



New South Wales

# Parliamentary Budget Officer Amendment Bill 2026

## 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 *Parliamentary Budget Officer Act 2010* (*the Act*) as follows—

- (a) to provide for the costing by the Parliamentary Budget Officer of announced or proposed election policies for members of Parliament who are—
  - (i) certain members of a minor party, or
  - (ii) independent members facing election,
- (b) to provide for the appointment of the Parliamentary Budget Officer for the 2027 State general election,
- (c) to make other miscellaneous amendments to the Act.

## 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 to the proposed Act.

## Schedule 1      Amendment of Parliamentary Budget Officer Act 2010 No 83

Schedule 1[1] does the following—

- (a) removes the definition of *pre-election half-yearly budget review* as all uses of the term are proposed to be removed by this Bill,
- (b) inserts definitions of *ABS*, *general government sector*, *independent member*, *minor party*, *minor party member* and *requesting member*.

Schedule 1[2], [5], [7] and [9] make minor statutory revision amendments.

Schedule 1[10], [12] and [13] make consequential amendments to replace certain references to a “parliamentary leader” with references to a “requesting member” to use the defined term *requesting member*. Schedule 1[11] makes a minor statutory revision amendment consequent on Schedule 1[8].

Schedule 1[3], [8], [17] and [20] replace gendered pronouns with gender-neutral language.

Schedule 1[4] makes alternative arrangements for the appointment of the Parliamentary Budget Officer for the State general election due to be held in 2027. Despite the requirement under the Act, section 6 for the Parliamentary Budget Officer to be appointed by or as soon as practicable after 1 September in the year immediately before the State general election, for the 2027 State general election the appointment must take effect on, or as soon as practicable after, 18 August 2026. The Government has announced that, to avoid the election falling on the Easter long weekend, steps will be taken to bring forward the State general election due on 27 March 2027 to 13 March 2027.

Schedule 1[6] amends the circumstances in which the office of the Parliamentary Budget Officer becomes vacant. The amendment relies on the definition of *personally insolvent* provided for by the *Interpretation Act 1987*, Schedule 4. The *Interpretation Act 1987*, section 3(3) applies the meaning of the terms in the dictionary in Schedule 4 to Acts and instruments in which the terms are used.

Schedule 1[14] substitutes section 18 and inserts proposed sections 18A–18C.

Proposed section 18—

- (a) allows the Premier and Leader of the Opposition to make election costing requests for policies announced by or for the party, or group or coalition of parties, that the Premier or Leader of the Opposition leads, and
- (b) requires the Premier and Leader of the Opposition to—
  - (i) provide reasonable assistance to the Parliamentary Budget Officer to facilitate the costing of election policies, and
  - (ii) make election costing requests in sufficient time before the State general election is due to be held to allow for an election policy costing to be prepared for the request, and
  - (iii) advise the Parliamentary Budget Officer on the eighth last day before the State general election that all policies for which an election costing request is required have been notified to the Parliamentary Budget Officer.

Proposed section 18A provides that certain minor party members may, before the end of 1 December before the State general election is due to be held, make election costing requests for up to 2 policies proposed or announced by the member or their party.

Proposed section 18B provides that an independent member facing election may, before the end of 1 December before the State general election is due to be held, make an election costing request for up to 2 policies proposed or announced by the independent member.

Proposed section 18C imposes requirements for election costing requests. Some of the requirements previously applied to requests made by the Premier or Leader of the Opposition under the Act, section 18.

Schedule 1[16] substitutes section 19(1) to prevent election costing requests being made before the operational plan prepared by the Parliamentary Budget Officer under section 14 has been

approved by the Presiding Officers and tabled in each House of Parliament. **Schedule 1[15]** makes a consequential amendment to the heading of the section to reflect the changed operation of the provision.

**Schedule 1[18]** provides that the Parliamentary Budget Officer must refuse a request to cost an election policy made by an independent member or a minor party member if that member is not entitled to make an election policy request under the Act, Part 4.

**Schedule 1[19]** provides for the substance of budget impact statements by restating and reorganising the existing content of section 23. **Schedule 1[23]** makes a consequential amendment by defining *public financial corporations sector*, *public non-financial corporations sector* and *relevant financial indicators* for section 23.

**Schedule 1[21]** provides for a parliamentary leader to notify the Parliamentary Budget Officer of the final list of costed policies for inclusion in the budget impact statement on the twelfth last day, rather than the ninth last day, before the State general election.

**Schedule 1[22]** provides for the Parliamentary Budget Officer to release the final budget impact statements on the eighth last day, rather than the fifth last day, before the State general election.

**Schedule 1[24]** provides that—

- (a) a requesting member may, by written notice given to the Parliamentary Budget Officer, nominate a person to act as the member's nominee, and
- (b) references in the Act, Part 4 to a requesting member are taken to include references to the nominee of a member.



New South Wales

# Parliamentary Budget Officer Amendment Bill 2026

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*This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.*

*Legislative Council*

*Clerk of the Parliaments*



New South Wales

## **Parliamentary Budget Officer Amendment Bill 2026**

No. \_\_\_\_\_, 2026

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### **A Bill for**

An Act to amend the *Parliamentary Budget Officer Act 2010* to provide for the costing by the Parliamentary Budget Officer of policies announced or proposed before a State general election by certain members of Parliament; to provide for the appointment of the Parliamentary Budget Officer for the 2027 State general election; and for related purposes.

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*The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*

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**Tabling copy**

**The Legislature of New South Wales enacts—**

1

**1 Name of Act**

2

This Act is the *Parliamentary Budget Officer Amendment Act 2026*.

3

**2 Commencement**

4

This Act commences on the date of assent to this Act.

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| <b>Schedule 1</b>  | <b>Amendment of Parliamentary Budget Officer Act 2010 No 83</b>  | 1  |
|  |  | 2  |
| <b>[1] Section 3 Definitions</b>   |  | 3  |
|  | Omit section 3(1), definition of <i>pre-election half-yearly budget review</i> .   | 4  |
|  | Insert in alphabetical order—  | 5  |
|  | <i>ABS</i> means the Australian Bureau of Statistics established by the <i>Australian Bureau of Statistics Act 1975</i> of the Commonwealth.   | 6  |
|  | <i>general government sector</i> means New South Wales agencies or activities listed or described, from time to time, as part of the general government sector by the ABS.                                   | 7  |
|  | <i>independent member</i> means a member of Parliament who is not a member of a registered party.  | 8  |
|  | <i>minor party</i> means a registered party of which the members do not form, or form part of—   | 9  |
|  | (a) the Government, or   | 10 |
|  | (b) the Opposition.  | 11 |
|  | <i>minor party member</i> means a member of Parliament who is a member of a minor party.   | 12 |
|  | <i>requesting member</i> means the following members of Parliament who have made, or may make, an election costing request—  | 13 |
|  | (a) a parliamentary leader,  | 14 |
|  | (b) a minor party member,  | 15 |
|  | (c) an independent member.   | 16 |
| <b>[2] Section 5 Establishment of position of Parliamentary Budget Officer</b>               |  | 17 |
|  | Omit “Parliamentary Budget officer” from section 5(2).   | 18 |
|  | Insert instead “Parliamentary Budget Officer”.   | 19 |
| <b>[3] Sections 6(4), 7(1), 11(1) and (4) and 14(1)(a) and (7)</b>                           |  | 20 |
|  | Omit “his or her” wherever occurring.  | 21 |
|  | Insert instead “the Parliamentary Budget Officer’s”.   | 22 |
| <b>[4] Section 6 Appointment of Parliamentary Budget Officer</b>                             |  | 23 |
|  | Insert after section 6(4)—   | 24 |
|  | (5) For the State general election due to be held in 2027, despite subsection (1), the appointment of the Parliamentary Budget Officer must take effect on, or as soon as practicable after, 18 August 2026. | 25 |
| <b>[5] Sections 9(1), 11(4), 14(1)(a) and (b), 16(1), 21(2)–(4), 22(2) and (3) and 23(6)</b> |  | 26 |
|  | Omit “the Officer” wherever occurring.   | 27 |
|  | Insert instead “the Parliamentary Budget Officer”.   | 28 |
| <b>[6] Section 9 Vacancy in office of Parliamentary Budget Officer</b>                       |  | 29 |
|  | Omit section 9(1)(e).  | 30 |
|  | Insert instead—  | 31 |
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| (e) becomes personally insolvent, or  | 1  |
| <b>[7] Section 9(3)</b>   | 2  |
| Omit “the Officer’s”.   | 3  |
| Insert instead “the Parliament Budget Officer’s”.   | 4  |
| <b>[8] Sections 9(3) and 15(3)</b>  | 5  |
| Omit “he or she” wherever occurring.  | 6  |
| Insert instead “the Parliamentary Budget Officer”.  | 7  |
| <b>[9] Section 15 Role of Public Accounts Committee</b>   | 8  |
| Omit “that Officer” from section 15(1).   | 9  |
| Insert instead “the Parliamentary Budget Officer”.  | 10 |
| <b>[10] Section 17 Confidentiality of information or documents relating to election policy costings</b>   | 11 |
| Omit “parliamentary leader (or on his or her behalf) for the purposes of an election policy costing under Part 4” from section 17(1)(a).                                      | 12 |
| Insert instead “requesting member for an election policy costing”.  | 13 |
| <b>[11] Section 17(1)(c)</b>  | 14 |
| Omit “for the purposes of any such costing”.  | 15 |
| Insert instead “for an election policy costing”.  | 16 |
| <b>[12] Sections 17(2)(a), 20(1), 21 and 22(1) and (2)</b>  | 17 |
| Omit “parliamentary leader” wherever occurring.   | 18 |
| Insert instead “requesting member”.   | 19 |
| <b>[13] Sections 17(2)(a), 21(4) and 22(1)</b>  | 20 |
| Omit “that leader” wherever occurring.  | 21 |
| Insert instead “the member”.  | 22 |
| <b>[14] Sections 18–18C</b>   | 23 |
| Omit section 18.  | 24 |
| Insert instead—   | 25 |
| <b>18 Election costing requests by parliamentary leaders</b>  | 26 |
| (1) A parliamentary leader may request that the Parliamentary Budget Officer prepare an election policy costing for a policy publicly announced or proposed by the following— | 27 |
| (a) the parliamentary leader,   | 28 |
| (b) another member of Parliament for—   | 29 |
| (i) the parliamentary leader, or  | 30 |
| (ii) the parliamentary leader’s party.  | 31 |
| (2) A parliamentary leader must—  | 32 |
| (a) make an election costing request for each election policy—  | 33 |

- (i) that is proposed to be implemented if the parliamentary leader's party is elected to Government, and 1
      - (ii) that is likely to impact the State budget in— 3
        - (A) the current financial year, and 4
        - (B) the next 4 financial years after the current financial year, and 5
    - (b) provide reasonable assistance to enable the Parliamentary Budget Officer to prepare an election policy costing for a policy for which the parliamentary leader has made an election costing request, and 7
    - (c) make all election costing requests required by this subsection in sufficient time before the State general election is due to be held to allow the Parliamentary Budget Officer to prepare an election policy costing for the request, and 10
    - (d) advise the Parliamentary Budget Officer on the eighth last day before the State general election is due to be held that all policies for which an election costing request is required by this subsection have been notified to the Parliamentary Budget Officer. 14
  - (3) Subsection (2) is not enforceable by a court or tribunal. 18
  - (4) In this section— 19
    - parliamentary leader's party* means— 20
      - (a) for the Premier—the registered party, or the group or coalition of registered parties, that form the Government, and 21
      - (b) for the Leader of the Opposition—the registered party, or the group or coalition of registered parties, that form the Opposition. 23
- 18A Election costing requests by minor party members** 25
- (1) This section applies to a minor party member if— 26
    - (a) the member is the only member of Parliament who is a member of the minor party, or 27
    - (b) the member is recognised as the leader of the minor party by the members of Parliament who are members of the minor party, or 29
    - (c) both of the following apply— 31
      - (i) there is no recognised leader of the minor party, 32
      - (ii) the member has been nominated by written notice— 33
        - (A) identifying the member as the single representative of the minor party for this section, and 34
        - (B) signed by a simple majority of the members of Parliament who are members of the minor party, and 36
        - (C) given to the Parliamentary Budget Officer. 38
  - (2) A minor party member to whom this section applies may request that the Parliamentary Budget Officer prepare an election policy costing for up to 2 policies publicly announced or proposed by— 39
    - (a) the minor party member, or 42
    - (b) another member of Parliament for— 43
      - (i) the minor party member, or 44
      - (ii) the registered party of which the minor party member is a member. 45

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| (3)         | An election costing request under this section may only be made before the end of 1 December immediately before a State general election is due to be held.  | 1<br>2<br>3    |
| <b>18B</b>  | <b>Election costing requests by independent members facing election</b>  | 4              |
| (1)         | This section applies to an independent member unless—  | 5              |
| (a)         | the member has publicly announced the member will not be a candidate for election as a member of Parliament at the next State general election, or   | 6<br>7<br>8    |
| (b)         | the member is—   | 9              |
| (i)         | a member of the Legislative Council, and   | 10             |
| (ii)        | the member's term of service as a member of the Legislative Council under the <i>Constitution Act 1902</i> , section 22B does not end before the next State general election is due to be held.            | 11<br>12<br>13 |
| (2)         | An independent member to whom this section applies may request that the Parliamentary Budget Officer prepare an election policy costing for up to 2 policies publicly announced or proposed by the member. | 14<br>15<br>16 |
| (3)         | An election costing request under this section may only be made before the end of 1 December immediately before a State general election is due to be held.  | 17<br>18<br>19 |
| <b>18C</b>  | <b>Requirements for election costing requests</b>  | 20             |
| (1)         | An election costing request may relate to proposed changes in—   | 21             |
| (a)         | expenditure, or  | 22             |
| (b)         | revenue.   | 23             |
| (2)         | An election costing request—   | 24             |
| (a)         | may only be made for policies proposed to be implemented after the next State general election, and  | 25<br>26       |
| (b)         | may be made for a policy that is likely to impact the State budget in—   | 27             |
| (i)         | the current financial year, and  | 28             |
| (ii)        | the next 4 financial years after the current financial year.   | 29             |
| (3)         | An election costing request must—  | 30             |
| (a)         | be in writing, and   | 31             |
| (b)         | outline the policy to be costed, and   | 32             |
| (c)         | state the purpose of the policy, and   | 33             |
| (d)         | give all relevant details required to cost the policy.   | 34             |
| <b>[15]</b> | <b>Section 19, heading</b>   | 35             |
|             | Omit the heading.  | 36             |
|             | Insert instead—  | 37             |
|             | <b>19 Election costing requests may only be made after operational plan approved</b>   | 38             |
| <b>[16]</b> | <b>Section 19(1)</b>   | 39             |
|             | Omit the subsection.   | 40             |
|             | Insert instead—  | 41             |

|             |   |               |
|-------------|---|---------------|
| (1)         | Election costing requests may only be made after the operational plan prepared by the Parliamentary Budget Officer under section 14 has been approved by the Presiding Officers and tabled in each House of Parliament. | 1<br>2<br>3   |
| <b>[17]</b> | <b>Section 20 Withdrawal of election costing requests</b>   | 4             |
|             | Omit “he or she” from section 20(1).  | 5             |
|             | Insert instead “the member”.  | 6             |
| <b>[18]</b> | <b>Section 21 Parliamentary Budget Officer to prepare costings of election policies</b>   | 7             |
|             | Insert after section 21(2)—   | 8             |
| (2A)        | The Parliamentary Budget Officer must refuse a request to cost a policy made by a member of Parliament if the member is not entitled to make an election costing request.   | 9<br>10<br>11 |
| <b>[19]</b> | <b>Section 23 Budget impact statements for all costed policies</b>  | 12            |
|             | Omit section 23(2)–(2C).  | 13            |
|             | Insert instead—   | 14            |
| (2)         | A budget impact statement must—   | 15            |
| (a)         | list the costed policies, and   | 16            |
| (b)         | show the following for the current financial year and each of the next 3 financial years—   | 17<br>18      |
| (i)         | a summary of the assessed financial impact of each costed policy,   | 19            |
| (ii)        | the total net financial impact of all costed policies,  | 20            |
| (iii)       | other matters arising from costed policies that impact the State budget,  | 21<br>22      |
| (iv)        | changes to the State budget, and  | 23            |
| (c)         | show the impact of all costed policies on the relevant financial indicators for the following—  | 24<br>25      |
| (i)         | the general government sector,  | 26            |
| (ii)        | the public financial corporations sector,   | 27            |
| (iii)       | the public non-financial corporations sector.   | 28            |
| <b>[20]</b> | <b>Section 23(3)</b>  | 29            |
|             | Omit “his or her”.  | 30            |
|             | Insert instead “the leader’s”.  | 31            |
| <b>[21]</b> | <b>Section 23(4)</b>  | 32            |
|             | Omit “ninth”.   | 33            |
|             | Insert instead “twelfth”.   | 34            |
| <b>[22]</b> | <b>Section 23(5)(b)</b>   | 35            |
|             | Omit “fifth”.   | 36            |
|             | Insert instead “eighth”.  | 37            |
| <b>[23]</b> | <b>Section 23(8)</b>  | 38            |
|             | Insert after section 23(7)—   | 39            |

|             |  |             |
|-------------|--|-------------|
| (8)         | In this section—   | 1           |
|             | <i>public financial corporations sector</i> means New South Wales agencies or activities listed or described, from time to time, as part of the public financial corporations sector by the ABS.         | 2<br>3<br>4 |
|             | <i>public non-financial corporations sector</i> means New South Wales agencies or activities listed or described, from time to time, as part of the public non-financial corporations sector by the ABS. | 5<br>6<br>7 |
|             | <i>relevant financial indicators</i> , for a sector, means the following—  | 8           |
|             | (a) the sector budget results, identifying the difference between expenses and revenues from transactions for the sector,  | 9<br>10     |
|             | (b) sector capital expenditure,  | 11          |
|             | (c) sector net lending or borrowing, identifying the financing requirement for the sector.   | 12<br>13    |
| <b>[24]</b> | <b>Section 27</b>  | 14          |
|             | Omit the section.  | 15          |
|             | Insert instead—  | 16          |
|             | <b>27 Nominee may act for requesting member</b>  | 17          |
|             | (1) A requesting member may nominate a person to act for the requesting member.  | 18<br>19    |
|             | (2) A nomination must be made by written notice to the Parliamentary Budget Officer.   | 20<br>21    |
|             | (3) A reference in this part to a requesting member includes a reference to a person nominated by the member.  | 22<br>23    |