



# **Annual Report 2021-22**

**Report No. 34, 57th Parliament  
Economics and Governance Committee  
October 2022**

## **Economics and Governance Committee**

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## Contents

<b>Abbreviations</b>	<b>1</b>
<b>1 Economics and Governance Committee</b>	<b>2</b>
<b>2 Annual report</b>	<b>3</b>
<b>3 Inquiries and reports</b>	<b>3</b>
3.1 Examination of Bills	3
3.1.1 Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Bill 2021 (Report No. 11)	4
3.1.2 Appropriation (Parliament) Bill 2021 and Appropriation Bill 2021 (Reports No. 12 and 13)	4
3.1.3 Superannuation (State Public Sector) (Scheme Administration) Amendment Bill 2021 (Report No. 15)	4
3.1.4 Appropriation (Parliament) Bill (No. 2) 2021 and Appropriation Bill (No. 2) 2021 (Report No. 18)	5
3.1.5 Brisbane Olympic and Paralympic Games Arrangements Bill 2021 (Report No. 20)	5
3.1.6 Police Service Administration and Other Legislation Amendment Bill 2021 (Report No. 21)	5
3.1.7 State Penalties Enforcement (Modernisation) Amendment Bill 2022 (Report No. 24)	5
3.1.8 Bills under consideration as at 30 June 2022	6
3.2 Examination of subordinate legislation	6
3.2.1 Subordinate legislation tabled between 21 April 2021 and 15 June 2021 (Report No. 10)	6
3.2.2 Subordinate legislation tabled between 16 June 2021 and 31 August 2021 (Report No. 16)	7
3.2.3 Subordinate legislation tabled between 1 September 2021 and 2 September 2021 (Report No. 17)	7
3.2.4 Subordinate legislation tabled between 3 September 2021 and 14 September 2021 (Report No. 19)	8
3.2.5 Subordinate legislation tabled between 15 September 2021 and 16 November 2021 (Report No. 22)	8
3.2.6 Subordinate legislation tabled between 17 November 2021 and 22 February 2022 (Report No. 23)	8
3.2.7 Subordinate legislation tabled between 23 February 2022 and 15 March 2022 (Report No. 25)	9
3.3 Inquiry into the report on the strategic review of the functions of the Integrity Commissioner	9
<b>4 Consideration of public works</b>	<b>10</b>
<b>5 Consideration of Queensland Audit Office Reports to Parliament</b>	<b>10</b>
5.1.1 Queensland Audit Office Report to Parliament No. 10: 2019-20—Effectiveness of the State Penalties Enforcement Registry ICT reform	10
5.1.2 Queensland Audit Office Report to Parliament No 2: 2020-21—Effectiveness of audit committees in state government entities	11
5.1.3 Queensland Audit Office Report to Parliament No. 3: 2020-21—Queensland Government response to COVID-19	11

5.1.4	Queensland Audit Office Report to Parliament No. 6: 2020-21—Awarding of Sports Grants	11
5.1.5	Queensland Audit Office Report to Parliament No. 13: 2020-21—State entities 2020	12
5.1.6	Queensland Audit Office Report to Parliament No. 15: 2020-21—State finances 2020	12
5.1.7	Queensland Audit Office Report to Parliament No. 4: 2021-22—2021 status of Auditor-General recommendations	12
5.1.8	Queensland Audit Office Report to Parliament No. 11: 2021-22—Establishing the Queensland Future Fund	12
5.1.9	Queensland Audit Office Report to Parliament No. 13: 2021-22—State finances 2021	12
5.1.10	Queensland Audit Office Report to Parliament No. 14: 2021-22—State entities 2021	13
5.1.11	Queensland Audit Office Report to Parliament No. 17: 2021-22—Appointing and renewing government boards	13
<b>6</b>	<b>Monitoring and oversight</b>	<b>13</b>
6.1	Oversight of the Auditor-General	13
6.1.1	Oversight activities during 2021-22	13
6.2	Oversight of the Integrity Commissioner	14
6.2.1	Oversight activities during 2021-22	15
<b>7</b>	<b>Committee expenditure</b>	<b>15</b>
<b>8</b>	<b>Meeting attendance record</b>	<b>15</b>

## Abbreviations

committee	Economics and Governance Committee
HRA	<i>Human Rights Act 2019</i>
ICT	information and communications technology
Integrity Act	<i>Integrity Act 2009</i>
LSA	<i>Legislative Standards Act 1992</i>
POQA	<i>Parliament of Queensland Act 2001</i>
QAO	Queensland Audit Office
QIC	Queensland Integrity Commissioner
QPS	Queensland Police Service
Report No. 10	Economics and Governance Committee, <i>Report No. 10, 57th Parliament – Subordinate legislation tabled between 21 April 2021 and 15 June 2021</i>
Report No. 16	Economics and Governance Committee, <i>Report No. 16, 57th Parliament – Subordinate legislation tabled between 16 June 2021 and 31 August 2021</i>
Report No. 17	Economics and Governance Committee, <i>Report No. 17, 57th Parliament – Subordinate legislation tabled between 1 September 2021 and 2 September 2021</i>
Report No. 19	Economics and Governance Committee, <i>Report No. 19, 57th Parliament – Subordinate legislation tabled between 3 September 2021 and 14 September 2021</i>
Report No. 22	Economics and Governance Committee, <i>Report No. 22, 57th Parliament – Subordinate legislation tabled between 15 September 2021 and 16 November 2021</i>
Report No. 23	Economics and Governance Committee, <i>Report No. 23, 57th Parliament – Subordinate legislation tabled between 17 November 2021 and 22 February 2022</i>
Report No. 25	Economics and Governance Committee, <i>Report No. 25, 57th Parliament – Subordinate legislation tabled between 23 February 2022 and 15 March 2022</i>
SPER	State Penalties Enforcement Registry
Standing Orders	Standing Rules and Orders of the Legislative Assembly (Queensland)

## 1 Economics and Governance Committee

The Economics and Governance Committee (the committee) is a portfolio committee of the Legislative Assembly which commenced on 26 November 2020 under the *Parliament of Queensland Act 2001* (POQA) and the Standing Rules and Orders of the Legislative Assembly (Standing Orders).<sup>1</sup>

The committee's primary areas of responsibility are:

- Premier and Cabinet, and Olympic and Paralympic Games
- Treasury, Trade and Investment
- Tourism, Innovation and Sport.<sup>2</sup>

In relation to its portfolio areas, the committee:

- examines the estimates of each department and relevant statutory agency
- examines bills to consider the policy to be enacted
- examines bills and subordinate legislation for the application of fundamental legislative principles (FLPs) set out in section 4 of the *Legislative Standards Act 1992* (LSA)
- considers the compatibility of bills and subordinate legislation with the *Human Rights Act 2019* (HRA), including examining statements of compatibility for bills and examining human rights certificates for subordinate legislation
- considers the lawfulness of subordinate legislation
- assesses the public accounts of each department in regard to their economy, efficiency and effectiveness of financial management, by:
  - examining government financial documents
  - considering the annual and other reports of the Auditor-General
- may consider departments' public works in light of matters including, but not limited to, the:
  - suitability of the works for the purpose
  - necessity for the works
  - value for money of the works
  - revenue produced by, and recurrent costs of, the works, or estimates of revenue and costs
  - present and prospective public value of the works
  - actual suitability of the works in meeting the needs and achieving the stated purpose of the works.<sup>3</sup>

In addition, the committee has a monitor and review function in relation to the performance of the functions of the Auditor-General and the Integrity Commissioner.<sup>4</sup>

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<sup>1</sup> *Parliament of Queensland Act 2001* (POQA), s 88 and Standing Rules and Orders of the Legislative Assembly (Standing Orders), SO 194.

<sup>2</sup> The committee's portfolio areas, set out in Schedule 6 of the Standing Orders, were updated in amendments agreed to by the Legislative Assembly on 12 October 2021 to reflect changes to ministerial portfolio responsibilities effected by the Administrative Arrangements Order (No. 2) 2021. Prior to this time (including through the earlier period of the financial year), the committee's portfolio areas were: Premier and Cabinet and Trade; Treasury and Investment; and Tourism Industry Development, Innovation and Sport.

<sup>3</sup> See POQA, ss 92-94, which set out the role of a portfolio committee and outline the activities a committee may undertake or is required to undertake, including in relation to legislation and proposed legislation (inclusive of the Appropriation Bills which set out the portfolio budget estimates), and public accounts and public works. See also HRA, ss 39, 40 and 57.

<sup>4</sup> Standing Orders, Schedule 6; *Auditor-General Act 2009*, ss 9, 11, 12, 18, 21, 38A, 68, 70; *Integrity Act 2009*, ss 68, 74, 78, 80, 81, 82, 85, 86, 88, 89.

## 2 Annual report

In accordance with section 108 of the POQA, the committee is required to table an annual report within 4 months and 14 days after the end of each financial year. The report must include:

- a list of meetings of the committee and the names of members attending or absent from each meeting
- a summary of issues considered by the committee, including a description of the more significant issues arising from the considerations
- a statement of the committee's revenue and spending for the year
- a brief description of responses by Ministers to recommendations of the committee.

This report provides a summary of the activities of the committee from 1 July 2021 through to 30 June 2022, including setting out the committee's:

- inquiries and reports
- consideration of Auditor-General reports (Queensland Audit Office reports to Parliament)
- consideration of public works
- monitoring and oversight activities
- committee expenditure
- meeting attendance records.

## 3 Inquiries and reports

During the reporting period, the committee considered the portfolio estimates as set out in the annual appropriation bills and examined a number of other bills and items of subordinate legislation. The committee also undertook an inquiry into the report of the 5-yearly strategic review of the functions of the Queensland Integrity Commissioner (QIC).

The committee tabled 16 reports on these inquiries and consideration activities in total, details of which are outlined below (see 3.1 regarding the committee's examination of bills, 3.2 regarding the committee's examination of subordinate legislation, and 3.3 regarding the inquiry into the report on the strategic review of the functions of the QIC).

Copies of these 16 reports are available on the committee's webpage.<sup>5</sup>

### 3.1 Examination of Bills

Across the financial year, the committee examined 11 bills in total, including:

- the portfolio budget estimates contained in 2 sets of annual appropriation bills (4 bills), in accordance with section 92(1)(a) of the POQA<sup>6</sup> and chapter 31 of the Standing Orders
- two appropriation bills that approve the release of additional moneys from the Consolidated Fund for expenditure in excess of the amount approved via the annual appropriation bills<sup>7</sup>
- five other referred bills in accordance with its responsibilities under section 93 of the POQA and chapters 23 and 24 of the Standing Orders.

The committee tabled 8 reports on 9 bills, with its consideration of 2 bills remaining ongoing as at 30 June 2022.

<sup>5</sup> Queensland Parliament, *Economics and Governance Committee*, <https://www.parliament.qld.gov.au/egc>.

<sup>6</sup> See also Standing Orders, SO 132

<sup>7</sup> *Constitution of Qld 2001*, s 66.

### **3.1.1 Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Bill 2021 (Report No. 11)**

The Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Bill 2021 was introduced on 16 June 2021 and referred to the committee on 18 June 2021 (in the previous financial year) for its examination and report.

The committee received a public briefing on the bill on 5 July 2021 and received and accepted 588 submissions, comprising 557 individual submissions and 31 'form submissions'<sup>8</sup> in respect of which approximately 340 total submissions were made.

The committee also held a public hearing with stakeholders on 19 July 2021.

The committee tabled its report on the bill on 6 August 2021, recommending that the bill be passed. The report also included committee commentary encouraging further consideration and consultation with stakeholders on supporting regulations and other matters.<sup>9</sup>

The bill was passed with amendment on 2 September 2021.

### **3.1.2 Appropriation (Parliament) Bill 2021 and Appropriation Bill 2021 (Reports No. 12 and 13)**

The Appropriation (Parliament) Bill 2021 and the Appropriation Bill 2021 (2021-22 Appropriation Bills) were introduced on 15 June 2021 and referred to the committee on 18 June 2021 (in the previous financial year), for the committee's investigation and report on the 2021-22 portfolio budget estimates within the committee's area of responsibility, as set out in Schedule 6 of the Standing Orders.

The committee conducted a public hearing on 16 July 2021, in which it questioned the Speaker of the Legislative Assembly regarding the proposed expenditure for the Legislative Assembly and Parliamentary Service, and questioned the following Ministers regarding the proposed expenditure for their portfolio areas:

- Premier and Minister for the Olympics (then the Premier and Minister for Trade)
- Treasurer and Minister for Trade and Investment (then the Treasurer and Minister for Investment)
- Minister for Tourism, Innovation and Sport, and Minister Assisting the Premier on Olympics and Paralympics Sport and Engagement (then the Minister for Tourism Industry Development and Innovation and Minister for Sport).

The committee also questioned the chief executives of portfolio statutory entities, as identified in Schedule 7 of the Standing Orders, regarding the budget estimates for their agencies.

The committee tabled its reports on the 2021-22 Appropriation Bills, together with a volume of additional information, on 20 August 2021. The committee's report recommended that the proposed expenditure in both bills be agreed to by the Legislative Assembly without amendment.

The 2021-22 Appropriation Bills were passed on 2 September 2021.

### **3.1.3 Superannuation (State Public Sector) (Scheme Administration) Amendment Bill 2021 (Report No. 15)**

On 1 September 2021, the Superannuation (State Public Sector) (Scheme Administration) Amendment Bill 2021 was introduced and referred to the committee for examination and report.

The committee received a public briefing on the bill on 13 September 2021, and received and accepted 9 submissions and one supplementary submission.

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<sup>8</sup> Where the committee received 3 or more submissions with substantially uniform content, those submissions were treated as 'form submissions', with the committee publishing one example of the form only, together with a list of the names of submitters.

<sup>9</sup> For example, see Report 11, 57<sup>th</sup> Parliament, *Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Bill 2021*, pp 44, 72.

The committee tabled its report on the bill on 15 October 2021, recommending that the bill be passed.

The bill was passed with amendment on 26 October 2021.

### **3.1.4 Appropriation (Parliament) Bill (No. 2) 2021 and Appropriation Bill (No. 2) 2021 (Report No. 18)**

On 15 September 2021, the Appropriation (Parliament) Bill (No. 2) 2021 and the Appropriation Bill (No. 2) 2021 (Bills) were introduced and referred to the committee for consideration and report.

The committee agreed to consider and report on the Bills jointly, and on 20 September 2021 issued a public call for written submissions on one or both of the Bills, to be received by 6 October 2021. No submissions were received.

The committee also sought and received written advice on the Bills and held a public departmental briefing on 5 October 2021.

The committee tabled its report on the Bills on 1 November 2021. The committee's report recommended that the proposed expenditure in both bills be agreed to by the Legislative Assembly without amendment.

The Bills were passed on 23 February 2022.

### **3.1.5 Brisbane Olympic and Paralympic Games Arrangements Bill 2021 (Report No. 20)**

On 27 October 2021, the Brisbane Olympic and Paralympic Games Arrangements Bill 2021 was introduced and referred to the committee for examination and report. The bill was declared an urgent bill under Standing Order 137, with the committee required to conclude its considerations and report to the Parliament on the bill by 26 November 2021.

The committee received a public briefing on the bill on 4 November 2021 and received and accepted 21 submissions.

The committee also held a public hearing with stakeholders on 15 November 2021.

The committee tabled its report on the bill on 26 November 2021, recommending that the bill be passed. The report also included committee commentary encouraging further engagement and consultation with stakeholders on Games infrastructure planning and decisions through commissions and other matters.<sup>10</sup>

The Premier and Minister for the Olympics addressed the committee's comments during the Second Reading Debate on the bill. The bill was passed with amendment on 2 December 2021.

### **3.1.6 Police Service Administration and Other Legislation Amendment Bill 2021 (Report No. 21)**

On 16 November 2021, the Police Service Administration and Other Legislation Amendment Bill 2021 was introduced. On 18 November 2021, the bill was referred to the committee for examination and report.

The committee received a written briefing on the Bill from the Queensland Police Service (QPS), prior to a briefing from officials from the QPS and from the Department of Environment and Science on 29 November 2021.

The committee received and accepted two submissions. The committee subsequently requested and received written advice from the QPS on issues raised in submissions.

The committee tabled its report on the bill on 11 February 2022, recommending that the bill be passed.

The bill was passed on 12 May 2022.

### **3.1.7 State Penalties Enforcement (Modernisation) Amendment Bill 2022 (Report No. 24)**

On 17 March 2022, the State Penalties Enforcement (Modernisation) Amendment Bill 2022 was introduced and referred to the committee for examination and report on 6 May 2022.

<sup>10</sup> For example, see Report 20, 57<sup>th</sup> Parliament, *Brisbane Olympic and Paralympic Games Arrangements Bill 2021*, pp 13, 30, 34, 38, 40, 43.

The committee received a public briefing on the bill on 28 March 2022 and received and accepted 7 submissions. The committee subsequently requested and received written advice from Treasury on issues raised in submissions.

The committee also held a public hearing with stakeholders on 19 April 2022.

The committee tabled its report on the bill on 6 May 2022, recommending that the bill be passed.

The bill was passed on 24 May 2022.

### **3.1.8 Bills under consideration as at 30 June 2022**

During the reporting period, the committee commenced consideration of the Appropriation (Parliament) Bill 2022 and Appropriation Bill 2022 (2022-23 Appropriation Bills).

The 2022-23 Appropriation Bills were introduced on 21 June 2022 and referred to the committee on 24 June 2022. The committee was required to investigate and report on the 2022-23 budget estimates within the committee's portfolio areas, as set out in the bills, by 12 August 2022.<sup>11</sup> The committee's estimates hearing was scheduled for 26 July 2022 (in the new financial year).

## **3.2 Examination of subordinate legislation**

During the reporting period, the committee tabled 7 reports canvassing its consideration of 19 items of subordinate legislation within its portfolio areas, in accordance with its responsibilities under section 93 of the POQA. The committee's reports were as follows:

- *Report No. 10, 57th Parliament – Subordinate legislation tabled between 21 April 2021 and 15 June 2021 (Report No. 10), tabled on 9 July 2021*
- *Report No. 16, 57th Parliament – Subordinate legislation tabled between 16 June 2021 and 31 August 2021 (Report No. 16), tabled on 25 October 2021*
- *Report No. 17, 57th Parliament – Subordinate legislation tabled between 1 September 2021 and 2 September 2021 (Report No. 17), tabled on 25 October 2021*
- *Report No. 19, 57th Parliament – Subordinate legislation tabled between 3 September 2021 and 14 September 2021 (Report No. 19), tabled on 10 November 2021*
- *Report No. 22, 57th Parliament – Subordinate legislation tabled between 15 September 2021 and 16 November 2021 (Report No. 22), tabled on 25 February 2022*
- *Report No. 23, 57th Parliament – Subordinate legislation tabled between 17 November 2021 and 22 February 2022 (Report No. 23), tabled on 5 April 2022*
- *Report No. 25, 57th Parliament – Subordinate legislation tabled between 23 February 2022 and 15 March 2022 (Report No. 25), tabled on 31 May 2022.*

The committee also tabled an erratum to Report No. 16 on 3 December 2021, to correct an error identified in that report.

### **3.2.1 Subordinate legislation tabled between 21 April 2021 and 15 June 2021 (Report No. 10)**

Report No. 10, tabled on 9 July 2021, outlined the committee's findings in relation to the following subordinate legislation:

- SL No. 47 of 2021 – Major Events (Motor Racing Events) (Townsville 500) Amendment Regulation 2021
- SL No. 51 of 2021 – Superannuation (State Public Sector) Amendment Notice 2021
- SL No. 52 of 2021 – Civil Liability and Other Legislation (Prescribed Amounts) Amendment Regulation 2021.

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<sup>11</sup> Queensland Parliament, Record of Proceedings, 22 June 2022, p 1629.

The committee did not identify any significant policy issues or issues relating to the application of fundamental legislative principles (FLPs), human rights compatibility, or lawfulness of the subordinate legislation. The committee considered a number of potential FLP and human rights implications of SL No. 47 of 2021, but was satisfied that the provisions in question were appropriate and reasonably and demonstrably justifiable in the circumstances.

The committee also considered that the explanatory notes tabled with the subordinate legislation complied with the requirements of section 4 of the LSA, and that the accompanying human rights certificates provided a sufficient level of information to facilitate understanding of these items of subordinate legislation in relation to their compatibility with human rights.

### **3.2.2 Subordinate legislation tabled between 16 June 2021 and 31 August 2021 (Report No. 16)**

Report No. 16, tabled on 25 October 2021, outlined the committee's findings in relation to the following subordinate legislation:

- SL No. 60 of 2021 – Revenue Legislation (Fees) Amendment Regulation 2021
- SL No. 61 of 2021 – Proclamation – *Queensland Future Fund (Titles Registry) Act 2021* (commencing remaining provisions)
- SL No. 62 of 2021 – Queensland Future Fund (Titles Registry) (Transitional) Regulation 2021
- SL No. 79 of 2021 – State Penalties Enforcement Amendment Regulation 2021
- SL No. 122 of 2021 – Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2021
- SL No. 123 of 2021 – Duties (Declared Public Unit Trusts) Amendment Regulation 2021
- SL No. 124 of 2021 – Petroleum and Gas (Royalty) Regulation 2021.

The committee did not identify any significant issues regarding the policy, consistency with FLPs, human rights compatibility or lawfulness of the Revenue Legislation (Fees) Amendment Regulation 2021 (SL No. 60 of 2021), Proclamation—*Queensland Future Fund (Titles Registry) Act 2021* (commencing remaining provisions) (SL No. 61 of 2021), or Statutory Instruments (Exemptions from Expiry) Amendment Regulation 2021 (SL No. 122 of 2021).

The committee considered a number of potential FLP and/or human rights issues in respect of the following items of subordinate legislation, but was ultimately satisfied that the provisions in question were appropriate and reasonably and demonstrably justifiable in the circumstances:

- the Queensland Future Fund (Titles Registry) (Transitional) Regulation 2021 (SL No. 62 of 2021)
- the State Penalties enforcement Amendment Regulation 2021 (SL No. 79 of 2021)
- the Duties (Declared Public Unit Trusts) Amendment Regulation 2021 (SL No. 123 of 2021)
- the Petroleum and Gas (Royalty) Regulation 2021 (SL No. 124 of 2021).

For all 7 examined items of subordinate legislation, the committee considered that the explanatory notes tabled with the subordinate legislation generally complied with the requirements of part 4 of the LSA, though the committee sought further information from the responsible department in respect of certain FLP matters. Further, the human rights certificates tabled with the subordinate legislation provided a sufficient level of information to facilitate understanding of the subordinate legislation in relation to their compatibility with the HRA.

### **3.2.3 Subordinate legislation tabled between 1 September 2021 and 2 September 2021 (Report No. 17)**

Report No. 17, tabled on 25 October 2021, outlined the committee's findings in relation to SL No. 136 of 2021 – Parliamentary Service Rule 2021.

The committee did not identify any significant issues regarding the policy, consistency with FLPs, lawfulness or human rights compatibility of the Parliamentary Service Rule 2021. The committee

considered a potential FLP issue and 2 human rights issues raised by the subordinate legislation, but was satisfied that the provisions in question were appropriate and reasonably and demonstrably justifiable in the circumstances.

The committee considered that the explanatory notes tabled with SL No. 136 of 2021 generally complied with the requirements of part 4 of the LSA. Further, the human rights certificate tabled with the subordinate legislation provided a sufficient level of information to facilitate understanding of the Parliamentary Service Rule 2021 in relation to its compatibility with the HRA.

#### **3.2.4 Subordinate legislation tabled between 3 September 2021 and 14 September 2021 (Report No. 19)**

Report No. 19, tabled on 10 November 2021, outlined the committee's findings in relation to SL No. 137 of 2021 – Superannuation (State Public Sector) Notice 2021.

The committee did not identify any significant issues regarding the policy, consistency with FLPs, lawfulness, or compatibility with human rights of the Superannuation (State Public Sector) Notice 2021.

The committee considered that the explanatory notes tabled with the subordinate legislation broadly complied with the requirements of part 4 of the LSA. Further, the human rights certificate tabled with SL No. 137 of 2021 provided a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

#### **3.2.5 Subordinate legislation tabled between 15 September 2021 and 16 November 2021 (Report No. 22)**

Report No. 22, tabled on 25 February 2022, outlined the committee's findings in relation to SL No. 161 of 2021 – Governors (Salary and Pensions) Amendment Regulation 2021.

The committee did not identify any significant issues regarding the policy, consistency with FLPs, lawfulness, or compatibility with human rights of the Governors (Salary and Pensions) Amendment Regulation 2021.

The committee considered that the explanatory notes tabled with the subordinate legislation comply with the requirements of part 4 of the LSA. Further, the human rights certificate tabled with SL No. 161 of 2022 provided a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

#### **3.2.6 Subordinate legislation tabled between 17 November 2021 and 22 February 2022 (Report No. 23)**

Report No. 23, tabled on 5 April 2022, outlined the committee's findings in relation to the following subordinate legislation:

- SL No. 179 of 2021 – Superannuation (State Public Sector) Amendment of Deed Regulation 2021
- SL No. 191 of 2021 – Public Service (Public Service Offices and Other Matters) Amendment Regulation 2021
- SL No. 002 of 2022 – Gaming Legislation Amendment Regulation 2022.

The committee did not identify any significant issues regarding the policy, consistency with FLPs, lawfulness, or compatibility with human rights of the Superannuation (State Public Sector) Amendment of Deed Regulation 2021 (SL No. 179 of 2021) or the Gaming Legislation Amendment Regulation 2022 (SL No. 2 of 2022).

The committee considered 2 human rights issues in respect of the Public Service (Public Service Offices and Other Matters) Amendment Regulation 2021 (SL No. 191), but was ultimately satisfied that the provisions in question were appropriate and reasonably and demonstrably justifiable in the circumstances.

The committee considered that the explanatory notes tabled with the subordinate legislation comply with the requirements of part 4 of the LSA. Further, the human rights certificate tabled with the subordinate legislation provided a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with human rights.

### **3.2.7 Subordinate legislation tabled between 23 February 2022 and 15 March 2022 (Report No. 25)**

Report No. 25, tabled on 31 May 2022, outlined the committee's findings in relation to the following subordinate legislation:

- SL No. 008 of 2022 – Superannuation (State Public Sector) Amendment Notice 2022
- SL No. 011 of 2022 – Public Service (Public Service Offices and Other Matters) Amendment Regulation 2021
- SL No. 012 of 2022 – Superannuation (State Public Sector) Repeal Regulation 2022.

No significant issues regarding policy, consistency with fundamental legislative principles, lawfulness or compatibility with human rights of the three items of subordinate legislation were identified.

The committee considered that the explanatory notes tabled with the subordinate legislation comply with the requirements of section 24 of the LSA. Further, the human rights certificate tabled with the subordinate legislation provided a sufficient level of information to facilitate understanding of the subordinate legislation in relation to its compatibility with the HRA.

### **3.3 Inquiry into the report on the strategic review of the functions of the Integrity Commissioner**

Section 86 of the *Integrity Act 2009* (Integrity Act) sets out a requirement for a 5-yearly review of the QIC's functions (strategic review) to be undertaken by an independent reviewer to assess whether those functions are being performed economically, effectively and efficiently. The committee, as the portfolio committee with oversight responsibility for the QIC, is charged with examining each strategic review report tabled in the Assembly and, if appropriate, commenting on any aspect of the report and making recommendations.<sup>12</sup>

During the last financial year, Mr Kevin Yearbury PSM was appointed<sup>13</sup> to undertake the second strategic review of the functions of the QIC, with the review commencing shortly thereafter and continuing into 2021-22. Mr Yearbury's final report on the strategic review was tabled in the Assembly by the Premier and Minister for the Olympics on 14 October 2021, and referred to the committee for its consideration.<sup>14</sup>

On 15 November 2021, the committee held a private briefing with Mr Yearbury to discuss the findings and recommendations of his report and the matters that informed his considerations.

On 18 November 2021, the committee issued a call for submissions, with 8 submissions received. The committee then held a public hearing on 14 March 2022.

The committee tabled its report on its inquiry on 3 June 2022. The report outlined the committee's support for recommendations that:

- reduce the number of roles eligible to seek advice from the Integrity Commissioner
- relieve the Integrity Commissioner of administrative processes that have no relevance to the function
- provide clarity to the definition of an entity as a third party lobbyist

<sup>12</sup> *Integrity Act 2009* (Integrity Act), s 89(d).

<sup>13</sup> On 11 March 2021.

<sup>14</sup> Section 88(7) of the Integrity Act provides for the automatic referral of the strategic review report, as tabled by the responsible Minister, to the parliamentary committee with oversight responsibility for the QIC.

- enable the Integrity Commissioner to seek an explanation and/or issue a direction to take remedial action about a compliance matter, without first having to issue a show cause notice when the matter is more minor in nature
- urge a priority upgrade or replacement of the Lobbyist Register platform.

The committee also recommended:

- the government consider legislative amendments to clarify the role of the Integrity Commissioner in providing post-separation advice
- the *Integrity Act 2009* be amended to ensure Ministers and Assistant Ministers are aware of Integrity Commissioner advice being sought by a member of their staff and full contextual information is provided to the Integrity Commissioner
- consultation be undertaken to identify an appropriate investigatory body for allegations of misconduct on the part of registered lobbyists, or lobbying activity undertaken by unregistered lobbyists.

## 4 Consideration of public works

As previously noted, the committee has responsibilities relating to public works within its portfolio areas, which are recognised in section 94 of the POQA. The committee may consider portfolio area works in light of matters including, but not limited to, the:

- suitability of the works for the purpose
- necessity for the works
- value for money of the works
- revenue produced by, and recurrent costs of, the works, or estimates of revenue and costs
- present and prospective public value of the works
- actual suitability of the works in meeting the needs and achieving the stated purpose of the works.<sup>15</sup>

During 2021-22, the committee examined a list of portfolio area works as highlighted in recent Budget capital statements and sought further in relation to particular works.

## 5 Consideration of Queensland Audit Office Reports to Parliament

During the reporting period, the committee was referred 5 Auditor-General reports for consideration, in accordance with Standing Order 194B. The committee also continued its consideration of:

- 4 Auditor-General reports referred to the committee in previous financial years
- 2 reports referred to the Economics and Governance Committee of the 56th Parliament (former committee), with the committee having agreed to recommence the former committee's considerations on 22 February 2021.

### 5.1.1 Queensland Audit Office Report to Parliament No. 10: 2019-20—Effectiveness of the State Penalties Enforcement Registry ICT reform

The Auditor-General's report titled *Auditor General Report No. 10: 2019-20—Effectiveness of the State Penalties Enforcement Registry ICT reform* was tabled on 6 February 2020 and referred to the former committee on 6 February 2020. The former committee's consideration of the report, which was ongoing when the Parliament was dissolved by proclamation dated 6 October 2020, ultimately lapsed at that time.

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<sup>15</sup> See POQA, ss 92-94, which set out the role of a portfolio committee and outline the activities a committee may undertake or is required to undertake, including in relation to legislation and proposed legislation (inclusive of the Appropriation Bills which set out the portfolio budget estimates), and public accounts and public works. See also HRA, ss 39, 40 and 57.

The committee agreed to recommence the former committee's consideration of the report on 22 February 2021.

The report outlines the results of a performance audit of the information and communications technology (ICT) aspect of the State Penalties Enforcement Registry (SPER) Reform Program, which was commenced after the Under Treasurer alerted the Auditor-General to concerns about a series of delays in the delivery of the ICT project.

During 2021-22, the committee requested and received updates from relevant departments on their actions to implement outstanding recommendations of the report.

Following consideration of the responses received, the committee determined to take no further review action in relation to the report.

#### **5.1.2 Queensland Audit Office Report to Parliament No 2: 2020-21—Effectiveness of audit committees in state government entities**

The Auditor-General's report titled *Auditor General Report No. 2: 2020-21—Effectiveness of audit committees in state government entities* was tabled on 8 September 2020 and referred to the former committee on 10 September 2020. The former committee's consideration of the report, which was ongoing when the Parliament was dissolved by proclamation dated 6 October 2020, ultimately lapsed at that time. The committee agreed to recommence the former committee's consideration of the report on 22 February 2021.

The report is an Auditor-General's insights report, which outlines the findings of a review that identified key elements that contribute to the effectiveness of state public sector audit committees, including setting out a series of actions and advice on improvements to governance for entities' consideration.

During 2021-22, the committee requested and received updates from Queensland Treasury as to their progress in addressing the actions identified by the Queensland Audit Office (QAO).

Following consideration of the response received, the committee determined to take no further review action in relation to the report.

#### **5.1.3 Queensland Audit Office Report to Parliament No. 3: 2020-21—Queensland Government response to COVID-19**

The Auditor-General's report titled *Auditor-General Report No. 3: 2020-21—Queensland Government response to COVID-19* was tabled on 22 September 2020 and referred to the committee on 3 December 2020.

The report provided a topic overview summarising the various measures announced by the Queensland Government in response to the COVID-19 pandemic over the period from 25 January 2020 to 21 August 2020, and the total cost of those measures to government.

The committee considered Report No. 3: 2020-21, and determined to take no further review action in relation to the report.

#### **5.1.4 Queensland Audit Office Report to Parliament No. 6: 2020-21—Awarding of Sports Grants**

The Auditor-General's report titled *Auditor-General Report No. 6: 2020-21—Awarding of Sports Grants* was tabled on 29 September 2020 and referred to the committee on 3 December 2020.

The report is an information brief outlining the findings of the QAO in its examination of sports grants in Queensland awarded by the Department of Housing and Public Works between 1 July 2017 and 29 February 2020.

During 2021-22, the committee requested and received updates from the Department of Premier and Cabinet and Queensland Treasury on their actions to implement outstanding recommendations of Report 6.

Following consideration of the responses received, the committee determined to take no further review action in relation to the report.

#### **5.1.5 Queensland Audit Office Report to Parliament No. 13: 2020-21—State entities 2020**

The Auditor-General's report titled *Auditor-General Report No. 13: 2020-21—State entities 2020* was tabled on 11 February 2021 and referred to the committee on 26 February 2021.

The report summarises the results of the QAO's 2019-20 financial audits of Queensland state government entities, including the 22 government departments.

During 2021-22, the committee wrote to Queensland Treasury inviting the department to provide further comment on the recommendations set out in Report 13, including appraising the committee of any implementation activities in which Treasury has engaged in relation to the report.

Following consideration of the response received, the committee determined to take no further review action in relation to the report.

#### **5.1.6 Queensland Audit Office Report to Parliament No. 15: 2020-21—State finances 2020**

The Auditor-General's report titled *Auditor-General Report No. 15: 2020-21—State finances 2020* was tabled on 18 March 2021 and referred to the committee on 25 March 2021.

The report is a financial audit report analysing the consolidated financial position of the Queensland Government.

The committee considered Report No. 15: 2020-21, and determined to take no further review action in relation to the report.

#### **5.1.7 Queensland Audit Office Report to Parliament No. 4: 2021-22—2021 status of Auditor-General recommendations**

The Auditor-General's report titled *Auditor-General Report No. 4: 2021-22—2021 status of Auditor-General recommendations* was tabled on 17 November 2021 and referred to the committee on 18 November 2021.

The report is an audit insights report providing an update on the self-assessed progress of 50 public sector entities, including local governments, in implementing recommendations issued by the QAO as part of 32 performance audits finalised during the financial years 2015-16 and 2017-18.

The committee considered Report No. 4: 2021-22, and determined to take no further review action in relation to the report.

#### **5.1.8 Queensland Audit Office Report to Parliament No. 11: 2021-22—Establishing the Queensland Future Fund**

The Auditor-General's report titled *Auditor-General Report No. 11: 2021-22—Establishing the Queensland Future Fund* was tabled on 13 December 2021 and referred to the committee on 25 February 2022.

The report explains how the Queensland Future Fund was established, the asset distribution and whether the fund has achieved its objectives, and reports on the fund's financial performance.

During 2021-22, the committee requested and received further comment from Queensland Treasury on the recommendations set out in Report 11.

As at 30 June 2022, the committee's consideration of the report was ongoing.

#### **5.1.9 Queensland Audit Office Report to Parliament No. 13: 2021-22—State finances 2021**

The Auditor-General's report titled *Auditor-General Report No. 13: 2021-22—State Finances* was tabled on 8 March 2022 and referred to the committee on 17 March 2022.

The report is a financial audit report analysing the consolidated financial position of the Queensland Government.

The committee considered Report No. 13: 2021-22, and determined to take no further review action in relation to the report.

### 5.1.10 Queensland Audit Office Report to Parliament No. 14: 2021-22—State entities 2021

The Auditor-General's report titled *Auditor-General Report No. 14: 2020-21—State entities 2021* was tabled on 11 April 2022 and referred to the committee on 12 May 2022.

The report summarises the results of the QAO's 2020-21 financial audits of Queensland state government entities, including the 21 core government departments.

As at 30 June 2022, the committee's consideration of the report was ongoing.

### 5.1.11 Queensland Audit Office Report to Parliament No. 17: 2021-22—Appointing and renewing government boards

The Auditor-General's report titled *Auditor-General Report No. 17: 2020-21—Appointing and renewing government boards* was tabled on 19 May 2022 and referred to the committee on 26 May 2022.

The report focused on the board recruitment processes of the 4 departments responsible for the largest government boards, and identified issues with ensuring suitable candidates are appointed to the boards in a timely way and remunerated appropriately.

As at 30 June 2022, the committee's consideration of the report was ongoing.

## 6 Monitoring and oversight

### 6.1 Oversight of the Auditor-General

The committee has responsibility under the *Auditor-General Act 2009* and under SO 194A for oversight of the Queensland Auditor-General. The committee's role is to:

- monitor and review the Auditor-General's and QAO's performance of their functions
- report to the Legislative Assembly on:
  - any matter concerning the Auditor General or the QAO, their functions, or their performance of those functions that the committee considers should be drawn to the attention of the Legislative Assembly, and
  - any changes to the functions, structures and procedures of the QAO that are desirable for more effective operation of the QAO or the *Auditor-General Act 2009*
- examine the annual report of the QAO and, if appropriate, comment on any aspect of the report
- examine each report on the 5-yearly strategic review of the QAO and, if appropriate, comment on any aspect of the strategic review report and make recommendations.<sup>16</sup>

As part of this role, the committee must be consulted on the QAO's strategic audit plan, the proposed budget for the QAO for each financial year, and the 5-yearly strategic review of the QAO, including the terms of reference and the appointment of the strategic reviewer.<sup>17</sup> The committee must also be consulted on the selection process for, and appointment of, the Auditor-General, and any motion to remove or suspend the Auditor-General.<sup>18</sup>

#### 6.1.1 Oversight activities during 2021-22

On 7 March 2022, the Auditor-General contacted the committee to invite portfolio committee feedback on the QAO's draft Strategic Audit Plan 2022-25, setting out a proposed list of audit topics for the period from 2022 to 2025. On 11 April 2022, the committee provided the Auditor-General with collated feedback from portfolio committees. The Auditor-General later confirmed that he had considered the committees' feedback, with the final Strategic Audit Plan 2022-25 having been published on the QAO website on 23 May 2022, along with an acquittal of all changes and differences between the current and prior year plans.

<sup>16</sup> *Auditor-General Act 2009*, ss 68, 70; Standing Orders, SO 194A.

<sup>17</sup> *Auditor-General Act 2009*, ss 38A(4)-(5), 21(3), 68(5).

<sup>18</sup> *Auditor-General Act 2009*, ss 9(2)(b); 18(3)(c)-(d).

Over the course of the financial year, the committee also considered various correspondence from the Auditor-General providing updates on the QAO's activities, including additions and changes to the Strategic Audit Plan to reflect emerging and topical issues, the status of the implementation of outstanding recommendations from the 2017 strategic review of the Queensland Audit Office, and other QAO initiatives and developments.

The committee asked questions of the Auditor-General regarding the QAO's activities during the committee's consideration of the portfolio budget estimates at the 16 July 2021 estimates hearing (see 3.1.6 regarding the 2021-22 Appropriation Bills).

On 11 March 2022, the Treasurer and Minister for Trade and Investment wrote to the committee as per the requirement under section 21(3) of the *Auditor-General Act 2009* for the Treasurer to consult with the committee in developing the proposed budget of the QAO for each financial year.

Further, during the reporting period the committee also:

- considered the QAO's 2020-21 annual report, tabled on 30 September 2021
- held a public briefing with the Auditor-General on 28 March 2022, to assist in its monitoring and oversight of the Auditor-General's functions.

During the public briefing the committee asked questions and received advice on reported information in the QAO's 2021-22 annual report. This included the impact of sharing particular financial information regarding state entities with Treasury for budget and reporting purposes on the QAO's performance ranking, the impact of the COVID-19 pandemic on the audit program, the implementation of the outstanding recommendations of the five-year strategic review, operating costs to deliver audits, and the timeliness of the publication of state entities, departments, statutory bodies and government-owned corporations' financial statements.<sup>19</sup>

## 6.2 Oversight of the Integrity Commissioner

The committee has a responsibility under the *Integrity Act 2009* and under SO 194A for oversight of the Queensland Integrity Commissioner (QIC). The committee's role is to:

- monitor and review the QIC's performance of the functions of the office
- report to the Legislative Assembly on:
  - any matter concerning the QIC, their functions, or the performance of their functions that the committee considers should be drawn to the attention of the Legislative Assembly
  - any changes to the functions, structures and procedures of the QIC that are desirable for more effective operation of the QIC or the *Integrity Act 2009*
- examine the annual report of the QIC and, if appropriate, comment on any aspect of the report and make recommendations
- examine each report on the 5-yearly strategic review of the QIC, and if appropriate, comment on any aspect of the strategic review report and make recommendations.<sup>20</sup>

As part of this role, the committee is required to be consulted on:

- a lobbyists code of conduct (before the QIC can approve the code)<sup>21</sup>
- the appointment of a reviewer and the terms of reference for each 5-yearly review of the QIC<sup>22</sup>

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<sup>19</sup> Public hearing transcript, Brisbane, 28 March 2022.

<sup>20</sup> *Integrity Act 2009*, ss 88, 89; Standing Orders, SO 194A.

<sup>21</sup> *Integrity Act 2009*, s 68(1). The current version of the Lobbyists Code of Conduct took effect from 12 September 2013.

<sup>22</sup> *Integrity Act 2009*, s 86(6). The committee must be consulted on these matters before a reviewer is appointed.

- the appointment of the QIC, and any motion to remove or suspend the QIC.<sup>23</sup>

### 6.2.1 Oversight activities during 2021-22

In addition to its inquiry into the report on the strategic review of the functions of the Integrity Commissioner, the committee undertook other activities as part of its oversight of the position.

The committee asked questions of the Integrity Commissioner during the committee's consideration of the portfolio budget estimates at the 16 July 2021 estimates hearing (see 3.1.6 regarding the 2021-22 Appropriation Bills).

On 2 August 2021, the committee met with Mr Kevin Yearbury PSM to discuss key issues identified through the review and provide input on those matters.

During the reporting period, the committee also considered the Integrity Commissioner's 2021-22 annual report, tabled on 1 October 2021.

Throughout the financial year, the committee also considered correspondence relating to the operation of the office of the Integrity Commissioner and her staff and sought further information in relation to those matters.

## 7 Committee expenditure

The committee had no revenue during 2021-2022. The committee is funded from the appropriation made to the Legislative Assembly. The expenditure of the committee from 1 July 2021 to 30 June 2022 is shown in the table below.

Item	\$
Staff salaries and related expenses <sup>24</sup>	356,642
Printing and supplies	2,103
Legal advice	3,140
Technology costs	10,759
Meeting expenses and miscellaneous	10,801
<b>Expenditure Total</b>	<b>383,445</b>

## 8 Meeting attendance record

The table below shows the attendance of committee members at committee meetings and other activities during the reporting period.

Standing Order 202(1) provides that in the case of a committee member's illness or inability to attend, another member may be appointed to attend that meeting or stand in for a particular inquiry.

<sup>23</sup> *Integrity Act 2009*, ss 74, 82.

<sup>24</sup> These figures reflect a three person secretariat supporting the committee. The committee's staffing might have been supplemented with additional resources from general Committee Office staff throughout the year.

<b>Meeting Date</b>	<b>Activity type:</b> PM private meeting PrH private hearing PH public hearing PrB private briefing PB public briefing	<b>Linus Power MP</b>	<b>Ray Stevens MP</b>	<b>Michael Crandon MP</b>	<b>Melissa McMahon MP</b>	<b>Daniel Purdie MP</b>	<b>Adrian Tantari MP</b>
5 July 2021	PB <sup>25</sup>	✓	✓	✗	✗	✓	✗
9 July 2021	PM	✓	✓	✓	✓	✗	✓
16 July 2021	PM	✓	✓	✓	✗ <sup>26</sup>	✓	✓
16 July 2021	PH <sup>27</sup>	✓	✓	✓	✗ <sup>28</sup>	✓	✓
19 July 2021	PM	✓	✓	✓	✓	✗	✓
19 July 2021	PH	✓	✓	✓	✓	✗	✓
2 August 2021	PM	✓	✓	✓	✓	✓	✓
16 August 2021	PM	✓	✓	✓	✓	✓	✓
30 August 2021	PM	✓	✓	✓	✓	✓	✓
6 September 2021	PM	✓	✓	✗	✗	✓	✓
13 September 2021	PM	✓	✓	✗	✓	✓	✓
13 September 2021	PB	✓	✓	✗	✓	✓	✓
17 September 2021	PM <sup>29</sup>	✓	✓	✓	✗	✓	✗
20 September 2021	PM	✓	✓	✓	✓	✓	✗
5 October 2021	PM	✓	✓	✗	✓	✗	✓
5 October 2021	PB	✓	✓	✗	✓	✓	✓
11 October 2021	PM	✓	✓	✗	✓	✓	✓
14 October 2021	PM	✓	✓	✗	✓	✗	✓
25 October 2021	PM	✓	✓	✗	✓	✓	✓
28 October 2021	PM	✓	✓	✗	✓	✓	✓

<sup>25</sup> Subcommittee – Linus Power MP, Ray Stevens MP, Daniel Purdie MP

<sup>26</sup> Chris Whiting MP replaced Melissa McMahon MP as a committee member on 16 July 2021 under SO202(1)

<sup>27</sup> Public hearing - Estimates 2021-2022.

<sup>28</sup> Chris Whiting MP, then Don Brown MP replaced Melissa McMahon MP as a committee member on 16 July 2021 under SO202(1)

<sup>29</sup> Subcommittee – Linus Power MP, Ray Stevens MP, Michael Crandon MP, Daniel Purdie MP

<b>Meeting Date</b>	<b>Activity type:</b> PM private meeting PrH private hearing PH public hearing PrB private briefing PB public briefing	<b>Linus Power MP</b>	<b>Ray Stevens MP</b>	<b>Michael Crandon MP</b>	<b>Melissa McMahon MP</b>	<b>Daniel Purdie MP</b>	<b>Adrian Tantari MP</b>
4 November 2021	PM <sup>30</sup>	✓	✓	✗	✓	✗	✗
4 November 2021	PB <sup>31</sup>	✓	✓	✗	✓	✗	✗
9 November 2021	PM	✓	✓	✗	✓	✓	✓
15 November 2021	PM	✓	✓	✓	✓	✓	✓
15 November 2021	PrB	✓	✓	✓	✓	✓	✓
15 November 2021	PH	✓	✓	✓	✓	✓	✓
23 November 2021	PM	✓	✓	✗	✓	✓	✓
29 November 2021	PM	✓	✓	✓	✓	✓	✓
29 November 2021	PB	✓	✓	✓	✓	✓	✓
2 December 2021	PM	✓	✓	✓	✓	✓	✓
17 January 2022	PM	✓	✓	✓	✓	✗	✓
7 February 2022	PM	✓	✓	✓	✓	✓	✓
7 February 2022	PM <sup>32</sup>	✓	✓	✗	✗	✗	✗
21 February 2022	PM	✓	✓	✓	✓	✓	✓
24 February 2022	PM	✓	✓	✓	✓	✓	✓
2 March 2022 <sup>33</sup>	PM	✓	✗	✗	✓	✗	✓
14 March 2022	PM	✓	✓	✓	✓	✓	✓
14 March 2022	PH	✓	✓	✓	✓	✓	✓
17 March 2022 <sup>34</sup>	PM	✓	✗	✗	✓	✗	✓
28 March 2022	PM	✓	✓	✗	✓	✓	✓

<sup>30</sup> Subcommittee – Linus Power MP, Ray Stevens MP, Melissa McMahon MP.

<sup>31</sup> Subcommittee – Linus Power MP, Ray Stevens MP, Melissa McMahon MP.

<sup>32</sup> Subcommittee – Linus Power MP, Ray Stevens MP.

<sup>33</sup> No quorum

<sup>34</sup> No quorum

<b>Meeting Date</b>	<b>Activity type:</b> PM private meeting PrH private hearing PH public hearing PrB private briefing PB public briefing	<b>Linus Power MP</b>	<b>Ray Stevens MP</b>	<b>Michael Crandon MP</b>	<b>Melissa McMahon MP</b>	<b>Daniel Purdie MP</b>	<b>Adrian Tantari MP</b>
28 March 2022	PB	✓	✓	✗	✓	✓	✓
28 March 2022	PB	✓	✓	✗	✓	✓	✓
6 April 2022	PM	✓	✓	✓	✓	✓	✓
19 April 2022	PM	✓	✓	✓	✓	✓	✓
19 April 2022	PH	✓	✓	✓	✓	✓	✓
4 May 2022	PM	✓	✓	✓	✓	✓	✓
9 May 2022	PM	✓	✓	✓	✓	✓	✓
23 May 2022	PM	✓	✓	✓	✓	✓	✓
26 May 2022	PM	✓	✓	✓	✓	✓	✓
10 June 2022	PM	✓	✓	✓	✓ <sup>35</sup>	✓	✓
20 June 2022	PM	✓	✓	✓	✓ <sup>36</sup>	✓	✓
24 June 2022	PM	✓	✓	✓	✓ <sup>37</sup>	✓	✓



Linus Power MP

**Chair**

October 2022

<sup>35</sup> Don Brown MP replaced Melissa McMahon MP as a committee member on 10 June 2022 under SO202(1).

<sup>36</sup> Don Brown MP replaced Melissa McMahon MP as a committee member on 20 June 2022 under SO202(1).

<sup>37</sup> Don Brown MP replaced Melissa McMahon MP as a committee member on 24 June 2022 under SO202(1).