

PAC Reporting mechanism

Introduction

The Public Accounts Committee has reviewed the mechanism by which it prepares reports under section 69.(8) of the Constitution:

“The Public Accounts Committee shall report to the Legislative Council... such a report may be with or without recommendations.”

The report laid in LegCo on 21/3/14 was of a very different format to previous PAC reports. The need to lay the accounts in time for the March LegCo meant that insufficient time was spent explaining the purpose of the changes and ensuring that all parties understood one another.

The Public Accounts Committee would be grateful for your comments on the proposed reporting mechanism and on whether the timings in the timetable below can be met.

Reporting mechanism

Previous PAC reports have been drafted and then shared with officers to respond to the recommendations prior to being laid. The PAC report is prepared for Legislative Council, so the practice of officers responding to the report without the input of Legislative Council appropriates the political governance role of Elected Members.

The proposed reporting mechanism is for the PAC report to be accompanied by a motion for Legislative Council (if the PAC report has recommendations). The motion would include each recommendation within the report so that they could be considered individually. Legislative Council could then debate each recommendation and either accept it, amend it or reject it.

Standing Orders of Legislative Council require motions to be submitted 10 days before the Legislative Council session in which they are to be debated giving officers, principally the Chief Secretary and Financial Secretary, sufficient time to consider the recommendations and discuss them informally before the Legislative Council session.

Clearly officers would advise Elected Members on how to respond to the recommendations, but the decision should rest with Elected Members.

Timetable

The following table lays out the key events necessary to take a report/set of accounts from being laid in LegCo to the PAC report being laid with a motion.

Aggregate time	Time	
0	-	Accounts/report laid in LegCo
3	+ min 3 weeks	PAC evidence session
4	+ 1 week	PAC receives transcript
5	+ 1 week	PAC meets informally to identify themes for report
6	+ 1 week	First draft report prepared
7	+ 1 week	Draft report discussed and changes agreed LegCo motion drafted
8	+ 1 week	Report final draft finalised Final draft sent to SHG for factual accuracy check LegCo motion finalised
10	+2 weeks	Report finalised Motion & report submitted to Clerk of Councils
12	+ 2 weeks	Report laid in LegCo

This shows that it will take a minimum of 12 weeks from the account/report being laid in LegCo to a PAC report being ready to be laid in a subsequent LegCo.

A step is proposed to send the report to SHG officers for a factual accuracy check. This would be the Financial Secretary, Chief Secretary, and any other officer who gave evidence. This is to give officers the opportunity to correct any factual errors or misunderstandings that have been inadvertently reported. It also gives officers an early indication of the report's content. It is essential that such a step comes with a commitment from officers to meet the timetabled 2 weeks for their response, and recognition that PAC is not seeking their comments on the content or the recommendations.