidated Account, which is the major source of funding for the State public sector.² The Government's estimates of expenditure for a financial year comprise the Appropriation (Consolidated Account) Bills and the supporting documentation (Budget Papers). These are presented to Parliament on an annual basis to enable the Government to access or appropriate money from the Consolidated Account to fund expenditure over a given financial year.³
- 1.4 This report relates to the Budget Estimates Hearings for 2015–16.⁴ The Committee has waited to receive answers to questions on notice and additional questions arising from these hearings prior to tabling this report.

¹ Term of reference 3.3(a).

² *Financial Management Act 2006*, s 8(2). The major revenue sources for the Western Australian Government include taxes, imposts, rates, duties and royalties: *Constitution Act 1889*, s 64.

³ *Constitution Act 1889*, s 72.

⁴ The 2015–16 Budget Statements were tabled in the Legislative Council on 14 May 2015. The Appropriation (Capital 2015–16) Bill 2015 and the Appropriation (Recurrent 2015–16) Bill 2015 were assented to on 26 August 2015.

2 BUDGET ESTIMATES HEARINGS

Hearings

- 2.1 To assist the Committee in determining which agencies to examine, the Committee authorised Members to consult with their colleagues.
- 2.2 Details of the hearings were placed on the Committee’s website (www.parliament.wa.gov.au/est). Hearings were held on 15 June and 23 to 26 June 2015.
- 2.3 A list of the agencies with whom the Committee held hearings relating to the estimates of expenditure and a summary of some of the subjects discussed at the hearings is set out at Table 1.

Table 1

2015–16 Budget Estimates Hearings with agencies

Date and agency	Summary of subjects discussed
15 June 2015 Department of Treasury	<ul style="list-style-type: none"> • specific purpose payments under national partnership agreements • reflection of costs of the Perth Stadium in the budget • deferral of the payroll tax exemption threshold increase • wages policy for public sector workers • \$499 million Commonwealth funding for road projects • GST distribution process reform • essential and municipal services to remote communities • costs of the Square Kilometre Array project • increases in tariffs and fees • timeframes for achieving financial targets • loan guarantee fee paid by local governments • investment of and earnings on The Future Fund • impact of ratings by Moody’s and Standard and Poor’s
23 June 2015 Department of Education ⁵	<ul style="list-style-type: none"> • targets for performance in national literacy and numeracy tests • Yanchep District High School • user contributions and charges that are recouped from agricultural colleges and farm schools • boarding away from home allowance • students at severe educational risk • capacity at Shenton College and Churchlands Senior High

⁵ On 12 October 2015 the Committee held a second hearing with the Department of Education to discuss Answers to Questions on Notice regarding lists of schools that have isolation rooms.

Date and agency	Summary of subjects discussed
	<p>School</p> <ul style="list-style-type: none"> • Kellerberrin District High School • Eaton Community College • legislation to merge the Housing Authority and the Department • maintenance needs of schools • isolation rooms in schools and behaviour management policy • public private partnership on capital investment • ratio of male to female teachers in primary schools • trades skills centres • canteen facilities at Bunbury Senior High School
<p>23 June 2015 Department of Commerce</p>	<ul style="list-style-type: none"> • the one per cent efficiency dividend • industry and innovation grants • preparation of the Limited Partnerships Bill and introduction into Parliament • electronic lodgement of tenancy bonds • industry and technology service costings • Commonwealth funding of regional telecommunications • Strategic Information Plan • Chief Information Officer role • support of the information and communications technology sector by the Innovation Centre of Western Australia • review of the <i>Residential Parks (Long-stay) Tenants Act 2006</i> • management of Worksafe inspections • Farmsafe Western Australia Alliance
<p>23 June 2015 Building Commission</p>	<ul style="list-style-type: none"> • complaints process • instant start building approvals • auditing of builders • Voluntary Severance Scheme • premiums for home indemnity insurance • review of plumbing regulation
<p>23 June 2015 Department of Housing</p>	<ul style="list-style-type: none"> • level of rental subsidy • department's head office in East Perth • Osprey Village in South Hedland • West Kimberley transitional housing program • National Partnership Agreement on Remote Indigenous Housing

Date and agency	Summary of subjects discussed
	<ul style="list-style-type: none"> • Social Housing Investment Package • domestic violence accommodation program • Mental Health Care Units program • disruptive behaviour management • development at Tuart Brook • rent for Homeswest tenants • housing stock lost to fire • Withers Urban Renewal Project in Bunbury
<p>23 June 2015</p> <p>Department of Aboriginal Affairs⁶</p>	<ul style="list-style-type: none"> • consultation on amendments to the <i>Aboriginal Heritage Act 1972</i> • removal of the Commonwealth's Municipal and Essential Services Program • nominations for strategic advisory councils • management of the Aboriginal Lands Trust Estate • creation of the Aboriginal Affairs cabinet subcommittee • youth justice • Grants and Sponsorship program • Workforce Renewal Policy
<p>24 June 2015</p> <p>Department of Health</p>	<ul style="list-style-type: none"> • child health nurses • wait times in allied health areas in the child development service • dental related activities funded by the Department • statutory review off the <i>Surrogacy Act 2008</i> • savings arising from the workforce renewal policy • Holman Review: Aboriginal health programs • palliative care • aboriginal health workers • training programs for country doctors • strategic directions for WA Aboriginal Health and Wellbeing framework • regional infrastructure development (such as Karratha Health Campus; Carnarvon Health Campus; Kalgoorlie Health Campus and the Onslow Health Service) • The Quadriplegic Centre • prayer rooms at Fiona Stanley Hospital and Perth Children's Hospital • private patients in public hospitals

⁶ On 12 October 2015 the Committee held a further hearing with the Department of Aboriginal Affairs to discuss concerns held by Hon Robin Chapple MLC about a few answers to Questions on Notice posed at the hearing on 23 June 2015 regarding Aboriginal heritage places.

Date and agency	Summary of subjects discussed
	<ul style="list-style-type: none"> • emergency telehealth services • net cost of patient transport • oncology facilities at Princess Margaret Hospital • development at Armadale-Kelmscott Hospital
<p>24 June 2015</p> <p>Disability Services Commission</p>	<ul style="list-style-type: none"> • the one per cent efficiency dividend • education and training opportunities for people with disabilities • disability justices centres • funding for those who do not meet the Combined Application Process funding criteria • early intervention programs for children with autism spectrum disorder
<p>24 June 2015</p> <p>Department for Child Protection and Family Services</p>	<ul style="list-style-type: none"> • discontinuation of financial counselling services • hardship Utility Grant Scheme • bereavement assistance • criminal record checks of surrogate and arranged parents • working with children checks • cost of placements for high-needs children • Ellenbrook crisis accommodation centre • increasing rate of Aboriginal children coming into care • foster care subsidies
<p>24 June 2015</p> <p>Mental Health Commission</p>	<ul style="list-style-type: none"> • Professor Bryant Stokes review recommendations • suicide prevention • alignment with the National Health Reform Agreement framework • the one per cent efficiency dividend
<p>25 June 2015</p> <p>Department of Parks and Wildlife</p>	<ul style="list-style-type: none"> • prescribed burning • Parks for People Caravan and Camping initiative • land for wildlife program • voluntary severance program for staff • research services and priorities • Forest Products Commission • Perup Sanctuary • Ellenbrook wetland preparation of a Biodiversity Conservation Bill
<p>25 June 2015</p> <p>Department of Fire and Emergency Services</p>	<ul style="list-style-type: none"> • volunteer fuel card • insurance premiums for fire fighters • discipline of volunteer fire fighters • mental health programs

Date and agency	Summary of subjects discussed
	<ul style="list-style-type: none"> • volunteer sustainability strategy • plans for new fire stations in new northern suburbs • the emergency services levy • review of key performance and efficiency indicators • funding for volunteer sea rescue groups
<p>25 June 2015</p> <p>Main Roads WA</p>	<ul style="list-style-type: none"> • proposed upgrade to Great Eastern Highway between Bilgoman Road and Mann Street • funding of roads replacing rail lines to transport freight • road works in rail reserves • the traffic signal optimisation review program • programs to ease congestion • national highway upgrade program • reduction in the maintenance budget • rubbish bins at truck bays • Perth Freight Link
<p>25 June 2015</p> <p>Department of Transport</p>	<ul style="list-style-type: none"> • the regulation of Uber • requirements for learner drivers • multipurpose taxi wait times • assessment of Bus Rapid Transit versus MAX Light Rail • cameras on regional taxis • sand bypassing and coastal erosion
<p>25 June 2015</p> <p>Public Transport Authority</p>	<ul style="list-style-type: none"> • new escalators at Warwick Train Station • Perth Stadium transport project • bus stop accessibility works program • safety on buses • ACROD parking • smart parker system and prosecutions • transit officers on workers' compensation
<p>26 June 2015</p> <p>Department of Agriculture and Food</p>	<ul style="list-style-type: none"> • doppler radar warning system for weather events • reduction in staffing numbers • biosecurity operations • the condition of research laboratories • internal review of the Department • Buy Best Eat West campaign • the Indonesian trade office • Perth Royal Show concessions for children • genetically modified crops • prosecutions by the RSPCAWA

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- 2.4 The hearings were conducted in accordance with the Committee's Procedure Policy⁷ and all Members were notified of the hearings and invited to participate.
- 2.5 All of the hearings were public and the proceedings were recorded by Hansard. Transcripts of the hearings are posted on the Committee's website.

Questions on notice

- 2.6 In accordance with its Procedure Policy, the Committee invited Members to submit questions on notice prior to the hearings. Nine Members submitted questions and the answers were provided to those Members prior to the hearings.
- 2.7 During the Budget Estimates Hearings a number of questions were taken on notice.
- 2.8 Where a Member was unable to ask all their questions in the scheduled time, they were provided with the opportunity to submit those questions in writing at the end of the hearing.
- 2.9 Copies of these questions and answers can be found on the Committee's website.

3 COMMITTEE COMMENT

Generally

- 3.1 The Committee was generally pleased with the conduct of the hearings, the level of attendance and Member participation. A good cross-section of questions were asked by both government and non-government Members and a large number of issues were canvassed in the course of the proceedings, as illustrated in Table 1.
- 3.2 The Committee is committed to continually reviewing and refining its processes to ensure that effective and worthwhile estimates processes are conducted. To this end, the Committee will continue to consult with Members to improve the process.

Provision of information

- 3.3 During the hearings, there were three instances where information requested by Members was not provided by certain agencies on the basis that it was either commercial-in-confidence or Cabinet-in-confidence. These follow:
- The Department of Housing did not provide answers on the exact capital cost agreed between the Department and Fleetwood Corporation for the construction of 293 dwellings for the Osprey Key Worker Village on the basis

⁷ See Western Australia, Legislative Council, Standing Committee on Estimates and Financial Operations, Report 53, *2015/16 Budget Estimates Hearings – Sitting Schedule*, 19 May 2015, p 11, Appendix 2.

of a claim of commercial-in-confidence because the contract was still being finalised.⁸

- The Department of Health did not provide a breakdown of the estimated full time equivalents (FTEs) by position and level to be employed by the Midland Public Hospital on the basis of a claim of commercial-in-confidence.⁹
- The Department of Transport did not provide advice received from the Department's procurement branch regarding procuring the services of Chronos Advisory on the basis of a claim of Cabinet-in-confidence because this advice formed '*part of a submission to Cabinet and would reveal the deliberations or decision of an Executive body*'.¹⁰

Claim of commercial-in-confidence

3.4 The Committee endorses the view the Estimates and Financial Operations Committee previously made on objections to answering questions or producing documents on the basis it is commercial-in-confidence when it stated:

*When an objection is made to answering a question or producing a document on the basis that it is commercial in confidence, such information should still be provided to the Committee and be accompanied by a request that the information be kept confidential and the reasons why, for the Committee's consideration. The Committee recognises the basis of these requests and has granted them on all occasions where appropriate justification has been provided.*¹¹

⁸ Hon Colin Holt MLC, Minister for Housing, Letter, 20 July 2015 attaching Answers to Questions on Notice. This information was subsequently provided at the Committee's 2014-15 Agency Annual Report Hearings. See *Estimates and Financial Operations Committee, 2014-15 Annual Report Hearings, Answers to Questions on Notice*, Housing Authority, 11 January 2016, p 6. See also Hon Colin Holt MLC, Minister for Housing, Letter, 7 April 2016, where he stated:

Information may not permanently be commercial in confidence and therefore advice from the Housing Authority may change over time. For example, commercial confidentiality applied during the tender process and the formal negotiations with Fleetwood Corporation regarding the Osprey Key Worker Village, including the mid-2015 negotiations of the final management agreement. However, once the final agreement was signed I was able to provide information in response to parliamentary questions regarding management and development fees.

⁹ Dr Shane Kelly, Chief Executive, North Metropolitan Health Service, Letter, 1 July 2015. The Committee was subsequently advised by the Minister for Health that '*St John of God Health Care are currently finalising their recruitment processes, and the Department of Health has sought the most up to date information from them when it is available.*' See Hon Dr Kim Hames MLA, Minister for Health, Letter, 12 August 2015, p 2.

¹⁰ Supplementary Questions, *Estimates and Financial Operations Committee*, 25 June 2015, p 12.

¹¹ Western Australia, Legislative Council, Standing Committee on Estimates and Financial Operations, Report 38, *Activity Report for the period 1 January 2011 to 30 June 2012*, 27 November 2012, p 4.

- 3.5 While the Committee recognises there may be cogent reasons for Ministers to keep certain commercial information confidential from the public, such information should be provided to the Committee. Where there are significant concerns about making information public, the options available to Ministers are well established, such as requesting a private or *in camera* status pursuant to Standing Order 175(1)(b) or (c).

Claim of Cabinet-in-confidence

- 3.6 It is well established that documents which reveal the actual deliberations of Cabinet may not be produced.¹² Such documents may include papers brought into existence for the purpose of preparing a submission to Cabinet¹³ and notes recording discussions at meetings of the Cabinet.¹⁴ The Committee supports the principle of ensuring that differing views can be exchanged within Cabinet and decision-making and policy development is uninhibited.¹⁵
- 3.7 However, there have been a number of instances where the Committee has questioned how certain information it has requested which has been subject to a claim of Cabinet-in-confidence would reveal the actual deliberations of Cabinet.¹⁶

Notices pursuant to section 82 of the Financial Management Act 2006

- 3.8 Where a Minister does not wish to avail themselves of the options available to them described in paragraph 3.5 and continues to refuse to provide information to Parliament, the process set out in section 82 of the *Financial Management Act 2006* (FMA) is triggered. Section 82 states:

82. Ministerial decisions not to give Parliament certain information about agency to be reported to Parliament etc.

- (1) *If the Minister decides that it is reasonable and appropriate not to provide to Parliament certain information concerning any conduct or operation of an agency, then within 14 days after making the decision the Minister is to cause written notice of the decision —*

¹² Odgers' Senate Practice, Thirteenth Edition, 2012, p 623. In *The Commonwealth v Northern Land Council* (1993) 176 CLR 604 the High Court held 'The production to the court of documents recording cabinet deliberations should only be ordered in exceptional circumstances which give rise to a significant likelihood that the public interest in the proper administration of justice outweighs the very high public interest in the confidentiality of such documents.'

¹³ *Sankey v Whitlam* (1978) 142 CLR 1 at 39 per Gibbs ACJ.

¹⁴ *Lanyon Pty Ltd v Commonwealth* (1974) 129 CLR 650 at 653, per Menzies J.

¹⁵ *Commonwealth v Northern Land Council* [1993] HCA 24, paragraph 6.

¹⁶ For example, strategic asset plans of agencies, which will be the subject of Committee comment in its report on the 2014-15 Annual Report Hearings.

(a) to be laid before each House of Parliament or dealt with under section 83; and

(b) to be given to the Auditor General.

(2) A notice under subsection (1)(a) is to include the Minister's reasons for making the decision that is the subject of the notice.

- 3.9 The Committee has undertaken a search of the tabled papers register on the Parliament's website and observes that none of the claims set out in paragraph 3.3 have been the subject of a notice tabled in Parliament pursuant to section 82 of the *FMA*.¹⁷ The Committee advised the Auditor General of this in a letter of 6 April 2016. A copy of this letter is attached at Appendix 1.
- 3.10 In his response, the Auditor General advised the Committee he has not received notifications pursuant to section 82 of the *FMA* and will be writing to each of the Ministers to draw their attention to this requirement.¹⁸ A copy of this letter is attached at Appendix 2.
- 3.11 The Committee reminds Ministers of the importance of compliance with this provision as soon as the decision has been made not to provide the information to Parliament.
- 3.12 The Committee believes it is important for Ministers to fulfil their obligations under the *FMA* which has not occurred to date for the information not provided as outlined in paragraph 3.3. Due to the Minister for Housing subsequently providing the information the Committee has resolved not to formally recommend the Minister for Housing table a notice in accordance with section 82 of the *FMA*.
- 3.13 The Committee makes the following recommendations:

Recommendation 1: The Committee recommends that the Ministers for Health and Transport table a notice in accordance with section 82 of the *Financial Management Act 2006* regarding their decision not to provide the Parliament with the information as detailed in paragraph 3.3 of this report.

¹⁷ In a hearing before the Committee on 21 March 2016, as part of its inquiry into the Provision of Information to Parliament, Hon Colin Holt MLC, Minister for Housing, when asked whether he had lodged a notice pursuant to s 82 of the *Financial Management Act 2006* with respect to a question set out in paragraph 3.3, stated 'Did I lodge an 82 notice? I do not think I did, no.' See Hon Colin Holt MLC, Minister for Housing, *Transcript of Evidence*, 21 March 2016, p 2.

¹⁸ Mr Colin Murphy, Auditor General, Office of the Auditor General, Letter, 22 April 2016.

Recommendation 2: The Committee recommends that Ministers ensure they comply with section 82 of the *Financial Management Act 2006* by causing written notice of a decision not to provide to Parliament information concerning any conduct or operation of an agency to be laid before each House of Parliament within 14 days after making that decision.

Recommendation 3: The Committee recommends that the Premier issue a Ministerial Office Memorandum advising Ministers of the requirement to comply with section 82 of the *Financial Management Act 2006*.

- 3.14 Issues relating to the provision of information to the Parliament are further explored in the Committee's report on its inquiry into the provision of information to the Parliament.¹⁹



Hon Ken Travers MLC
Chair

19 May 2016

¹⁹ Western Australia, Legislative Council, Standing Committee on Estimates and Financial Operations, Report 62, *Provision of Information to the Parliament*, 19 May 2016.

APPENDIX 1

LETTER TO THE AUDITOR GENERAL



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

Our Ref: EHW16

Mr Colin Murphy
Auditor General
PO Box 8489
Perth WA 6849

6 April 2016

Email: ag@audit.wa.gov.au

Dear Mr Murphy,

2015-16 Budget Estimates Hearings – information not provided to Parliament

For your information, during the 2015-16 Budget Estimates hearing process there were three instances where information requested by Members of the Legislative Council was not provided by certain agencies on the basis that it was either commercial-in-confidence or Cabinet-in-confidence. These follow:

- The Department of Housing did not provide answers on the exact capital cost agreed between the Department and Fleetwood Corporation for the construction of 293 dwellings for the Osprey Key Worker Village on the basis of a claim of commercial-in-confidence because the contract was still being finalised.¹
- The Department of Health did not provide a breakdown of the estimated full time equivalents (FTEs) by position and level to be employed by the Midland Public Hospital on the basis of a claim of commercial-in-confidence.²
- The Department of Transport did not provide advice received from the Department's procurement branch regarding procuring the services of Chronos Advisory on the basis of a

¹ Hon Colin Holt MLC, Minister for Housing, Letter, 20 July 2015 attaching Answers to Questions on Notice. This information was subsequently provided at the Committee's 2014-15 Agency Annual Report Hearings. See *Estimates and Financial Operations Committee, 2014-15 Annual Report Hearings, Answers to Questions on Notice*, Housing Authority, 11 January 2016, p6.

² Dr Shane Kelly, Chief Executive, North Metropolitan Health Service, Letter, 1 July 2015. The Committee was subsequently advised by the Minister of Health that "St John of God Health Care are currently finalising their recruitment processes, and the Department of Health has sought the most up to date information from them when it is available." See Dr Kim Hames MLA, Minister for Health, Letter, 12 August 2015, p2.

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claim of Cabinet-in-confidence because this advice formed 'part of a submission to Cabinet and would reveal the deliberations or decision of an Executive body'.³

While the information requested of the Department of Housing was subsequently provided at the Committee's 2014-15 Agency Annual Report Hearings, the Committee did not subsequently receive the information from the Departments of Health⁴ or Transport.

None of these claims appear to have been the subject of a notice pursuant to section 82 of the *Financial Management Act 2006*. Could you confirm whether you have received copies of any such notices?

The Committee also invites you to consider these refusals to provide information to Parliament as part of your role pursuant to section 24 of the *Auditor General Act 2006*.

The Committee would appreciate your feedback by Friday 29 April 2016.

Thank you for your assistance. If you have any questions please contact the Committee's Advisory Officer (Legal) at 9 420 7633 or at lcefoc@parliament.wa.gov.au.

Yours sincerely



Hon Ken Travers MLC
Chair

Please note that this correspondence (including any attachments) is privileged and confidential. You may only disclose or copy this material to officers and agencies within your portfolio to the extent that it is reasonably necessary to obtain information sought by the committee in this correspondence. Each of the persons to whom you distribute this material for this limited purpose should be made aware of the privileged status of the material.

³ Supplementary Questions, *Estimates and Financial Operations Committee*, 25 June 2015, p12.

⁴ This information may now be publically available given the Midland Public Hospital is operational.

APPENDIX 2

LETTER FROM THE AUDITOR GENERAL



Our Ref: 5205-04
Your Ref: EHW16

Hon Ken Travers MLC
Chair
Standing Committee on Estimates and
Financial Operations
GPO Box A11
PERTH WA 6837



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7th Floor, Albert Facey House
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Dear Mr Travers

2015-16 BUDGET ESTIMATES HEARINGS – INFORMATION NOT PROVIDED TO PARLIAMENT

Thank you for your letter of 6 April 2016 advising of three instances during the 2015-16 Budget Estimates hearing process where information was not provided to Parliament. In particular, you ask me to confirm whether I received section 82 *Financial Management Act 2006* notifications from the relevant Ministers, and invite me to consider these refusals to provide information to Parliament under section 24 of the *Auditor General Act 2006*.

I can confirm that I have not received section 82 notifications for any of the instances referred to in your letter.

As you are aware, section 82 imposes an obligation on Ministers to notify the Parliament and the Auditor General if they decide not to provide information to Parliament. Accordingly, I will write to each of the Ministers and draw their attention to the legislative requirement to submit a notification.

Please contact me on 6557 7501 if you wish to discuss this or any other matter.

Yours sincerely

COLIN MURPHY
AUDITOR GENERAL
22 April 2016