

2004

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

TABLING STATEMENT

Government Responses to:

Standing Committee on Public Accounts: Report No. 7 - 2002-03 Annual and Financial Reports of the Chief Minister's Department, Department of Treasury and other related agencies and the ACT Legislative Assembly Secretariat;

Standing Committee on Legal Affairs: Report No 9 – Report on Annual & Financial Reports of the Department of Justice and Community Safety and related agencies;

Standing Committee on Planning and Environment: Report No 26 - Inquiry into Annual and Financial Reports 2002-2003 for the Department of Urban Services and the Related Agencies;

Standing Committee on Community Services and Social Equity: Report No 4 - 2002-2003 Annual and Financial Reports: Department of Disability, Housing and Community Services, Discrimination Commissioner and Community Advocate;

Standing Committee on Health: Report No 7 - 2002-2003 Annual and Financial Reports: ACT Health, Community and Health Services Complaints Commissioner, Healthpact; and

Standing Committee on Education: 2002-2003 Annual and Financial Report: Department of Education, Youth and Family Services - 2002 Annual Report: Canberra Institute of Technology.

Tabled by
Jon Stanhope MLA
Chief Minister

I am pleased to present the Government's Responses to six Standing Committee reports on the Annual and Financial Reports for 2002-03.

Like last year, I am tabling the responses to all of the Standing Committee reports covering all portfolios. This is because the Standing Committee reports generally cover more than one Minister and more than one portfolio and, in certain cases, issues raised in the reports apply to all departments and agencies.

As members will be aware, annual and financial reports are prepared by agencies in accordance with the Chief Minister's annual report directions and in accordance with the Financial Management Act 1996. The government seeks to ensure that the directions and the Act are continually updated to reflect best practice and full accountability in accordance with government policy. In line with this approach, some of the issues raised in the Committee reports have already been addressed in the 2004 Annual Report Directions.

The six Standing Committee reports made a total of 53 recommendations. In broad terms the Government supports 33 of these, with a further 18 noted. Only two recommendations are not agreed.

Both of the recommendations that are not agreed relate to the report by the Standing Committee on Public Accounts.

Recommendation 7 of that report proposes that the Government introduce regulations in a timely manner to enable the Legislative Assembly to scrutinise them before their implementation date.

While the need to introduce regulations in a timely matter is agreed, it is neither practical nor appropriate to put in place a process for all regulations to be scrutinised by the Assembly before their commencement. This proposal would negate the fundamental reason for having regulations, that is, to allow for flexibility in the administration of policies to meet objectives as set out in legislation. Notwithstanding this position, the

Government will endeavour to better assist the Assembly in its scrutiny of subordinate legislation by identifying where there is likely to be a high degree of interest in the content of regulations and consulting with Assembly Members.

The other recommendation that has not been agreed relates to the Committee's view that the *Gambling and Racing Control Act 1999* should be amended to ensure the independence of the ACT Gambling and Racing Commission.

This recommendation appears to stem from the Committee's belief that independence of the Commission was brought into question because the Chair of the Commission was not present at the Committee hearings. The Government does not share the Committee's view. Examination of the transcript does not support the Committee's contention that the Chief Executive on a number of occasion deferred questions to the Minister.

Overall, however, I am sure the Assembly will agree that the government has responded in a way which entrenches and enhances our record of openness and accountability.

I would like to thank the Standing Committees for the effort they have made in preparing their reports.

Mr Speaker, I commend the Government's Responses to the Assembly.

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THE AUSTRALIAN CAPITAL TERRITORY

GOVERNMENT RESPONSE

Standing Committee on Planning and Environment

Report No. 26

Inquiry into Annual and Financial Reports 2002-
2003 for the Department of Urban Services and the
Related Agencies - February 2004

1 July 2004
Tabled by
Jon Stanhope MLA
Chief Minister

Government Response

Report No. 26 - Standing Committee on Planning and Environment - Inquiry into Annual and Financial Reports 2002-2003 for the Department of Urban Services and the Related Agencies - February 2004

Introduction

The Annual Reports of all ACT Government agencies are referred to the Standing Committees of the ACT Legislative Assembly for examination and report.

The Standing Committee on Planning and Environment reviewed annual reports for:

- Department of Urban Services
- Kingston Foreshore Development Authority
- ACTION Authority
- Cultural Facilities Corporation
- Canberra Public Cemeteries Trust
- Commissioner for the Environment
- Gungahlin Development Authority

The Committee makes 5 recommendations.

Response to Committee Recommendations

Recommendation 1

The Committee recommends that the Department of Urban Services and the Related Agencies implement the recommendations made by the Standing Committee on Planning and Environment in its 'Inquiry into the Urban Services Portfolio 2001-2002 Annual and Financial Reports, Report No. 12 February 2003'

Government Response

Noted. Recommendations supported by the Government have been/will be implemented as appropriate.

Recommendation 2

The Committee recommends that the Department of Urban Services and the Related Agencies show transparent linkages between annual reports, strategic planning processes and other reporting processes, so that it is readily apparent where these fit into the overall planning and operating environment context, and what impacts the implementation of subsequent policies are having.

Government Response

Noted. As in previous years, Departments will comply with the Chief Minister's Annual Report Directions.

As required by the draft 2004 Annual Report Directions there will be a increased emphasis on reporting against outcomes and objectives identified in a range of strategic documents. For Urban Services these will include the Canberra Plan, "Directions and Priorities", Group Business Plans, and other guiding documents, such as the Urban Services "Our People Plan".

Significant achievements will be analysed against the outcomes, objectives and key result areas identified in these various documents, and will also include discussion of performance against expectations.

Detailed notes will continue to be provided in Volume 2 on all significant variances against the Department's Quantity, Quality, Timeliness and Cost Performance Measures.

Recommendation 3

The Committee recommends that Department of Urban Services and the Related Agencies with related functional or crossover strategic responsibilities ensure that linkages are made and reported upon in individual reports, and that information be included about partnerships with other ACT Government Departments.

Government Response

Noted. Refer to response provided in relation to Recommendation 2.

Recommendation 4

The Committee recommends that Department of Urban Services and the Related Agencies improves the content and analysis of its annual reports and complying with the guidelines and legislative framework for preparing Annual Reports.

Government Response

Noted. Refer to response provided in relation to Recommendation 2.

Recommendation 5

The Committee recommends that the Chief Minister's Directions be revised to articulate the specific requirements for ACT Statutory Authorities, and that it all be clear as to how these Directions integrate with other of the legislative reporting requirements for Annual Reports.

Government Response

Agreed-in-principle. The draft 2004 Annual Report Directions have been reviewed to clarify reporting responsibilities. Other legislation may identify additional reporting requirement for specific statutory offices or entities in addition to those set out in the Annual Report Directions. It is not feasible to incorporate all of the individual reporting requirements in the Directions. Requirements that apply generally (such as reporting under the Financial Management Act 1996, the Public Interest Disclosure Act 1994 etc) are already referred to in the directions.