

NEW SOUTH WALES LEGISLATIVE COUNCIL

HOUSE IN REVIEW



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Budget Estimates
18 to 22 August 2014

The *House in Review* provides regular updates of the activities of the New South Wales Legislative Council. Clicking on a hyperlink will take you to the relevant webpage. For further information refer to the NSW Parliament website www.parliament.nsw.gov.au or contact the Procedure Office on (02) 9230 2431. To be placed on the email distribution list of the *House in Review*, please contact us on council@parliament.nsw.gov.au.

What is the Budget Estimates Inquiry?

Each year government ministers and senior public officials attend an annual Budget Estimates Inquiry to answer questions about the expenditure, performance and effectiveness of their departments.

Budget Estimates is a key process for government accountability and transparency. The inquiry is conducted by the Legislative Council's five General Purpose Standing Committees (GPSCs), each of which is responsible for examining specific portfolios. The inquiry involves hours of detailed questioning by members of the GPSCs on the decisions made, actions taken, and advice provided by ministers and public servants. Most Australian parliaments conduct similar inquiries.

This year, the initial round of Budget Estimates hearings was held on 18 – 22 August 2014.

One of the most important features of the NSW process, undertaken by the Upper House since 1995, is that every minister appears for questioning - and hearings for large portfolios can last up to four hours. It is clearly established that there is wide latitude in questioning and members do not have to refer to individual budget line items to frame their questions.

The *Appropriation Bill 2013* passed the Legislative Council on 19 June 2014. Unlike in some jurisdictions, scrutiny of the budget estimates takes place after the budget has been delivered, and is not part of the process for approval.

Budget Estimates 2014-15

Each year the Legislative Council passes a resolution which sets out the rules under which the Estimates process operates and the dates for the initial week of hearings and supplementary hearings. The resolution to establish the 2014-15 budget estimates inquiry was passed on 12 November 2013. A further resolution on 15 May 2014 provided details of the initial hearing schedules.

Key features of the resolution included:

- large portfolios allocated up to four hours for initial hearings with smaller portfolios receiving two hours or less

- hearings to be held between 9.00 am and 6.00 pm each day, except the first and last day, where hearings concluded by 5.00 pm
- all hearings must be heard in public and witnesses must be ministers or officers of departments, statutory bodies or corporations
- no provision for ministers to make opening statements
- committee members are able to lodge questions on notice with the committee secretariat during a hearing and up to two days following. Answers are to be provided within 21 days
- committees are required to present a final report to the House by 19 December 2014.

Distribution of time for questions between government, opposition and cross bench members is not addressed in the resolution. Committees deliberate prior to each hearing to assign time for questions – and typically time for questions would be allocated evenly between government, opposition and cross bench members. However, as noted later in this edition, this year most committees resolved that questions from government members would not be asked, on the proviso that the hearing was subsequently shortened.

The hearings

A transcript of each hearing can be obtained by selecting the relevant portfolio via the Budget Estimates website: www.parliament.nsw.gov.au/budgetestimates.

Hearings were held in the Macquarie Room and due to the unavailability of the Jubilee Room, in room 814/815. Hearings held in the Macquarie Room were webcast on the Parliament's website.

Budget Estimates statistics

Table 1 summarises the statistics for the 2014-15 budget estimates hearings.

Table 1: Budget Estimates 2014-15 statistics

Hearings held	23
Ministers appearing	23
Public servants appearing	125
Total hearing time allocated	73 hours
Supplementary QoNs	4017
Hearings without questions from government members	21

'Dorothy Dix' questions

There has been a trend over the last few years for government members not to ask questions during Budget Estimates hearings. In 2012 government members chose not to ask questions in ten (out of 23) hearings, and in 2013 government members chose not to ask questions in 19 hearings. This year government members did not ask questions in 21 out of 23 hearings.

Supplementary Questions

Members can lodge supplementary questions to ministers up to two days after a hearing – which have to be answered within 21 days. Table 2 lists the number of supplementary questions received each year since 2006/07. This year 4,017 supplementary questions were received.

Table 2: Supplementary QoNs - comparative statistics from previous years

14/15	13/14	12/13	11/12	10/11	09/10	08/09	06/07
4017	3479	3289	2048	2409	1779	1800	over 5000

Procedural issues

Admissibility of questions

In several hearings questions to ministers about election donations received by a minister before the March 2011 election were ruled out of order. However, in other hearings several ministers answered these questions, and similar questions have been raised in supplementary questions.

Supplementary hearings

Supplementary hearings have been scheduled for 7-10 October 2014. The committees will decide whether to have supplementary hearings after the receipt of answers to Questions on Notice, the last of which are due to be received by 16 September 2014. All answers are posted on the estimates webpage once received.

Feedback on *House in Review*

We welcome any comments you might have on this publication.

We are particularly keen to know which parts of the *House in Review* you find most useful and whether you have any suggestions for improvement. Please email your comments to stephen.frappell@parliament.nsw.gov.au.

All responses will be kept strictly confidential.



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