Date Introduced: 5 March 1981
House: House of Representatives
Presented by: Hon. K.E. Newman, Minister for Administrative Services

Short Digest of Bill

Purpose

To empower the Public Works Committee to scrutinize the works of Commonwealth Authorities and overseas works for the Commonwealth.

Background

The Public Works Committee Act 1969 states, with listed exceptions, that a public work for a Commonwealth Department, inside Australia or an Australian Territory and with a cost estimate of more than $2 million, must be considered by the Parliamentary Standing Committee or Public Works before work commences. The exclusion of works of Commonwealth Authorities and various overseas projects has meant that considerable sums of money have been expended but not subject to the same degree of scrutiny as expenditures falling within the meaning of the Public Works Committee Act. This Bill seeks to extend the role of the Committee to include within its purview a wider range of expenditures than at present.

Main Provisions

Clause 5 of the Bill provides for all authorities of the Commonwealth to be subject to the Act with the exception of the Parliament House Construction Authority and an authority of the Commonwealth established for the purpose of providing, or for purposes which include the purpose of providing tertiary education in the Australian Capital Territory. This latter exclusion would appear to extend to an authority created for a purpose such as the construction of the Australian Defence Force Academy which will provide a tertiary qualification as an incidental to office training.

Authorities of the Commonwealth are defined in clause 3 to include all statutory authorities, institutions, instrumentalities and other bodies and to exclude intergovernmental bodies. Clause 3 also adds to the
definition of 'public work' used in the Act to include the works of all the authorities subject to the Act (with National Capital Development Commission work and work in assistance to an overseas country being excepted).

The works of the Northern Territory and the Administration of Norfolk Island are also excluded from the Act (clause 4).

The Committee is required to have regard to the functions, powers and duties of the authority and the relevant Minister in considering public work (clause 7).

The Minister for Housing and Construction is specifically given as the referring Minister to the Committee (clause 8). As well clause 8 allows for works of a repetitive nature, as agreed by the Committee, to be exempt from review.

Clause 9, inter alia, gives the Committee the power to conduct inquiries in private, and to report on work for urban land development without holding an inquiry.

In considering works outside Australia and External Territories, the Committee is limited to plans, models and statements and to the taking of evidence of any person in Australia (clause 9).

There is to be a period of 12 months before the works of existing authorities become subject to the Committee's review.

For further information, if required, contact:

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