

LEGISLATIVE COUNCIL

FINANCIAL MANAGEMENT LEGISLATION AMENDMENT BILL 2025

(New Clauses to be proposed in Committee by AIV PUGLIELLI)

NEW CLAUSES

1. Insert the following New Clause to follow clause 9—

'9A Mid-year report

After section 25(2)(b) of the **Financial Management Act 1994** insert—

"(ba) must include details of payments made during the period of 6 months ending on 31 December in the financial year out of money advanced to the Treasurer in an annual appropriation Act for that year to meet urgent claims;".

2. Insert the following New Clause to follow clause 18—

'18A Tabling requirements

- (1) For section 46(1) of the **Financial Management Act 1994** substitute—

"(1) Subject to subsections (2) and (3), the relevant Minister of a department or public body must cause the report of operations and audited financial statements of the department or public body for a financial year to be transmitted to each House of the Parliament on or after the next following 15 October and before the earlier of—

(a) the end of the next following fourth month of the financial year; or

(b) either—

(i) the expiration of the fourth sitting day of that House after the report is received by the relevant Minister; or

(ii) if the first sitting day of a House of the Parliament after the report is received by the relevant Minister is more than 14 days after the date of receipt of the report, the expiration of the fourteenth day after the report is received by the relevant Minister.

(1A) On transmitting a report under subsection (1), the relevant Minister must report to each House of Parliament the date of receipt by the relevant Minister of the report.

(1B) The relevant Minister must not direct a department or public body to submit its report of operations and audited financial statements to the relevant Minister on a particular date."

- (2) In section 46(2)(b) of the Principal Act, for "laid before each House of the Parliament within 14 sitting days of that House after the request."
substitute "transmitted to each House of the Parliament on or before—

- (i) the expiration of the fourth sitting day of that House after the request; or
- (ii) if the first sitting day of a House of the Parliament after the request is more than 14 days after the request, the expiration of the fourteenth day after that request."

- (3) After section 46(3) of the Principal Act **insert**—

"(3A) The clerk of each House of the Parliament must cause a report transmitted under subsection (1) or (2) to be laid before the House on the day on which it is received or on the next sitting day of the House.

(3B) If the relevant Minister proposes to transmit a report to the Parliament on a day on which neither House of the Parliament is sitting, the relevant Minister must—

- (a) give at least one business day's notice of the relevant Minister's intention to do so to the clerk of each House of the Parliament; and
- (b) give the report to the clerk of each House on the day indicated in the notice.

(3C) The clerk of each House must—

- (a) notify each member of the House of the receipt of a notice under subsection (3B)(a) on the same day that the clerk receives that notice; and
- (b) give a copy of the report to each member of the House as soon as practicable after the report is received under subsection (3B)(b); and
- (c) cause the report to be laid before the House on the next sitting day of the House.

(3D) A copy of a report that is given to the clerks under subsection (3B)(b) is taken to have been published by order, or under the authority, of the Houses of Parliament.

(3E) The publication of a document by the relevant Minister under subsection (3B)(b) is absolutely privileged and the provisions of sections 73 and 74 of the **Constitution Act 1975** and any other enactment or rule of law relating to the publication of the proceedings of the Parliament apply to and in relation to the publication of the document as if it were a document to which those sections applied and had been published by the Government Printer under the authority of the Parliament."

- (4) **Insert** the following note at the foot of section 46—

"Note

Section 4 of the **Members of Parliament (Standards) Act 1978** sets out values that a Minister should demonstrate in the carrying out of the Minister's public duties. These values include accountability.".'.

3. Insert the following New Clause to follow clause 19—

'19A Annual reports of State-owned corporations and other bodies

- (1) After section 53A(4) of the **Financial Management Act 1994** insert—

"(4A) The relevant Minister must not direct the body to submit its annual report to the relevant Minister on a particular date."

- (2) For section 53A(5) of the Principal Act **substitute**—

"(5) Subject to subsections (6) and (7), the relevant Minister must cause the annual report to be transmitted to each House of the Parliament on or after the next following 15 October and before the earlier of—

(a) the next following 31 October; or

(b) either—

(i) the expiration of the fourth sitting day of that House after the annual report is received by the relevant Minister; or

(ii) if the first sitting day of a House of the Parliament after the annual report is received by the relevant Minister is more than 14 days after the date of receipt of the annual report, the expiration of the fourteenth day after the annual report is received by the relevant Minister.

(5A) On transmitting a report under subsection (5), the relevant Minister must report to each House of Parliament the date of receipt by the relevant Minister of the report."

- (3) In section 53A(6)(b) of the Principal Act, for "laid before each House of the Parliament within 14 sitting days of that House after the request." **substitute** "transmitted to each House of the Parliament before—

(i) the expiration of the fourth sitting day of that House after that request; or

(ii) if the first sitting day of a House of the Parliament after that request is more than 14 days after the date of the request, the expiration of the fourteenth day after that request."

- (4) After section 53A(6) of the Principal Act **insert**—

"(6A) The clerk of each House of the Parliament must cause a report transmitted under subsection (5) or (6) to be laid before the House on the day on which it is received or on the next sitting day of the House.

(6B) If the relevant Minister proposes to transmit a report to the Parliament on a day on which neither House of the Parliament is sitting, the relevant Minister must—

- (a) give at least one business day's notice of the relevant Minister's intention to do so to the clerk of each House of the Parliament; and
 - (b) give the report to the clerk of each House on the day indicated in the notice.
- (6C) The clerk of each House must—
- (a) notify each member of the House of the receipt of a notice under subsection (6B)(a) on the same day that the clerk receives that notice; and
 - (b) give a copy of the report to each member of the House as soon as practicable after the report is received under subsection (6B)(b); and
 - (c) cause the report to be laid before the House on the next sitting day of the House.
- (6D) A copy of a report that is given to the clerks under subsection (6B)(b) is taken to have been published by order, or under the authority, of the Houses of Parliament.
- (6E) The publication of a document by the relevant Minister under subsection (6B)(b) is absolutely privileged and the provisions of sections 73 and 74 of the **Constitution Act 1975** and any other enactment or rule of law relating to the publication of the proceedings of the Parliament apply to and in relation to the publication of the document as if it were a document to which those sections applied and had been published by the Government Printer under the authority of the Parliament."
- (7) **Insert** the following note at the foot of section 53A—
- "Note**
- Section 4 of the **Members of Parliament (Standards) Act 1978** sets out values that a Minister should demonstrate in the carrying out of the Minister's public duties. These values include accountability.".