



National Funding Agreements and the Constitution: Friends or Foes?

The Auditor-General of NSW and a range of Constitutional academics and lawyers will appear before the federal parliament's Audit Committee at a public hearing in Sydney on Friday 19 August 2011. The Audit Committee is investigating the implementation of national agreements and specific purpose payments that see \$45 billion paid to states and territories by the Commonwealth Government.

A submission from the Centre of Public Law at the University of New South Wales has identified a number of concerns with the national funding agreement framework including a lack of parliamentary scrutiny and democratic accountability. The Centre has suggested three proposals to improve scrutiny including a publicly available register of funding agreements, the tabling of the agreements in parliaments and scrutiny by joint parliamentary committees.

The Committee will hear from Dr Andrew Lynch and Mr Paul Kildea from the Centre as well as Associate Professor Anne Twomey from the University of Sydney. Mr Bryan Pape who challenged the constitutional validity of the tax bonus in 2009, will give evidence on the significance of the High Court decision in that case to Commonwealth Government spending.

"National agreements and specific purpose payments form a key mechanism through which funding is transferred from the Commonwealth to the States and Territories," Committee Chair Rob Oakeshott said.

"It is essential that the Committee understands the constitutional implications and limitations of the funding agreement framework."

The hearing will commence at **10:45 am in the Macquarie Room, Parliament House NSW, Macquarie Street, Sydney** and will proceed as follows:

10:45 am – 11:30 am	Auditor-General of NSW
11:30 am – 12:15 pm	Associate Professor Anne Twomey
12:15 pm – 1:15 pm	Break
1:15 pm – 2:00 pm	Centre of Public Law
2:00 pm – 2:45 pm	Mr Bryan Pape

Live broadcasting through <http://webcast.aph.gov.au/livebroadcasting>

An electronic copy of the program can be found at

<http://www.aph.gov.au/house/committee/jcpaa/natagree/hearings.htm>

The inquiry's website can be found at

<http://www.aph.gov.au/house/committee/jcpaa/natagree/index.htm>

For media comment: please contact the Committee Chair, Rob Oakeshott MP, on telephone (02) 6584 2911

For more information: for information about the hearing, please contact the Committee Secretariat on telephone (02) 6277 4615.

