

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Department of Finance and Administration

Budget Estimates Hearings 2004-05 – 26 May 2004

Question: F20

Outcome 3 Efficiently Functioning Parliament, Output 3.1 Services to Senators, Members and their Staff

Topic: Certification on Management Reports

Hansard Page: F&PA 66

Senator Murray asked:

Senator MURRAY—Thank you. That is of assistance. My interest, Minister and Mr Barnes, is this: where people have legitimate concerns, I think it is fair enough whether or not you regard them as valid. If they regard them as valid that is a reasonable approach for them to take—they want satisfaction before they will sign off. I am concerned with those who do not sign off and who have left the parliament. I would seek to ascertain from the department whether, now that the new processes have been introduced—and they are much improved processes; my compliments to the department—future instances of people who have left the parliament simply refusing to certify and sign off on their accounts will no longer occur, or if they do occur whether there is some means of penalising the people concerned.

Mr Barnes—The difficulty with the situation is that there is no compulsion for certification. On that basis there is no authority for us to follow up.

Senator MURRAY—I am thinking of an age-old contractual device which the minister would recognise and that is just withholding final payments until matters are certified. I would be interested as to whether if at the end of a parliamentarian's period of service—and that is about to happen for a number of parliamentarians with the coming election—it is legal or feasible for a certain payment to be withheld from a parliamentarian until such time as the final accounts are certified. You can take this on notice because I am not sure you can answer across the floor.

Answer:

The Department endeavours to obtain certifications by:

- Including a reminder about the end of financial year management report certifications in a subsequent monthly management report; and
- Writing to follow up outstanding certifications.

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As there is no legal requirement for certification the Department has no basis on which to withhold payment of future entitlements where a certification remains outstanding.

A concern had been expressed to the Department that the certification form needed to make clear exactly what was being certified. In light of experience, and to remove any ambiguity from the certification, Ministerial and Parliamentary Services reviewed the wording of the certification. As a result, some modifications to the wording have been made so that the certification clearly relates to entitlement 'use' rather than entitlement 'cost'. The modified certification will appear in the June 2004 report. It is expected that these minor modifications will lead to more certifications being returned.