



PUBLIC ACCOUNTABILITY COMMITTEE

That notwithstanding anything contained in the standing orders:

Appointment

1. A Public Accountability Committee be appointed.

Functions

2. The functions of the committee are to inquire into and examine the public accountability, financial management, regulatory impact and service delivery of New South Wales government departments, statutory bodies or corporations.
3. In performing its functions under paragraph 2, the committee may:
 - (a) examine the consolidated financial statements and general government sector financial statements transmitted to the Legislative Council by the Treasurer,
 - (b) examine the financial reports of authorities of the State, being financial reports that have been:
 - (i) audited by the Auditor-General or an auditor appointed under section 47(1) of the *Public Finance and Audit Act 1983*, or
 - (ii) laid before the Legislative Council by a Minister of the Crown,
 - (c) examine the opinion or any report of the Auditor-General transmitted with the consolidated financial statements and general government sector financial statements or laid before the Legislative Council with the financial report of an authority of the State (including any documents annexed or appended to any such opinion or report),
 - (d) examine any report of the Auditor-General laid before the Legislative Council,
 - (e) report to the Legislative Council from time to time upon any item in, or any circumstances connected with, those financial reports, or reports or documents which the Committee considers ought to be brought to the notice of the Legislative Council,
 - (f) report to the Legislative Council from time to time any alteration which the Committee thinks desirable in the form of those financial reports or in the method of keeping them or in the method of receipt, expenditure or control of money relating to those financial reports, and
 - (g) inquire into expenditure by a Minister of the Crown made without Parliamentary sanction or appropriation or otherwise than in accordance with the provisions of the *Public Finance and Audit Act 1983* or any other Act and report to the Legislative Council from time to time

upon any matter connected with that expenditure which the Committee considers ought to be brought to the notice of the Legislative Council.

4. The committee is to inquire into future arrangements for the ongoing scrutiny by the Legislative Council of the matters set out in paragraphs 2 and 3.
5. The functions of the committee do not extend to an examination of, inquiry into or report upon the estimates of any proposed expenditure by the State or by an authority of the State.

Referral of inquiries

6. The committee is to inquire into and report on any matter referred to the committee by resolution of the House.
7. The committee may inquire into and report on the expenditure, performance or effectiveness of any government department, statutory body or corporation.
8. A committee meeting to consider a self-reference may be convened at the request of any three committee members in writing to the Committee Clerk.
9. The Committee Clerk must convene a meeting within seven days of the receipt of the request, providing that members are given at least 24 hours' notice.
10. A majority of committee members is required to adopt the self-reference. The terms of reference are to be reported to the House on the next sitting day.

Membership

11. The committee is to consist of seven members comprising:
 - (a) three government members,
 - (b) two opposition members, and
 - (c) two crossbench members.

Chair and Deputy Chair

12. That the Chair of the committee be Revd the Hon Fred Nile MLC and the Deputy Chair be the Hon Matthew Mason-Cox MLC.

Substitute members

13. Members may be appointed to the committee as substitute members for any matter before the committee by providing notice in writing to the Committee Clerk, with nominations made as follows:
 - (a) nominations for substitute government or opposition members are to be made by the Leader of the Government, Leader of the Opposition, Government or Opposition Whip or Deputy Whip, as applicable, and
 - (b) nominations for substitute crossbench members are to be made by the substantive member or another crossbench member.

Electronic participation in deliberative meetings

14. A committee member who is unable to attend a deliberative meeting in person may participate by electronic communication and may move any motion and be counted for the purpose of any quorum or division, provided that:
- (a) the Chair is present in the meeting room,
 - (b) all members are able to speak and hear each other at all times, and
 - (c) members may not participate by electronic communication in a meeting to consider a draft report.

Conduct of committee proceedings

15. Unless the committee decides otherwise:
- (a) submissions to inquiries are to be published, subject to the Committee Clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration,
 - (b) the Chair's proposed witness list is to be circulated to provide members with an opportunity to amend the list, with the witness list agreed to by email, unless a member requests the Chair to convene a meeting to resolve any disagreement,
 - (c) the sequence of questions to be asked at hearings is to alternate between opposition, crossbench and government members, in that order, with equal time allocated to each,
 - (d) transcripts of evidence taken at public hearings are to be published,
 - (e) supplementary questions are to be lodged with the Committee Clerk within two days, excluding Saturday and Sunday, following the receipt of the hearing transcript, with witnesses requested to return answers to questions on notice and supplementary questions within 21 calendar days of the date on which questions are forwarded to the witness, and
 - (f) answers to questions on notice and supplementary questions are to be published, subject to the Committee Clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration.