



ACPAC 2024—Jurisdictional Update

- 1.1. The ACT Public Accounts Committee (the Committee) has been busy since its last jurisdictional update for the 2022 ACPAC, conducting 14 inquiries, mainly covering Auditor-General reports, but also some bills and self-referred topics.
- 1.2. At the beginning of the year the Committee welcomed Mr Ed Cocks MLA as its new Chair, and thanks the outgoing Chair, Mrs Elizabeth Kikkert MLA, for her work as Chair since 2021.
- 1.3. Also around the start of the year, the Committee instructed the Speaker to engage an independent reviewer to conduct the strategic review of our Auditor-General, which occurs once every Assembly. The review has just been finalised and concluded that the ACT Audit Office is effective and efficient, and its legislative mandate is adequate to strengthen and safeguard their independence.
- 1.4. Here are some highlights of the Committee’s work from the past two years which might be of interest.

2. Inquiry into Auditor-General's Report: 13/2021 – Campbell Primary School Modernisation Project Procurement

- 2.1. In December of 2022, the ACT Auditor-General released an audit report into a multi-million-dollar procurement process for renovations at Campbell Primary School. The audit found that the procurement had ‘lacked probity’, and that ‘tenderers were not dealt with fairly, impartially and consistently.’¹
- 2.2. In March 2022, the Committee started an inquiry into the report, however they were advised that the ACT Integrity Commission had also commenced an investigation into the matter. As such, the Committee resolved not to conduct public hearings or publish submissions in its inquiry until the ACT Integrity Commission’s final report was tabled in the Assembly.

1 ACT Auditor-General’s Report No. 13/2021, Campbell Primary School Modernisation Project Procurement, p 1.

- 2.3. Effectively, the inquiry has been in ice ever since. The Integrity Commission held public hearings in the matter last August, but it remains to be seen whether their report will be released in time for the Committee to pick up its inquiry again before the end of the Tenth Assembly in October.

3. Six-monthly inquiries

- 3.1. At the last ACPAC conference in 2022, our jurisdictional update reported that the Committee had begun batching Auditor-General performance audit reports into six-monthly group inquiries.
- 3.2. Since then, the Committee has started four such inquiries, covering 19 reports. This has proven to be an effective and efficient way of scrutinising all the audit topics, and freed up time for the Committee to conduct some self-referred inquiries.

4. Self-referred inquiries

- 4.1. The Committee is regularly referred bills, petitions, and Auditor-General reports, pursuant to its resolution of establishment, however it can also inquire into topics of its own volition. The Committee has conducted two such self-referred inquiries this Assembly.
- 4.2. One was the Inquiry into Grants Management, which investigated matters relating to the processes and management of ACT Government grant programs. The Committee received valuable evidence from a range of community groups such as Landcare and the ACT Council of Social Services. Their feedback informed 18 recommendations to improve the efficiency and openness of grants administration in the ACT.
- 4.3. The second self-referred inquiry by the Committee looked into Government responses to Auditor-General recommendations in three selected reports from the past five years, on topics as diverse as health, infrastructure, and finances. This was a useful exercise for the Committee to receive updates on Government action in these areas and suggest further areas for improvement.

5. Inquiry into Work Health and Safety Amendment Bill 2022

- 5.1. The Work Health and Safety Amendment Bill 2022 was introduced after a matter of parliamentary privilege was brought to light during the budget inquiry of the Legislative Assembly's Select Committee on Estimates 2022-2023 (the Estimates Committee). The Bill was referred to the Committee under its area of responsibility of scrutinising the Office of the Legislative Assembly.
- 5.2. The Bill sought to clarify the position of the Assembly as a workplace under the *Work Health and Safety Act 2011*. The Committee's report recommended that the Bill be passed, along with an amendment specifying that this would not abrogate any parliamentary privilege of the Assembly. The report also recommended that the Assembly and WorkSafe ACT sign an MOU, to set out how WorkSafe could exercise its powers within Assembly precincts without coming afoul of parliamentary privilege.
- 5.3. The Bill was passed, with the recommended amendment, within the next few months, and the MOU between the Assembly and WorkSafe was tabled in the Assembly this March, nearly exactly one year after the publication of the Committee's report.

5.4. Visit from Kiribati PAC

- 5.5. The ACT Legislative Assembly has a twinning arrangement with the Maneaba ni Maungatabu Kiribati, the parliament of the Pacific Island nation of Kiribati, and in March this year the Committee hosted members of the Kiribati Public Accounts Committee and their Secretary on an educational visit.
- 5.6. The Kiribati PAC was especially interested in how the ACT maintains the independence of the Auditor-General and the Public Accounts Committee. The Kiribati Auditor-General's office is currently under the jurisdiction of the Government, and their Public Accounts Committee is usually chaired by a government member. They are also currently undertaking a mammoth task to review the government's financial statements of the past decade.
- 5.7. The Clerk's Office helped to organise a full program for Chairman Mr Tauanei Marea MP, Ms Teima Onorio MP, and Ms Kauae Been, the Committee Secretary, during their week-long visit. This included several briefings on the workings of ACT committees and other Assembly departments, social events, briefings from the Auditor-General, and a visit to the Federal Parliament.

5.8. A focus on procurement

- 5.9. As a last observation on the activities of the Committee over the past few years, it seems that procurement has been a main focus. Of the 26 performance audit reports released by the Auditor-General since 2021, nine have spotlighted procurement processes, which is about 35%. In contrast, over roughly the same period in NSW, 16 out of 92 reports have focused on procurement (about 17%), and in Victoria, 8 out of 65 (about 12%).
- 5.10. These audits have looked into procurements involving a range of Government departments, goods, and services, including vehicles, IT systems, cleaning services, and construction services.
- 5.11. It remains to be seen whether this trend will continue, and remain an area of interest for the Public Accounts Committee of the 11th Assembly.

Mr Ed Cocks MLA
Chair, Standing Committee on Public Accounts
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