



New South Wales

Government Sector Finance Amendment (Grants) Bill 2023

Explanatory note

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

Overview of Bill

The objects of this Bill are—

- (a) to amend the *Government Sector Finance Act 2018* to impose certain duties on Ministers and other government officials when approving or declining government grants, and
- (b) to amend the *Government Information (Public Access) Act 2009* and the *Government Information (Public Access) Regulation 2018* to provide that certain information about government grants is open access information that must be made publicly available.

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 1 July 2023.

Schedule 1 **Amendment of Government Sector Finance Act 2018 No 55**

Schedule 1[1] transfers the *Government Sector Finance Act 2018*, Schedule 1, clause 31 to proposed section 10.3A. The proposed section sets out a duty to comply with the Grants Administration Guide, which is issued by the Premier and published in the Gazette. The current Grants Administration Guide was published in the Gazette on 19 September 2022.

Schedule 1[1] also sets out the following further duties in relation to approving or declining grants—

- (a) a Minister must not approve a grant unless satisfied that the grant—
 - (i) is an efficient, effective, economical and ethical use of money, and
 - (ii) achieves value for money,
- (b) when approving or declining a grant to which the Grants Administration Guide applies, a person must have regard to the key principles of grants administration specified in the Guide.

Schedule 1[2] makes a consequential amendment.

Schedule 2 Amendment of Government Information (Public Access) Act 2009 No 52

Schedule 2[1] and [2] provide that open access information prescribed by the regulations under the *Government Information (Public Access) Act 2009*, section 18(g) may be required to be made publicly available on a website prescribed by the regulations instead of a website maintained by the agency.

Schedule 3 Amendment of Government Information (Public Access) Regulation 2018

Schedule 3 prescribes information relating to grants administered by an agency as open access information if the information is required, under a mandatory requirement of the Grants Administration Guide, to be published by the agency on a website specified in the Guide.

Schedule 3 also prescribes the website specified in the Grants Administration Guide as the website on which the information must be made publicly available for the purposes of the *Government Information (Public Access) Act 2009*.