



New South Wales

# Parliamentary Budget Officer Amendment Bill 2022

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*This public bill which originated in the Legislative Assembly, has passed and is now ready for presentation to the Legislative Council for its concurrence.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney,*

*, 2022*



New South Wales

## **Parliamentary Budget Officer Amendment Bill 2022**

Act No           , 2022

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### **A Bill for**

An Act to amend the *Parliamentary Budget Officer Act 2010* regarding the date of appointment of the Parliamentary Budget Officer and the costing of election promises of cross-bench members of Parliament and the costing of election policies.

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***EXAMINED***

*Speaker*

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

**1 Name of Act**

This Act is the *Parliamentary Budget Officer Amendment Act 2022*.

**2 Commencement**

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

**3 Amendment of Parliamentary Budget Officer Act 2010 No 83**

**Section 6 Appointment of Parliamentary Budget Officer**

Omit “1 September” from section 6(1).

Insert instead “1 July”.

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| <b>Schedule 1</b> | <b>Amendment of Parliamentary Budget Officer Act 2010 No 83</b>  | 1  |
|                   |  | 2  |
| <b>[1]</b>        | <b>The Whole Act, other than sections 3, 18, 19(1), 22(1), 23 and 27</b>   | 3  |
|                   | Omit “parliamentary leader” wherever occurring.  | 4  |
|                   | Insert instead “member of Parliament”.   | 5  |
| <b>[2]</b>        | <b>Section 3 Definitions</b>   | 6  |
|                   | Insert in alphabetical order in section 3(1)—  | 7  |
|                   | <i>member of Parliament</i> —see subsections (4) and (4A).   | 8  |
| <b>[3]</b>        | <b>Section 3(4A)</b>   | 9  |
|                   | Insert after subsection (4)—   | 10 |
|                   | (4A) In this Act, except in subsection (4) and section 18(6), a reference to a member of parliament means—   | 11 |
|                   | (a) a parliamentary leader, and  | 12 |
|                   | (b) a member of Parliament who is not a member of the party or parties that form the Government or the Opposition.   | 13 |
|                   |  | 14 |
|                   |  | 15 |
| <b>[4]</b>        | <b>Section 17 Confidentiality of information or documents relating to election policy costings</b>   | 16 |
|                   | Omit “that leader” from section 17(2)(a).  | 17 |
|                   | Insert instead “the member”  | 18 |
|                   |  | 19 |
| <b>[5]</b>        | <b>Section 18A</b>   | 20 |
|                   | Insert after section 18—   | 21 |
| <b>18A</b>        | <b>Request for election policy costings by cross-bench MPs</b>   | 22 |
| (1)               | A member of Parliament, other than a parliamentary leader, may, in accordance with this Part, request the Parliamentary Budget Officer to prepare costings of publicly announced or proposed policies.                               | 23 |
|                   |  | 24 |
|                   |  | 25 |
| (2)               | An election costing request may only be made in relation to 3 policies that are announced or proposed for implementation after the next State general election.  | 26 |
|                   |  | 27 |
|                   |  | 28 |
| (3)               | A member of Parliament may only make an election costing request in relation to a policy publicly announced or proposed by the member.   | 29 |
|                   |  | 30 |
| (4)               | An election costing request may relate to proposed changes in expenditure or revenue.  | 31 |
|                   |  | 32 |
| (5)               | An election costing request must—  | 33 |
| (a)               | be in writing, and   | 34 |
| (b)               | outline fully each policy to be costed, giving all relevant details for the purpose of costing the policy, and   | 35 |
|                   |  | 36 |
| (c)               | state the purpose or intention of the policy.  | 37 |
| (6)               | For the purposes of this section, a policy is taken to be announced or proposed by a member of Parliament if it is announced or proposed by another member of Parliament on behalf of the member or on behalf of the member’s party. | 38 |
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|---|----------------------|
| <b>[6] Section 19 When election policy costings to be requested</b>   | 1                    |
| Omit section 19(1). Insert instead—   | 2                    |
| (1) Election costing requests are to be made by a member of Parliament 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. | 3<br>4<br>5<br>6     |
| (1A) A request by a parliamentary leader must be made in sufficient time before the State general election to enable the leader to comply with section 18(1A).  | 7<br>8               |
| (1B) A request by a member of Parliament, other than a parliamentary leader, must be made before 31 October.  | 9<br>10              |
| <b>[7] Section 21 Parliamentary Budget Officer to prepare costings of election policies</b>   | 11                   |
| Omit “by that leader” from section 21(4).   | 12                   |
| Insert instead “by or on behalf of the member”.   | 13                   |
| <b>[8] Section 27</b>   | 14                   |
| Omit the section. Insert instead—   | 15                   |
| <b>27 Nominee may act for members of Parliament</b>   | 16                   |
| A function of a member of Parliament under this Part may be exercised on the member’s behalf by a nominee of the member, being a person nominated by the member from time to time by written notice to the Parliamentary Budget Officer.            | 17<br>18<br>19<br>20 |

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| <b>Schedule 2</b>   | <b>Amendment of Parliamentary Budget Officer Act 2010 No 83</b> | 1  |
|   |   | 2  |
| <b>[1] Section 22 Public release of election policy costings</b>  |   | 3  |
| Omit section 22(1). Insert instead—   |   | 4  |
| (1) The Parliamentary Budget Officer must, in response to an election costing request from a parliamentary leader, publish the following on a publicly available website maintained for the purposes of this section— |   | 5  |
| (a) the election costing request and  |   | 6  |
| (b) the election policy costing.  |   | 7  |
| (1A) The publication must occur on the earlier of the following—  |   | 8  |
| (a) within 7 days after completing the costing,   |   | 9  |
| (b) the fifth last day before the State general election is due to be held.   |   | 10 |
| (1B) To avoid doubt, subsection (1) does not apply in relation to member of parliament that is not a parliamentary leader.  |   | 11 |
|   |   | 12 |
|   |   | 13 |
|   |   | 14 |
| <b>[2] Section 22(3)</b>  |   | 15 |
| Omit “provided”. Insert instead “published”.  |   | 16 |