
The National Assembly Committee on Public Administration

by Jacques Gagnon

One of the three roles that Members fulfill is to act as overseers of government activity. In the Westminster parliamentary system, and more particularly at the National Assembly of Quebec, Members have numerous means at their disposal to carry out this function. Some enter into play in the Assembly Chamber (for example, during question period and debates upon adjournment), but most are reserved for the proceedings of parliamentary committees. That is the case, for example, with the surveillance of public bodies, the annual consideration of the budgetary estimates, and the hearing of the Auditor General. All parliamentary committees participate in these exercises in parliamentary oversight, but at the National Assembly there is one committee that specializes in oversight and control: the Committee on Public Administration. This article looks at the history of the committee and its operating procedures. It also shows how the work of this committee represents, from many points of view, an original and innovative experience.

Most parliaments based on the Westminster model confer a central mandate of parliamentary oversight on a public accounts committee whose essential role is to ensure that ministries and public agencies make good use of the appropriations that Members vote them¹.

Quebec had such a committee as early as 1867. After some 40 years of regular activity the Public Accounts Committee fell inactive for a number of years before Maurice Duplessis, the then Leader of the Official Opposition, availed himself of it to hound the Liberal administration and precipitate the election of 1936. As Premier, Duplessis pursued the inquiries he had previously begun into the use of public funds until 1939. Under the ensuing Godbout Liberal government, then under Duplessis's long Unionist reign, this committee officially

still existed, but failed to meet even a single time. Only in 1963 did it resume activity.

In 1969 the Assembly created a new parliamentary committee, the Committee on Financial Commitments. This committee was responsible for verifying the financial commitments, i.e. expenditures that had been authorized but not yet made. Its purpose was to exercise financial oversight progressively as decisions on the use of public funds were being taken. This function was unique in the Westminster parliamentary community; even today Quebec remains exceptional in this regard. Its effect was, however, to relegate the Public Accounts Committee to a secondary role.

A further event of significance in the field of parliamentary oversight took place in 1970, when the Auditor General of Quebec was brought under the direct authority of the National Assembly and his duties were limited to audits following payment. His role would ultimately prove indispensable in verifying the adherence to ac-

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Rita Dionne-Marsolais, Chair of the Committee on Public Administration and Member for Rosemont (centre) with Nancy Ford (left) Clerk of the Committee and Sarah Perrault (right) Vice Chair and Member for Chauveau.

counting conventions, the regularity of expenditures, and the efficaciousness of government management.

A reorganization of the parliamentary committees in 1972 abolished the Public Accounts Committee together with its responsibility for examining the accounts and overseeing the use of public moneys. One standing committee was nevertheless given jurisdiction over the fields of finance, public accounts, and revenue². Its duties included hearing the Auditor General each year on the subject of his annual report.

A parliamentary reform undertaken in 1984 did away with the Committee on Finance and Public Accounts. It entrusted the task of examining the evolution of the budget and public finance to the Committee on the Budget and Administration and that of hearing the Auditor General to the Committee on the National Assembly. In 1987, however, the Committee on the Budget and Administration, at the initiative of its then chairman, Jean-Guy Lemieux, obtained by delegation the responsibility for hearing the Auditor General each year. It was only with the passage of the *Act respecting the reduction of personnel in public bodies and the accountability of deputy ministers and chief executive officers of public bodies*³ in 1993 that parliamentary committees were able to summon senior public servants before them in order to examine their management when the Auditor General's report cited it. The responsibility for this exercise was allocated among the sectoral committees according to their respective fields of competence. The same was true of the responsibility for verifying the financial commitments.

The idea of conferring a horizontal jurisdiction over the examination of government management subse-

quently came to the fore again and led to the creation of the Committee on Public Administration, on an experimental basis, on April 10, 1997. This committee was made permanent five months later through amendments to the Standing Orders of the National Assembly. It would henceforth fall to the Committee on Public Administration to hear the Auditor General concerning his annual report and, in the presence of the deputy ministers and the chief executive officers of public bodies, to examine the various matters raised in this report. The Committee on Public Finance, which had replaced the Committee on the Budget and Administration, nonetheless retained the responsibility for examining the government's budgetary policy and the public accounts.

Moreover, the *Public Administration Act*, passed in 2000, created new mechanisms for accountability within the framework of a results-based management policy. As we shall see later, the Committee on Public Administration has an important role to play in this area, since it is the committee competent for hearing deputy ministers and chief executive officers of public bodies regarding their management.

Terms of Reference

The Standing Orders of the National Assembly attribute three main functions to the Committee on Public Administration beyond the Assembly's power to refer any matter to it for its consideration.

Verification of the ministries' financial commitments

In 1997 the responsibility for verifying the financial commitments was once again given to a single specialized committee, the newly created Committee on Public Administration. Traditionally a sitting held to verify financial commitments always took place in the minister's presence. After preliminary remarks the Committee generally examined the commitments in chronological order while questioning the minister. Parliamentarians declared commitments verified as the examination of the lists for each month was completed. In March 2004, however, in an effort to clear its backlog and make this exercise more efficient, the committee substantially revised its operating procedures and working tools. The committee now regularly holds a deliberative meeting to examine recent financial commitments. It thereafter sends its requests for supplementary information to the ministries concerned in writing. The hearing of a minister is not excluded from the verification process, but the committee will resort to it only if the information obtained is insufficient or if the situation warrants a hearing (for example, if the committee's questions are quite numerous).

Hearing of the Auditor General on his annual report to the National Assembly

The hearing of the Auditor General on his annual report is in a sense the fundamental reason for which the Committee on Public Administration was created. Indeed, it was to ensure that the Auditor General would have the opportunity to present to parliamentarians the contents of his annual report to the National Assembly that this task was given to a specialized committee. Moreover, under the *Act respecting the accountability of deputy ministers and chief executive officers of public bodies* the Committee on Public Administration is free both to examine the chapters of the annual report in greater depth and to hold hearings for the questioning of deputy ministers and chief executive officers on their management.

The committee also examines the Auditor General's own annual management report and verifies his financial commitments every year. This exercise allows it to discuss the manner in which the Auditor General is carrying out his own mandate, the difficulties he is encountering, and the use he is making of the resources given to him. As an example, during the 36th Legislature the members of the committee were able to debate the legislative amendments to the Auditor General's terms of reference and set forth their conclusions on this subject⁵.

Hearing of deputy ministers and chief executive officers of public bodies to discuss their management

The introduction of the principle of direct accountability to parliamentarians by deputy ministers and chief executive officers of public bodies regarding their management can be traced back to the *Act respecting the reduction of personnel in public bodies and the accountability of deputy ministers and chief executive officers of public bodies*, passed in June 1993. The provisions concerning accountability remained unchanged when the act was amended in 1995 to become the *Act respecting the accountability of deputy ministers and chief executive officers of public bodies*. The act provides in essence that the competent parliamentary committee of the National Assembly must hear the deputy minister or the chief executive officer of a public body at least once each year to discuss his management or any other matter that may have been noted in a report from the Auditor General or the Public Protector.

The *Public Administration Act*, passed in 2000, confirmed the principle of accountability, clarified its purpose, and broadened its scope⁶. Thus, in March 2004 a total of 79 ministries and other public bodies were subject to the provisions of the act relating, in particular, to accountability to parliamentarians. The discussions held in committee may concern the declaration of services to

the citizenry, the results obtained in relation to the administrative aspects of the strategic plan or the annual expense-management plan, and any other matter of an administrative nature that may have been cited in a report from the Auditor General or the Public Protector. The act provides for the hearing of all deputy ministers and chief executive officers of public bodies at least once each year.

In reality, since its creation the Committee on Public Administration has planned its proceedings as a function of the publication of the two volumes of the annual report from the Auditor General of Quebec. The release of each volume is followed by deliberative and public meetings on the various subjects raised in the report. However, with regard to examining the documents and results prepared as required under the *Public Administration Act*, as we shall see later, the committee has only recently begun to take up these matters.

Operating Procedures

From the very first experiences with the application of the *Act respecting the accountability of deputy ministers and chief executive officers of public bodies* the Committee on the Budget and Administration, and later the Committee on Public Administration, adopted a nonpartisan approach to dealing with administrative questions.

To encourage such an approach as much as possible in the conduct of its business, the members of the committee⁷ concentrate essentially on the examination of management rather than on political choices or their relevancy. They have often stressed this climate of cooperation and mentioned its usefulness for executing their mandate of parliamentary oversight in a constructive way⁸.

Furthermore, both the physical arrangement of the room in which the Committee on Public Administration meets and the relatively flexible way in which the debates are organized, particularly with respect to alternation and speaking times, confer a personality on this committee that distinguishes it from the other parliamentary committees⁹. Finally, the committee enjoys considerable autonomy in the choice of the matters it examines. Indeed, the Assembly generally makes no orders of reference to it at all, even though the Standing Orders do provide for such a possibility.

As members of a parliamentary committee that may be likened to a public accounts committee, the chairman and the deputy chairman of the Committee on Public Administration take part as a matter of course in the annual assembly of the Canadian Council of Public Accounts Committees. The council brings together the

public accounts committees from all the provinces of Canada as well as that from the House of Commons. Its goals are to facilitate the exchange of information and opinions regarding the work of these committees, to improve their performance, to render their collaboration with legislative auditors more efficacious, and to inform elected Members, the press, and the public at large of the functions and activities of public accounts committees.

Accomplishments and Challenges

It is not easy to measure the impact that the Committee on Public Administration has had. In any such endeavour one must identify the parameter on which the evaluation is to be based. Does one wish to look at the impacts of the committee, for example, on the quality of government management, on the Members' oversight activities, or on the perceptions held by the population? An evaluation of that kind would require a systematic effort of information gathering and analysis that has yet to be made. Nevertheless, we can draw certain conclusions from the committee's initial years of activity.

It is evident, first of all, that the activities of the Committee on Public Administration have increased the impact of the Auditor General's annual report. This tendency had already begun in the mid-1990s with the Committee on the Budget and Administration. The tabling of the Auditor General's annual report in the Assembly receives particular attention from the media, especially since a press conference is subsequently held to present it. In the past that often was the only time this report received any visibility. The work of the Committee on Public Administration allows this interest to be sustained beyond the report's initial presentation. Indeed, the committee relies on the matters cited by the Auditor General throughout its hearings and calls upon his services in order to prepare itself properly to exercise its role as an overseer of government activity. Furthermore, its hearings are public, and journalists routinely cover the debates that take place before it. Besides giving heightened visibility to the work of the Auditor General, the committee's activities obviously make it possible to analyse the report in greater depth both in preparatory deliberative meetings and in public meetings.

It is interesting to note as well that the ministries and agencies under examination have often taken the opportunity afforded by the hearings of the Committee on Public Administration to make public an action plan intended to respond to the deficiencies cited by the Auditor General. The unveiling of these action plans at that precise moment must be seen as more than a mere coincidence. The committee's activities have surely helped to further induce managers to adopt corrective measures in

response to the Auditor General's recommendations. In the same spirit the recommendations contained in the committee's semi-annual reports accentuate the pressure on the ministries and agencies in question.

The impact on the oversight function is clear. The Committee on Public Administration serves as a pre-eminent venue in which deputy ministers and chief executive officers of public agencies can be held to account. Of course, the sectoral parliamentary committees can also carry out exercises in accountability; but they are able to devote only a limited amount of time to such exercises, owing to the other matters that are before them, in particular the consideration of bills. A specialized committee such as that on public administration thus has an unmistakable impact on the time that parliamentarians can devote to the oversight function.

What is more, the ministries and other public bodies themselves do not merely suffer the accountability exercises that take place before the Committee on Public Administration; they also benefit from them. Appearing before the committee allows organisations to take stock of their programs and explain them fully to Members. It also offers them the opportunity to publicize the organisation's "success stories," thus rounding out the overview furnished by the Auditor General. Moreover, the ministry or public body may find objective allies within the committee to defend its actions and improve its services.

Finally, parliamentarians themselves also gain from the committee's work. It obviously gives them an opportunity to learn in more detail about the operation of various organizations and programs by looking beyond strictly political questions. Furthermore, this forum for dialogue opens the way to future contacts between Members and the minister or the administration. The information that Members acquire during the committee's proceedings can also prove useful to them in other facets of their work, in particular when considering legislation. One of the more important achievements of the Committee on Public Administration, which has contributed mightily to establishing its credibility, has surely been to have maintained an emphasis on management throughout its debates. Members have always accepted the discipline of avoiding discussions on the political aspects of the matters discussed, even if the boundary between administrative and political questions is sometimes tenuous.

The eight years during which the Committee on Public Administration has existed are sufficiently rich in experience to allow us to draw certain conclusions regarding the challenges it faces.

One of the irritants in the organization of the committee's business concerns the difficulty in planning sittings within the framework of overall parliamentary activity. According to the National Assembly's Standing Order 146, an order of reference to a committee from the Assembly has precedence over other business. As a result, exercises in accountability by the Committee on Public Administration are apt to be cancelled or postponed whenever a scheduling conflict arises with business having precedence in other committees. In fact, given the constraints imposed by the Standing Orders, postponements and cancellations have been a frequent occurrence in the committee's history, and sometimes vexatious to its members. That is why the committee has preferred to meet, to the extent possible, between the Assembly's sessional periods. The challenge for the Committee on Public Administration nevertheless remains to reserve sufficient time for itself in order to be able to fulfill its mandate. Certain amendments that are being sought to the Standing Orders of the National Assembly to meet the requirements of the *Public Administration Act* might satisfy this need.

Another major challenge for the committee is to carry its efforts in the field of accountability, in particular in analyzing the Auditor General's annual report, through to completion by ensuring a better follow-up to its work. During its first years of existence the committee has concentrated above all on making full use of the Auditor General's analyses. It has regularly thought wise to include recommendations destined for the ministries and public bodies in its semi-annual reports on accountability. It was indeed a priority that these first steps in the field of accountability be taken. Now that the committee has firmly established its activity in this field, however, it would be appropriate for it to take the further step of following up more closely on the matters it has considered. From such an exercise the committee could draw useful conclusions both for the orientation of its proceedings and the formulation of its recommendations. Furthermore, the committee ought to give more regular consideration to the follow-ups that the Auditor General himself undertakes several years after completing audits into the optimization of resources.

The main short-term challenge is unquestionably to ensure the full implementation of the obligations contained in the *Public Administration Act*. Section 29 of this act entrusts parliamentarians with an important responsibility: It is before the competent committee of the National Assembly that deputy ministers and chief executive officers of public bodies must account for the results obtained in relation to their strategic-planning objectives, their annual expense-management plan, and

their declaration of services to the citizenry. Pursuant to this act approximately 80 annual reports on management are tabled in the National Assembly each year. The first of these were tabled in 2002, but it was only in the fall of 2003 that the examination of these reports was begun, still on an experimental basis, by the Committee on Public Administration. Useful conclusions emerged from these experiences. Further action needs to be taken, however, in order that this parliamentary exercise may be carried out in the most complete and efficacious way possible. A large proportion of the changes necessary to that end fall under the authority either of the National Assembly, through amendments to its Standing Orders, or that of the government, through amendments to the *Public Administration Act*.

A fourth challenge concerns the examination of the Auditor General's annual report. Since its creation the Committee on Public Administration has always oriented itself toward covering the Auditor General's annual report in its entirety insofar as it was possible to do so. However, one facet of this report has thus far remained unexamined. It is the report on the audit of the consolidated financial statements of the government of Quebec. The committee nevertheless took a first step in this direction in February 2004 and March 2005 through deliberative meetings with the Auditor General's staff to peruse his comments on the audit of the financial statements. Parliamentarians could eventually go further by holding public hearings on these financial statements. In this particular case, however, the jurisdiction of the Committee on Public Administration overlaps to a certain extent that of the Committee on Public Finance.

The final challenge confronting the Committee on Public Administration concerns the exercise of its guiding role in relation to the other parliamentary committees. This role relates first of all to the committees' activities in the field of accountability. In order to create or maintain momentum regarding results-based management in the public administration, the committee must contribute to a sharing by all committees of a common approach to these proceedings. This approach must be centred on the examination of management and on the rigorous analysis of performance indicators. The committee's guiding role also means that a certain number of practices relating to parliamentary oversight (a nonpartisan approach, the holding of deliberative meetings before and after hearings, and the tabling of a unanimous report including recommendations) must also be shared.

Conclusion

The Committee on Public Administration reveals itself clearly as the heir to certain forms of parliamentary over-

sight that had been exercised by its predecessors, in particular the Public Accounts Committee and the Committee on the Budget and Administration. One may therefore state that the Committee on Public Administration is in historical continuity with the practice of parliamentary oversight at the National Assembly.

On the other hand, the committee distinguishes itself through the innovations it has brought to the execution of its mandates. Thus, it systematically uses all the means at its disposal to perform its duty to hear deputy ministers and the chief executive officers of public bodies regarding their administrative management. It draws heavily upon the Auditor General's annual report, it enlists the latter's aid in preparing its sittings, it mobilizes National Assembly research staff, and it communicates its conclusions and recommendations in a public report. The committee has also adopted a rigorous and nonpartisan approach to its proceedings. In so doing it safeguards its credibility and its cohesion while perpetuating its young tradition. Another sign of innovation is that it has succeeded in revising its way of dealing with the verification of the financial commitments.

Without question, an impressive evolution has taken place in parliamentary oversight at the National Assembly during the past ten years. The Committee on Public Administration has certainly been at the centre of these changes; it has also been a marvellous school for Members in their function as overseers of the public administration. The challenges that lie ahead remain, however, as formidable as the progress already achieved. The committee must, in particular, continue to play a central role in furthering the implementation of results-based management in the Quebec public administration.

Notes

1. The main points of this chronology of the public accounts committee at the National Assembly are drawn from the following work: Jean Brien Desrochers, "La commission parlementaire des comptes publics, Un retour à l'Assemblée nationale?", *Bulletin de la Bibliothèque de l'Assemblée nationale*, vol. 25, no. 1, April 1996, pp. 15-20.
2. The Standing Committee on Revenue was created in 1978. The Committee on Finance and Public Accounts remained in existence.
3. Statutes of Quebec, 1993, chapter 35, *An Act respecting the reduction of personnel in public bodies and the accountability of deputy ministers and chief executive officers of public bodies*. This act was sponsored by a Member from the government party, Henri-François Gautrin.
4. National Assembly, Committee on Public Administration, *Guide des membres*, May 2003.
5. Committee on Public Administration, *Huitième rapport sur l'imputabilité des sous-ministres et des dirigeants d'organismes publics*, Chapitre 1 – Révision du mandat législatif du Vérificateur général du Québec, December 2001, pp. 7-14.
6. Revised Statutes of Quebec, *Public Administration Act*, chapter A-6.01, sections 24-29.
7. The committee is made up of ten permanent members. Others may join in the proceedings either as substitutes for permanent members or as temporary members. As is the case of public accounts committees in other Canadian provinces and in the federal government, the Committee on Public Administration is always chaired by a Member from the Official Opposition, while the vice-chairmanship is assumed by a Member from the governing party.
8. "One thing that is important and that has been mentioned by all those who have discussed this report is its nonpartisan approach. I think it is really one committee that brings together all ideas and wants to work by consensus. And [...] everyone works in the interest of the citizens, and I think that is perhaps an attractive feature of our committee [...]." Speech (in translation) by Mr. Pierre Marsan, Member for Robert-Baldwin and Vice-Chairman of the Committee on Public Administration. National Assembly, *Journal des débats*, March 10, 2004.
9. Following the example of the Committee on Public Administration, other committees are also seeking to adopt a more flexible approach to certain exercises in parliamentary oversight.
10. Website of the Canadian Council of Public Accounts Committees.
11. Geoffrey Kelly, *Le rôle des parlementaires après une reddition de comptes*, Notes for a speech by the Chairman of the Committee on Public Administration, October 30, 2002.
12. These illustrations of the positive impacts of the Committee on Public Administration are drawn from a speech given by the Deputy Minister of Agriculture, Fisheries, and Food at a colloquium organized by the École nationale d'administration publique in 1999. Observatoire de l'administration publique de l'ÉNAP, *Des administrateurs publics imputables ? Bilan, comparaison et prospectives*, Actes du colloque du 15 avril 1999.
13. Two proposals for parliamentary reform tabled in the National Assembly in the spring of 2004, one by the Speaker, the other by the Government House Leader, seek to take up this challenge. It is proposed, among other things, to increase the number of committees authorized to meet at any one time.
14. Committee on Public Administration, *Onzième rapport sur l'imputabilité des sous-ministres et des dirigeants d'organismes publics*, Annexe 1 – Les projets pilotes de reddition de comptes en vertu de la Loi sur l'administration publique, December 2003, pp. 1-12.