



New South Wales

Parliamentary Budget Officer Amendment Bill 2018

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* as follows:

- (a) to require a draft operational plan to be prepared by the Parliamentary Budget Officer within 1 month of appointment,
- (b) to reduce the period within which the head of a Government agency must respond to a request for information by the Parliamentary Budget Officer from 10 business days to 6 business days if the request is made after the commencement of the caretaker period,
- (c) to enable an election costing request to be withdrawn at any time before the election policy costing is publicly released,
- (d) to revise the matters to be included in budget impact statements prepared by the Parliamentary Budget Officer for costed election policies and to extend those statements to include budgetary impacts on other Government sectors if there is an impact on those sectors,
- (e) to extend the period within which the final list of costed policies for inclusion in the budget impact statement is to be provided to the Parliamentary Budget Officer,
- (f) to provide for information to be provided by the Parliamentary Budget Officer to the Secretary of the Department of Premier and Cabinet for the purposes of preparing information for the incoming Government, while retaining the confidentiality of information provided about another party's policies,

- (g) to require the Secretary of the Treasury to publicly release a pre-election budget update statement on or as soon as reasonably practicable after the commencement of the caretaker period before a State general election.

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] inserts definitions of *pre-election budget update statement* and *Secretary*.

Schedule 1 [2] defines the *commencement of the caretaker period* as being the day on which the Legislative Assembly is dissolved or expires preceding the holding of a State general election.

Schedule 1 [3] requires a draft operational plan to be prepared by the Parliamentary Budget Officer within 1 month of appointment.

Schedule 1 [4] reduces the period within which the head of a Government agency must respond to a request for information by the Parliamentary Budget Officer from 10 business days to 6 business days, if the request is made on or after the commencement of the caretaker period.

Schedule 1 [5] authorises the Parliamentary Budget Officer to provide to the Secretary of the Department of Premier and Cabinet (the *Secretary*), or a staff member of that Department, a copy of a request for information made by the Officer to the head of a Government agency as well as a copy of any response to the request. **Schedule 1 [6]** makes it clear that it is not an offence for the head of a Government agency or a staff member of the agency to disclose the information or document to the Secretary or a member of staff of that Department.

Schedule 1 [6] also makes it an offence for the Secretary, or a member of staff of the Department of Premier and Cabinet, to disclose information or a document about a request to the head of a Government agency by the Parliamentary Budget Officer for information or a response to any such request. It will not be an offence if the disclosure is to a member of staff of that Department or the Secretary or to an incoming Government following a State general election (if the information or document relates to election policies of a party forming the Government).

Schedule 1 [7] enables election costing requests made by the Premier or the Leader of the Opposition (a *parliamentary leader*) to be withdrawn at any time before the election policy costing is publicly released by the Parliamentary Budget Officer.

Schedule 1 [8] revises the matters that are to be included in the budget impact statement prepared by the Parliamentary Budget Officer for the respective policies of each parliamentary leader. The statement will be required to include the impact of the policies, for the general government sector and (if affected) the public non-financial corporations sector and the public financial corporations sector, on the sector budget results, sector capital expenditure and sector net lending and borrowing. Any other matters arising from costed policies and affecting the current State budget and forward estimates for that period are also to be included in the budget impact statement. The budget impact statement is to reflect any changes to the information shown in the pre-election budget update statement.

Schedule 1 [9] extends, until the ninth last day before a State general election, the time by which a parliamentary leader must notify the Parliamentary Budget Officer in writing of the leader's final list of costed policies for inclusion in the budget impact statement that must be prepared by the Parliamentary Budget Officer.

Schedule 1 [10] requires the Secretary of the Treasury, on or as soon as reasonably practicable after the commencement of the caretaker period, to publicly release a pre-election budget update statement updating matters set out in the previous half-yearly review of the budget issued by the Treasurer.