



STANDING COMMITTEE ON PUBLIC ACCOUNTS]

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

Inquiry into Annual and Financial Reports 2020-21
ANSWER TO QUESTION TAKEN ON NOTICE
2 March 2022

Asked by **MR CAIN** on **2 March 2022**: **MR DUNCAN** took on notice the following question:

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In relation to:

[Hansard Upgrade Captioning Cost](#)

MR DUNCAN: The answer to the Member's question is as follows:—

As I indicated in my answer, the captioning project is at a preliminary stage and only indicative costs have been discussed pending a more detailed examination of applicable business requirements and specification.

The average annual cost of Hansard transcription by the current provider is \$163,000 per annum, and it is anticipated that, based on preliminary information provided by companies that provide captioning services in Australia, the cost would be less than the current cost.

In addition, I wish to correct some evidence that I gave to the Committee.

In my evidence, I stated that in the Commonwealth jurisdiction, the Presiding Officers were not responsible for appointing the two Clerks of the Parliament. This is incorrect.

Under s 58 of the *Parliamentary Service Act 1999* (Cth), the President of the Senate is responsible for appointing the Clerk of the Senate and the Speaker of the House of Representatives is responsible for appointing the Clerk of the House of Representatives.

As noted in evidence, directions may be given to parliamentary clerks by the relevant Presiding Officer in certain circumstances in accordance with s 20 of the *Parliamentary Service Act* as follows:

- (1) General directions may be given in writing under this section to Secretaries [the clerks are Secretaries for the purposes of the provision—see s 7 Interpretation] pursuant to in relation to the management and leadership of Parliamentary Service employees.
- (2) Any such directions are to be given:
 - (a) in relation to the Clerk of the Senate—by the President of the Senate; or
 - (b) in relation to the Clerk of the House of Representatives—by the Speaker of the House of Representatives; or
 - (c) in relation to any other Secretary—by the President of the Senate and the Speaker of the House of Representatives acting jointly.

- (3) A direction can only be given if the Commissioner has been consulted by the President of the Senate, the Speaker of the House of Representatives, or the President of the Senate and the Speaker of the House of Representatives, as the case may be, in relation to the proposed direction.
- (4) A direction cannot be given to a Secretary in relation to the exercise of powers by the Secretary under section 15 or this Part in relation to particular individuals.
- (5) A direction issued under this section is a legislative instrument.

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

Importantly, under s 19 of the Act, the Clerk of either House of the Parliament is not subject to direction by a Presiding Officer in relation to any advice sought from, or given by, the Clerk with respect to that House or any of its committees or members.

Neither the *Public Governance Performance and Accountability Act 2013* (Cth) or the *Parliamentary Service Act 1999* (Cth) is there provision made for a minister to direct the Clerk of either chamber.

Approved for circulation to the Standing Committee on Public Accounts

Signature:



Date:

By the Clerk of the ACT Legislative Assembly, Tom Duncan.

