

AUSTRALIAN SPORTS COMMISSION – COMMENTS ON THE PUBLIC GOVERNANCE PERFORMANCE AND ACCOUNTABILITY ACT AND RULE INDEPENDENT REVIEW

1. Have the changes been beneficial in providing more meaningful information

The Australian Sports Commission (ASC) has found the transition from the *CAC Act* to the *PGPA Act* to have been beneficial in relation to providing meaningful information. Specifically, the ASC has found the resource management guides available to interpret the *PGPA Act* and Rule useful in applying the requirements. Additionally, we have welcomed opportunities to attend Communities of Practice sessions to share information across networks and the ability to directly liaise with subject matter professionals within the Department of Finance.

2. How could they be changed to provide better insight

The ASC would welcome enhancements to resources to provide clearer guidance in relation to what does and does not apply to a Corporate Commonwealth Entity. Our experience is that the majority of resource materials are focussed on supporting non-corporate Commonwealth Entities.

3. What are the problems in complying with the changed requirement

The ASC has experienced challenges in complying with the *PGPA Act* where the requirements are conflicted with the requirements outlined within the *Australian Sports Commission Act 1989 (ASC Act)*. For example, the timing for the development of a strategic plan and an annual operational plan (corporate plan) required under the *ASC Act* differs with the timing requirements for the development and publishing of the corporate plan as required under the *PGPA Act*. The *ASC Act* also requires that the corporate plan is approved by the Minister and tabled in Parliament which creates challenges for the ASC to meet the timeframes specified within the *PGPA Act*.

In relation to considering whether there would be benefit in bringing forward and potentially legislating an earlier annual report delivery and tabling date; the ASC does not consider this approach feasible under the current annual report requirements. Challenges are associated with:

- logistical production timeframes for printing, Ministerial approval of content and typesetting
- the schedule of the ASC Board (Accountable Authority) and Finance, Audit and Risk Committee to consider the annual performance statements and ASC financial statements. This is currently occurs in August each year to enable sufficient timing for the financial statements audits.
- the timeframes relating to the inclusion of the Australian Sports Foundation (ASF) within the ASC's annual report. This is a requirement of the ASC under the *ASC Act*.

The earlier tabling of reports would be more feasible if there was reduced content, with the scope to publish remaining requirements online, and electronic tabling of reports.

4. Other comments

Should the independent review suggest recommendations to change any reporting requirements against elements of the *PGPA Act*, such changes would need to allow sufficient lead time to enable entities to establish appropriate mechanisms to enable collection of any relevant data.