



The Select Committee Process

Lesley Ferguson
Operational Manager (Select Committees)

Select committee business

- Legislation
- Estimates
- Financial reviews
- Petitions
- Treaties
- Inquiries and briefings
- Reports from Officers of Parliament

Committee process for bills

- Initial briefing
- Hearing of evidence
- Consideration of departmental report
- Consideration of draft amendments
- Deliberation
- Reporting

Evidence and advice

- A key distinction for officials
- If in doubt, clarify status with clerk of committee

Advice

- Given by advisers (appointed by committee)
- Heard in private
- Confidential until the committee reports

Advice - examples

- Departmental advice on a bill
- Parliamentary Counsel drafting of amendments to a bill
- Auditor-General advice on a financial review or Estimates
- Specialist advice on a bill or inquiry

Evidence

- Given by witnesses (invited by committee)
- Usually heard in public
- Often released before a committee reports

Evidence - examples

- Public submissions on a bill
- Departmental submission on a petition or inquiry
- Departmental evidence on a financial review or Estimates

Confidentiality of proceedings

- All proceedings, other than evidence heard in public, are strictly confidential
- Unauthorised release can be a contempt of Parliament
- Officials should only share with colleagues who need to know
- All proceedings, except secret evidence, become publicly available when the committee reports to the House

Committee staff

- Clerk of committee
 - main contact
 - manages relationship with officials
 - manages the programme
 - advises on procedure and scope
- Committee staff draft committee reports
- Committee staff work for the Clerk of the House

Departmental advisers

- Primarily involved in government bills
- Inherent conflict of interest
- May also be required for
 - Inquiries/briefings
 - petitions
 - international treaties
- Check status as witness or adviser

Departmental advisers cont'd

- Need sufficient experience and judgement to have confidence of committee
- Duty to act in good faith
- Expected to be aware of SSC guidelines on working with select committees

Tips for advisers

- Present a united front to the committee
- Admit when you don't know and find out
- Keep the clerk informed
- Involve the Minister when committee is at variance with government policy

Tips for advisers cont'd

- Advice becomes public when the committee reports
- Committees not subject to the OIA
- Advisers don't represent the committee
- Advisers can only reveal committee proceedings with permission

eCommittee

eCommittee launched in 2009:

- Online submissions
- Electronic papers for committees
- All committee papers on website
- Electronic papers for officials

Further information

- *Public Servants and Select Committees (SSC)*
- *Working with select committees* (Office of the Clerk)
- Standing Orders of the House of Representatives
- Cabinet Manual
- Parliamentary Bulletin
- www.parliament.govt.nz