

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to enable the Government and the Opposition to obtain and release independent assessments by the Treasury of the cost of election promises before a State general election.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 defines certain words and expressions used in the proposed Act.

Clause 4 provides that notes in the proposed Act do not form part of it.

Part 2 Requests for Treasury costing of election promises

Clause 5 provides that the Premier or the Leader of the Opposition (the requesting party) may request the Secretary of the Treasury (the Secretary) to prepare costings of publicly announced or proposed policies. Such requests may relate to proposed changes in expenditure or revenue.

Clause 6 allows costing requests to be made during the 60 days before a State election.

Clause 7 sets out formal requirements relating to the making of a costing request. A costing request must be in writing, outline the policy to be costed and state the purpose or intention of the policy.

Clause 8 provides that a requesting party may, by notice in writing, withdraw any costing request at any time before the costing is provided by the Treasury. Under **clause 12**, a costed policy may also be withdrawn from the policies listed in the Government's or Opposition's budget impact statement for the election.

Part 3 Treasury costing of election promises

Clause 9 requires the Secretary to provide a costing of a policy to the requesting party as soon as possible after receiving the request. If further information is required to cost the policy, the Secretary may request that information from the requesting party. The Secretary is to inform the requesting party of any requested costing that the Secretary is unable to provide and the reason it cannot be provided. The requesting party is required to notify the Secretary of the public announcement of policies that have been costed by the Treasury.

Clause 10 enables the Premier or the Leader of the Opposition to publicly release a Treasury costing that they requested. The clause also provides that the Secretary may issue a public statement correcting any misrepresentation of the Treasury costing.

Clause 11 requires the Secretary to publicly release a costing request and the Treasury costing:

- (a) when the Secretary has been notified of the public announcement of the policy, or
- (b) when the Secretary releases a budget impact statement that includes the costed policy.

Clause 12 provides for the preparation and release during the pre-election period of separate budget impact statements for all Treasury costed Government policies and Opposition policies. A budget impact statement is to show a summary of the assessed financial impact of each costed policy, and the total net financial impact of all the costed policies, on the current year's State budget and on the forward estimates for the following 3 financial years (together with the impact on the State's net financial liabilities). Two weeks before the State election, the Secretary is to provide a draft budget impact statement to the Premier and the Leader of the Opposition in relation to their respective policies. Within 48 hours of being provided with a draft budget impact statement, the Premier and the Leader of the Opposition may notify the Secretary of their final list of Treasury costed policies for inclusion in the budget

impact statement. The Secretary is to revise the statements in accordance with any such notification and publicly release those final statements 5 days before the State election.

Part 4 Miscellaneous

Clause 13 provides that the Secretary is to publicly release, on the release of the half-yearly budget review, a statement of the amount of uncommitted funds that are available to meet any future expenditure commitments for the General Government Sector during the current year's State budget and during the following 3 financial years.

Clause 14 makes it an offence for the Secretary or other member of staff of the Treasury to disclose any information or document provided by a requesting party (or on their behalf) for the purposes of a Treasury costing, or a document prepared by the Treasury for the purposes of any such costing, except to the requesting party, a person authorised by the requesting party or a member of the staff of the Treasury. The clause provides exceptions to that obligation (for example, any information or document that the Secretary is authorised or required to publicly release under the proposed Act or that has already been lawfully published).

Clause 15 allows the Secretary to issue guidelines relating to the making of costing requests and the preparation of Treasury costings and budget impact statements.

Clause 16 allows the Secretary to revise a Treasury costing or budget impact statement to correct any error at any time after it is made or publicly released, and to provide or release a revised costing or statement.

Clause 17 is a general regulation-making power.

Clause 18 omits from the Public Finance and Audit Act 1983 a secrecy provision that is transferred to clause 14 of this Bill.