



New South Wales

Parliamentary Evidence Amendment (Ministerial Accountability) Bill 2023

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 Evidence Act 1901* to provide that Ministers of the Crown may be summoned to attend and give evidence before a House of Parliament or a committee of Parliament.

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 Evidence Act 1901 No 43**

Schedule 1[1]–[3] amend the *Parliamentary Evidence Act 1901* to give effect to the object of the Bill.

Schedule 1[4] makes a consequential amendment to ensure that a Minister of the Crown summoned to attend a House of Parliament or a committee of a Parliament is not entitled to be paid witness expenses.



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Parliamentary Evidence Amendment (Ministerial Accountability) Bill 2023

No. , 2023

A Bill for

An Act to amend the *Parliamentary Evidence Act 1901* to provide that Ministers of the Crown may be summoned to attend and give evidence before a House of Parliament or a committee of Parliament; and for related purposes.

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Parliamentary Evidence Amendment (Ministerial Accountability) Act 2023*.

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2 Commencement

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

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| | | |
|---|---|--------|
| Schedule 1 | Amendment of Parliamentary Evidence Act 1901 | 1 |
| | No 43 | 2 |
| [1] Section 4 Witnesses how summoned | | 3 |
| | Omit “not being a Member of the Council or Assembly” from section 4(1). | 4 |
| [2] Section 4(3) | | 5 |
| | Insert after section 4(2)— | 6 |
| | (3) This section does not apply to a Member of the Council or Assembly, other than a Minister of the Crown. | 7 8 |
| [3] Section 5 Members of Parliament | | 9 |
| | Insert “, other than a Minister of the Crown,” after “Member of the Council or Assembly”. | 10 |
| [4] Section 6 Expenses of witnesses | | 11 |
| | Insert after section 6(2)— | 12 |
| | (3) This section does not apply to a witness who is a Minister of the Crown. | 13 |