



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mrs Elizabeth Kikkert MLA (Chair), Mr Michael Pettersson MLA (Deputy Chair),
Mr Andrew Braddock MLA

Submission Cover Sheet

Inquiry into Financial Management Amendment Bill 2021 (No 2)

Submission Number: 05

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The Secretary
Standing Committee on Public Accounts
Legislative Assembly for the Australian Capital Territory
Civic Square, London Circuit
CANBERRA ACT 2601

ACT Electoral Commission Submission to the Inquiry into the Financial Management Amendment Bill 2021 (No 2)

Thank you for the invitation to make a written submission to Standing Committee's Inquiry into the Financial Management Amendment Bill 2021 (No 2) (the Bill) on the matter of implementing an Insourcing Framework to evaluate the insourcing and outsourcing of Government work.

The initial response of the ACT Electoral Commission (the Commission) to the Bill is to ensure that these proposed provisions do not impinge on or limit its statutory independence. That independence is stated in various legislative provisions, including in the *Electoral Act 1992* and the *Financial Management Act 1996*.

The Commission holds significant reservations about the Bill for the following reasons:

- The Insourcing Framework and the requirement to apply an evaluative tool to decision-making processes are yet to be defined and may unduly impact upon the exercise of our discretion in executing the Commission's functions.
- So far, the Commission has not been consulted on the Insourcing Framework and the evaluative tool. This situation may give rise to the potential for direct conflicts with the Commission's independence in arranging services or work central to delivery of elections.

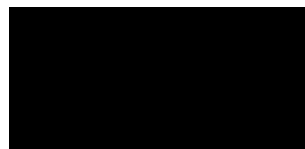
If the Bill progresses in its current form, the Commission strongly recommends that the Chief Minister, Treasury and Economic Development Directorate liaise closely with us to ensure that the Insourcing Framework avoids any impact on the independence of the Commission's electoral operations. In this regard, much depends on the Insourcing Framework's precise terms and application.

The Commission looks forward to assisting the Standing Committee in the conduct of the Inquiry. Any questions or clarifications about this submission can be directed in the first instance to the Electoral Commissioner, Damian Cantwell.



David Kalisch
Chairperson

27 January 2022



Damian Cantwell AM CSC
Electoral Commissioner

27 January 2022



Philip Moss AM
Member

27 January 2022