



Queensland

Charter of Budget Honesty Bill 2009



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2009

A Bill

for

An Act to provide for a Charter of Budget Honesty

[s 1]

The Parliament of Queensland enacts—	1
1 Short title	2
This Act may be cited as the <i>Charter of Budget Honesty Act 2009</i> .	3 4
2 The Charter of Budget Honesty	5
(1) The Charter of Budget Honesty is set out in the schedule.	6
(2) Nothing in the charter creates rights or duties that are enforceable in judicial or other proceedings.	7 8

Schedule	Charter of Budget Honesty	1
	section 2	2
Part 1	Preliminary	3
1	Purpose of Charter of Budget Honesty	4
(1)	The Charter of Budget Honesty provides a framework for the conduct of government fiscal policy.	5 6
(2)	The purpose of the charter is to improve fiscal policy outcomes by facilitating public scrutiny of fiscal policy and performance.	7 8 9
2	Definitions	10
	In this charter—	11
	<i>caretaker period</i> , for a general election, means the period starting with the issue of the writ for the election and ending at the close of the poll on the polling day for the election.	12 13 14
	<i>general election</i> means a general election of the members of the Legislative Assembly.	15 16
	<i>general government sector</i> , of the State, means the institutional sector comprising all government units and non-profit institutions controlled and mainly financed by government, as defined in Australian Accounting Standard AASB 1049.	17 18 19 20 21
	<i>Editor's note</i> —	22
	The standard is available on the Australian Accounting Standards Board website at <www.aasb.com.au>.	23 24
	<i>Leader of the Opposition</i> means the Leader of the Opposition in the Legislative Assembly.	25 26
	<i>pre-election report</i> see section 4.	27

<i>State government agency</i> means a department or other entity that is part of the general government sector of the State.	1 2
<i>Treasurer</i> means the Minister who administers the Act.	3
<i>treasury department</i> means the department in which the Act is administered.	4 5
<i>under-Treasurer</i> means the chief executive of the treasury department.	6 7

Part 2 **Pre-election economic and fiscal outlook report** 8 9

3	Release of pre-election economic and fiscal outlook report	10 11
	The under-Treasurer is to publicly release a pre-election economic and fiscal outlook report within 15 days after the issue of the writ for a general election.	12 13 14
	<i>Note—</i>	15
	A pre-election economic and fiscal outlook report is publicly released if it is available on the treasury department website at <www.treasury.qld.gov.au> or published in the gazette.	16 17 18
4	Purpose of pre-election economic and fiscal outlook report	19 20
	The purpose of the pre-election economic and fiscal outlook report (the <i>pre-election report</i>) is to provide up-to-date information on the economic and fiscal outlook for the State.	21 22 23
5	Contents of pre-election report	24
	(1) A pre-election report is to include the following—	25
	(a) up-to-date fiscal estimates for the general government sector of the State for the current financial year and the following 3 financial years;	26 27 28

(b)	the economic and other assumptions for the current financial year and the following 3 financial years that have been used in preparing the fiscal estimates;	1 2 3
(c)	discussion as to the sensitivity of the fiscal estimates to changes in the economic and other assumptions;	4 5
(d)	an up-to-date statement of the risks, quantified to the extent practicable, that may affect the fiscal outlook, including—	6 7 8
(i)	contingent liabilities; and	9
(ii)	publicly announced government commitments that are not yet included in the fiscal estimates mentioned in paragraph (a).	10 11 12
(2)	The information in the pre-election report is to take into account, to the fullest extent possible, all government decisions and other circumstances that—	13 14 15
(a)	may materially affect the economic and fiscal outlook; and	16 17
(b)	were made, or were in existence, before the issue of the writ for the general election.	18 19
(3)	Subsection (4) applies if information required to be included in the pre-election report is unchanged from information stated in an earlier economic and fiscal outlook report.	20 21 22
(4)	The pre-election report may summarise the information and state that it is unchanged from the information stated in the earlier report.	23 24 25
(5)	The under-Treasurer is not required to include information in the pre-election report if the under-Treasurer considers it is confidential commercial information.	26 27 28
6	Treasurer to provide information to help prepare pre-election report	29 30
	To help the treasury department prepare a pre-election report, the Treasurer is to disclose to the under-Treasurer details of any government decision or other information of which the Treasurer is aware—	31 32 33 34

Schedule

(a)	that has, or could have, material fiscal or economic implications; and	1 2
(b)	that the under-Treasurer could not reasonably be expected to be aware.	3 4
7	Statements by Treasurer and under-Treasurer	5
	A pre-election report is to contain the following—	6
(a)	a statement, signed by the Treasurer, that the Treasurer has disclosed to the under-Treasurer the details mentioned in section 6;	7 8 9
(b)	a statement, signed by the under-Treasurer, that to the extent practicable the information in the report—	10 11
(i)	reflects the best professional judgment of officers of the treasury department; and	12 13
(ii)	takes into account all economic and financial information available to the treasury department; and	14 15 16
(iii)	incorporates the fiscal implications of government decisions or other information disclosed by the Treasurer.	17 18 19
8	State government agencies to provide information to help prepare pre-election report	20 21
(1)	The under-Treasurer may ask a State government agency to provide information to help the under-Treasurer prepare a pre-election report.	22 23 24
(2)	The State government agency is to comply with a request in time to allow the information to be taken into account in the preparation of the pre-election report, unless—	25 26 27
(a)	it is not practicable to comply with the request; or	28
(b)	complying with the request would contravene a law of the Commonwealth or a State.	29 30

Part 3	Cost of election commitments	1
9	Requests for costing of election commitments	2
(1)	During the caretaker period for a general election—	3
(a)	the Premier may ask the under-Treasurer to prepare costings of publicly announced government policies; and	4 5 6
(b)	the Leader of the Opposition may ask the under-Treasurer to prepare costings of publicly announced Opposition policies.	7 8 9
(2)	A request under subsection (1)(a) or (b) must—	10
(a)	be in writing; and	11
(b)	state the policy to be costed, giving relevant details, including assumptions to be used in costing the policy; and	12 13 14
(c)	state the purpose or the intention of the policy.	15
(3)	The Premier may not ask the under-Treasurer to cost policies of the Opposition.	16 17
(4)	The Leader of the Opposition may not ask the under-Treasurer to cost policies of the government.	18 19
(5)	The under-Treasurer is not obliged or authorised to make any comment on the rationale or efficacy of policies provided for costing.	20 21 22
10	Withdrawal of request for costing of election commitments	23 24
(1)	The Premier may at any time, by notice in writing to the under-Treasurer, withdraw a request made under section 9(1)(a).	25 26 27
(2)	The Leader of the Opposition may at any time, by notice in writing to the under-Treasurer, withdraw a request made under section 9(1)(b).	28 29 30

11	How policy costings are prepared	1
(1)	The under-Treasurer may issue written guidelines recommending approaches or methods to be used in the preparation of policy costings.	2 3 4
(2)	If the under-Treasurer needs more information to cost a policy, the under-Treasurer may, in writing, ask the following for the information—	5 6 7
(a)	for a government policy—the Premier;	8
(b)	for an opposition policy—the Leader of the Opposition.	9
 12	 Public release of policy costing	 10
(1)	The under-Treasurer is to publicly release a costing of a policy on the earlier of the following—	11 12
(a)	as soon as practicable after the policy costing has been prepared;	13 14
(b)	at least 2 days before polling day for the election.	15
(2)	The policy costing released by the under-Treasurer is to include the information provided to the under-Treasurer at the time the request for costing was made.	16 17 18
(3)	Subsection (4) applies if the under-Treasurer does not have sufficient information, or has not had sufficient time, to prepare and release a policy costing at least 2 days before the polling day for the election.	19 20 21 22
(4)	The under-Treasurer is to publicly release, at least 2 days before polling day for the election, a statement about the reason the policy costing has not been prepared or released.	23 24 25
(5)	The under-Treasurer is not obliged or authorised to take any further action in relation to a policy costing for an election on or after the day that is 2 days before polling day for the election.	26 27 28 29
(6)	Subsection (1) does not apply if the request for the policy costing has been withdrawn under section 10.	30 31

<i>Note—</i>	1
For subsections (1) and (4), a costing or statement is publicly released if	2
it is available on the treasury department website at	3
<www.treasury.qld.gov.au> or published in the gazette.	4
(7) The under-Treasurer does not breach the <i>Financial</i>	5
<i>Accountability Act 2009</i> , section 89 by complying with this	6
section.	7
13 State government agencies to provide information to help	8
prepare policy costing	9
(1) The under-Treasurer may ask a State government agency to	10
provide information to help the under-Treasurer prepare a	11
policy costing.	12
(2) The State government agency is to comply with the request in	13
time to allow the information to be taken into account in the	14
preparation of the policy costing, unless—	15
(a) it is not practicable to comply; or	16
(b) complying with the request would contravene a law of	17
the Commonwealth or a State.	18