



New South Wales

Public Finance and Audit Amendment (Costing of Election Promises) Bill 2002

Explanatory note

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

Overview of Bill

The object of this Bill is to amend the *Public Finance and Audit Act 1983* so as to make it an offence for a Treasury official to disclose information or documents relating to Treasury costing of election promises, except to the party requesting the costing.

Outline of provisions

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.

Clause 3 is a formal provision giving effect to the amendment to the *Public Finance and Audit Act 1983* set out in Schedule 1.

Schedule 1 contains the amendment outlined in the Overview above.

First print



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New South Wales

Public Finance and Audit Amendment (Costing of Election Promises) Bill 2002

No. , 2002

A Bill for

An Act to amend the *Public Finance and Audit Act 1983* with respect to the disclosure of information and documents concerning the Treasury costing of election promises.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Public Finance and Audit Amendment (Costing of Election Promises) Act 2002</i> .	3 4
2 Commencement	5
This Act commences on the date of assent.	6
3 Amendment of Public Finance and Audit Act 1983 No 152	7
The <i>Public Finance and Audit Act 1983</i> is amended as set out in Schedule 1.	8 9

Schedule 1	Amendment	1
	(Section 3)	2
Section 61A		3
Insert after section 61:		4
61A	Disclosure of information or documents relating to Treasury costing of election promises	5 6
(1)	This section applies to any of the following information and documents:	7 8
(a)	information or documents provided to the Secretary of the Treasury by a person on behalf of the Government or the Opposition for the purposes of the Treasury costing any election commitments or proposals,	9 10 11 12
(b)	information or documents prepared by the Treasury for the purposes of that costing.	13 14
(2)	The Secretary of the Treasury or other member of staff of the Treasury must not disclose any such information or document except to:	15 16 17
(a)	the representative of the Government or the Opposition who requested the costing (or to any person authorised by that representative), or	18 19 20
(b)	a member of staff of the Treasury.	21
	Maximum penalty: 20 penalty units.	22
(3)	This section does not apply to any information or document:	23
(a)	if the information or document has already been lawfully published, or	24 25
(b)	if the person disclosing the information or document became aware of the information or obtained the document otherwise than in the course of Treasury costing any election commitments or proposals.	26 27 28 29

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Schedule 1 Amendment

- (4) This section applies to a disclosure made after the commencement of this section even though the request for the Treasury costing was made before that commencement. 1
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- (5) In this section, *Treasury costing* of an election commitment or proposal means a costing for the purposes of a general election of the Legislative Assembly that is undertaken by the Treasury in accordance with arrangements made by the Secretary of the Treasury. 4
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