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6 April 2016

The Hon. Ivan Dean, APM, MLC  
Chairman  
Joint Standing Committee of Public Accounts  
Parliament House  
HOBART 7000

Dear Mr Dean

**REVIEW OF THE *PUBLIC ACCOUNTS COMMITTEE ACT 1970***

In response to the public invitation from the Committee, I would like to make this submission.

One of the terms of reference is to make recommendations for amendments to the Act that would better reflect the contemporary role and scope of the Committee. To this end, I suggest amendments to sections 5 and 6 of the Act.

**Section 5 – Secretary of the Committee**

It is anomalous that the Governor should be required to appoint an officer of the Parliament to be the secretary of the Committee. The Governor is a constituent element of the Parliament but is also at the head of the executive government of the State.

It would be appropriate for this section to be changed to say that the President of the Legislative Council and the Speaker of the House of Assembly shall, acting jointly, appoint an officer of one of the Houses of Parliament to be secretary of the committee.

That the Governor's involvement in this process in subsection 5(1) is anomalous is reflected by the fact that in subsection 5(2) the Presiding Officers are already empowered to appoint an acting secretary.

It would also appear that the last eleven words of subsection 5(3) "...and may be paid such remuneration as the Governor may approve" is a redundant clause, since the secretary or acting secretary must be an officer of one of the House of Parliament in the earlier subsections, and is remunerated in the officer's substantive position.

## Section 6 – Vacancies

Consistent with the practice that the two Houses of Parliament are masters of their own procedures, it is anomalous that a Committee member resigning writes to the Governor to give effect to such a resignation.

I would submit that this clause be reformed to say words to the effect of:

A member of the Committee may resign from the Committee by writing, in the case of a member of the House of Assembly, to the Speaker, and in the case of a member of the Legislative Council, to the President.

I am aware that the statutes establishing certain parliamentary committees have, for historical reasons, required members to resign to the Governor, but your inquiry offers the opportunity to remedy this anachronism in this Act, and thereby bring the legislation into step with contemporary practice. Although it is outside the terms of reference of this inquiry, you may care to observe that similar archaic provisions appear in the *Subordinate Legislation Committee Act 1969* and the *Public Works Committee Act 1914*.

Thank you for the opportunity to make this short submission, which is made in a personal capacity.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'H. G. M. M.', with a horizontal line underneath.