

13 November 2017

Ms Elizabeth Alexander AM  
Mr David Thodey AO  
PGPA Act Review  
c/- Department of Finance  
1 Canberra Avenue  
Forrest ACT 2603

Dear Ms Alexander and Mr Thodey

**PGPA Act review**

Thank you for your invitation to comment on the operations of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). I am writing on behalf of management of the Indigenous Land Corporation (ILC), a Commonwealth corporate entity established in 1995 to acquire and manage land for the benefit of Indigenous Australians. The ILC operates under the *Aboriginal and Torres Strait Islander Act 2005* (ATSIA Act), and was formerly subject to the *Commonwealth Authorities and Companies Act 1997* (CAC Act).

In general the ILC has welcomed and had no difficulty in accommodating the more rigorous requirements of the PGPA Act including those relating to record keeping, measurement and assessment of performance. The ILC instituted an independent Chairperson to its Audit and Assurance Committee several years before the PGPA Act came into force.

The PGPA Act requires that the ILC produce an annual Corporate Plan with a four year horizon. This does complicate the ILC's planning cycle. The ILC already has a requirement under Division 3 of the ATSIA Act to produce a National Indigenous Land Strategy (NILS) and complementary Regional Indigenous Land Strategies (RILS) each three to five years. The NILS is the ILC's primary policy document setting out its strategic direction and priorities over this timeframe. The NILS is tabled in Parliament after submission to the Minister for Indigenous Affairs. The ILC must have regard to the NILS in performing its functions and must review it from time to time.

This duplication of requirements for production of planning documents has added to the burden of compliance for the ILC and, over recent years, given rise to some misalignment between the PGPA Act planning cycle and the NILS cycle. To an extent these are matters for the ILC to reconcile. However, our circumstances lead us to make the suggestion that the Corporate Plan required under the PGPA Act also be required every four years, instead of annually, though subject to annual review.

Thank you again for the opportunity to comment.

Yours sincerely,



John Maher  
ILC Group Chief Executive Officer