



# Corporate Commonwealth Entity Responsibilities – When a Minister is involved in approving CCE grants

## Fact Sheet

December 2020

### At a glance

The *Public Governance, Performance and Accountability Rule 2014* (PGPA Rule) has been amended to improve transparency and accountability of grants made by or on behalf of corporate Commonwealth entities where a Minister is involved in approving **CCE grants**.

The new mandatory requirements apply to both the corporate Commonwealth entity and Ministers, and will ensure that Ministers are properly informed of the legal basis for their decisions and their reporting responsibilities as part of any **CCE grant** decision-making process.

In particular, when a Minister is involved in approving a **CCE grant**:

- grant guidelines **must** be produced by the corporate Commonwealth entity;
- grant guidelines and grants awarded **must** be published on GrantConnect, the whole-of-government grants information system ([www.grants.gov.au](http://www.grants.gov.au)); and
- Ministers have reporting requirements when approving the making of a **CCE grant**:
  - within their own electorate (members of the House of Representatives only); and
  - when a corporate Commonwealth entity recommends a **CCE grant** not be made (all Ministers, including Senators).

#### Please note:

The PGPA Rule does not confer a general power for Ministers to approve a **CCE grant**.

### New requirements

Division 6A of the PGPA Rule introduces advising, decision-making and reporting requirements for corporate Commonwealth entities and Ministers, **ONLY** when a Minister is involved in making **CCE grants**.

#### Please note:

It is the responsibility of officials to advise Ministers of their responsibilities under the PGPA rule when a Minister is to approve the making of a **CCE grant**.

### CCE grants defined

**CCE grant** means an arrangement for the provision of financial assistance by or on behalf of a corporate Commonwealth entity under which relevant money is paid to a person or body that is not a Commonwealth entity.

There are some arrangements that are not considered **CCE grants** under the PGPA Rule, such as procurement, an investment or loan, or payments of compensation, benefit or entitlement.

### Three key responsibilities

- prepare and publish grant guidelines;
- provide written notice to the Minister who is to approve the making of a **CCE grant**; and
- publish information on a **CCE grant** as approved by a Minister.

#### 1. Prepare and publish guidelines

The corporate Commonwealth entity **must**:

- prepare grant guidelines, including:
  - an explanation of the purpose, expected outcomes and objectives of the **CCE grant**;
  - the application and assessment process including the selection criteria; and

- the entity’s governance arrangements making the **CCE grant** including the operation of **CCE grant**, and
- publish the guidelines on GrantConnect.

## 2. Written notice

Before a Minister approves the making of a **CCE grant**, the corporate Commonwealth entity **must** provide a written notice to the Minister which includes:

- a statement that the arrangement for financial assistance is a **CCE grant**,
- advice on the legal or administrative basis for the Minister to approve the **CCE grant**,
- an outline of the Minister’s reporting obligations;
- a copy of the guidelines for that **CCE grant**,
- an assessment of applications against the guidelines;
- an assessment that the **CCE grant** achieves value with relevant money;
- list of the applications, noting which satisfy all, some or do not satisfy any criteria; and
- any other recommendations.

A Minister **must not** approve the making of a **CCE grant** without first receiving a written notice.

### Please note:

Where an application does not satisfy any of the selection criteria for the **CCE grant** and there is no recommendation that the **CCE grant** not be made, the decision may be subject to the annual reporting requirements should the Minister decide to approve the making of the **CCE grant**.

## 3. Publishing CCE Grants

A corporate Commonwealth entity must publish information about a **CCE grant** awarded on GrantConnect **within 21 days** after the day on which the **CCE grant** commences or is made.

## Publishing on GrantConnect

The grant guidelines and the **CCE grants** awarded **must** be published on GrantConnect.

A corporate Commonwealth entity (or Minister) may decide that:

- there is a specific policy reason not to publish the guidelines; or
- publishing particular information on the **CCE grant** awarded:
  - would contravene:
    - » the *Privacy Act 1988* (or other law), or
    - » any terms and conditions relating to the **CCE grant**, or
  - could reasonably be expected to adversely affect the achievement of a government policy outcome.

Where a decision is made it is not appropriate to publish the guidelines or some or all of the information required for a **CCE grant** award, the reasons for that decision **must** be recorded in writing.

## Ministerial Reporting

A corporate Commonwealth entity should assist Minister’s with their reporting requirements where the Minister approves the making of a **CCE grant**:

- in the Minister’s own electorate (as soon as practicable); or
- which was recommended not be made (annually, by 31 March for the preceding calendar year).

### Useful Resources for CCEs

[CCE Grant Flowchart](#)

[Grant Guidelines Templates](#)

[PGPA Rule](#)

[Grants and corporate Commonwealth entities webpage](#)

[GrantConnect](#)

Contact: [grants@finance.gov.au](mailto:grants@finance.gov.au)