



**SENATE LEGAL AND CONSTITUTIONAL  
LEGISLATION COMMITTEE**

**REPORT ON THE EXAMINATION OF  
ANNUAL REPORTS**

**No. 1 of 1999**

**MARCH 1999**



**The Parliament of the Commonwealth of Australia**

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LEGISLATION COMMITTEE**

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# **REPORT ON THE EXAMINATION OF ANNUAL REPORTS**

## **Terms of reference**

On 1 May 1996 a resolution of the Senate allocated the following portfolios to the Legal and Constitutional Legislation Committee:

- Attorney-General's Department; and
- Department of Immigration and Multicultural Affairs.

This report was prepared pursuant to Standing Order 25(21) relating to the consideration of annual reports by legislation Committees. The Standing Order states:

Annual reports of departments and agencies shall stand referred to the legislation Committees in accordance with an allocation of departments and agencies in a resolution of the Senate. Each Committee shall:

- (a) examine each annual report referred to it and report to the Senate whether the report is apparently satisfactory;
- (b) consider in more detail, and report to the Senate on, each annual report which is not apparently satisfactory, and on the other annual reports which it selects for more detailed consideration;
- (c) investigate and report to the Senate on any lateness in the presentation of annual reports;
- (d) in considering an annual report, take into account any relevant remarks about the report made in debate in the Senate;
- (e) if the Committee so determines, consider annual reports of departments and budget-related agencies in conjunction with examination of estimates;
- (f) report on annual reports tabled by 31 October each year by the tenth sitting day of the following year, and on annual reports tabled by 30 April each year by the tenth sitting day after 30 June of that year;
- (g) draw to the attention of the Senate any significant matters relating to the operations and performance of the bodies furnishing the annual reports; and
- (h) report to the Senate each year whether there are any bodies which do not present annual reports to the Senate and which should present such reports.

## **Role of annual reports**

Annual reports place a great deal of information about government departments and agencies on the public record. Accordingly, the tabling of annual reports continues to be an important element of accountability to Parliament, as the information provided in annual reports assists in the effective examination of the performance of departments and agencies and the administration of government programs.

## Timing of presentation of reports on annual reports

Standing order 25(21)(f) requires that legislation Committees report on annual reports tabled by 31 October each year, by the tenth sitting day of the following year. The Legislation Committee is required to table this report on or before 23 March 1999.

## Reports referred to the Committee

This report includes those reports referred to the Committee between 1 May 1998 and 31 October 1998.

The errata for the Administrative Review Council Annual Reports 1996-97 was referred to, and noted by, the Committee.

The Committee notes that the following reports were presented to the President of the Senate out of session by 31 October 1998, as the Senate was not sitting during this period due to the federal election. Although the reports have since been tabled (10 November 1998), the Committee has elected to defer consideration of these reports until the *Report on the Examination of Annual Reports No.2 1999*<sup>1</sup>.

<b>Department of State</b>	<b>Date Presented to the President</b>
Attorney-General's Department Annual Report 1997-98	30/10/98
Department of Immigration and Multicultural Affairs Annual Report 1997-1998, including reports pursuant to the Immigration (Education) Act 1971 and the Australian Citizenship Act 1948	29/10/98
<b>Statutory Authorities</b>	
Australian Customs Service Annual Report 1997-98	6/10/98
Australian Federal Police Annual Report 1997-98, including a report pursuant to the Complaints (Australian Federal Police) Act 1981	22/10/98
Australian Institute of Criminology and Criminology Research Council Annual Report 1997-98	30/10/98
Family Court of Australia Annual Report 1997-98	30/10/98
Human Rights and Equal Opportunity Commission Annual Report 1997-98	30/10/98
Office of Film and Literature Classification – Classification Board and Classification Review Board Annual Reports 1997-98	30/10/98
Office of Parliamentary Counsel Annual Report 1997-98	30/10/98

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1 This second report covers reports referred to the Committee from 1 November 1998 until the 30 April 1999.



Privacy Commissioner (Privacy Act 1988)

30/10/98

Telecommunications (Interception) Act 1979

29/07/98

### **“Apparently satisfactory”**

Under the terms of standing order 25(21)(a), the Committee is required to report to the Senate whether reports are apparently satisfactory. In making this assessment, the Committee considers such aspects as compliance with relevant reporting guidelines.<sup>2</sup>

### **Timeliness**

Under standing order 25(21)(c) the Committee must also report to the Senate on any lateness in the presentation of annual reports.

The Committee has found that the errata for the Administrative Review Council Annual Report 1996-97 is apparently satisfactory.

Senator Marise Payne  
Chair

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<sup>2</sup> *Requirements for Departmental Annual Reports*, March 1994 (for departments/agencies whose heads have powers of a secretary under the *Public Service Act 1922*); Guidelines for Annual Reports by Statutory Authorities are contained in the Commonwealth Authorities and Companies Orders 1998; and Reporting Requirements for the Annual Reports of Non-Statutory Bodies, are from the government response to the report on non-statutory bodies of the Senate Standing Committee on Finance and Government Operations, *Senate Hansard*, Vol. S.124, 8 December 1987, pp.2643-5.