



Appropriation (Parliamentary Departments) Bill (No.1) 2009-2010

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Appropriation (Parliamentary Departments) Bill (No.1) 2009-2010

Date introduced: 12 May 2009

House: House of Representatives

Portfolio: Finance and Deregulation

Commencement: Royal Assent

Links: The [relevant links](#) to the Bill, Explanatory Memorandum and second reading speech can be accessed via BillsNet, which is at <http://www.aph.gov.au/bills/>. When Bills have been passed they can be found at ComLaw, which is at <http://www.comlaw.gov.au/>.

Purpose

To appropriate \$172 738 million out of the Consolidated Revenue Fund for expenditure in relation to the Parliamentary Departments.

Background

The *Parliamentary Service Act 1999* provides that the administration of the Parliament is undertaken by at least two parliamentary departments. The Department of the Senate and the House of Representatives (the chamber departments) are created by force of law. Other departments may be established or abolished by resolutions passed by each House.¹ The third Parliamentary Department, the Department of Parliamentary Services, commenced operations in February 2004, following the amalgamation of the (then) Joint House Department with the Department of the Parliamentary Reporting Staff and the Parliamentary Library.

Note that as the Appropriation (Parliamentary Departments) Bill (No.1) 2009-2010 is *not* for the ordinary annual services of the Government, it may be amended by the Senate.²

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1. Parliamentary Services Act 1999, subsection 54(2).
 2. Section 53 of the Commonwealth Constitution states in part: ‘The Senate may not amend proposed laws imposing taxation, or proposed laws appropriating revenue or moneys for the ordinary annual services of the Government’.

Warning:

This Digest was prepared for debate. It reflects the legislation as introduced and does not canvass subsequent amendments.

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

Financial implications

The Bill appropriates \$172 738 million for the 2009-10 financial year. This compares to \$170 956 million for 2008-09.

Key issues

The Parliamentary Departments are facing budgetary pressures in terms of maintaining existing levels of services and dealing with an increase in demand for services. For example, the Department of Parliamentary Services Budget paper notes:

The major challenge for the Department of Parliamentary Services (DPS) for 2009-10 will be maintaining the level and quality of day-to-day services provided to a very busy Parliament within a constrained operating budget.

Since 2007-08 Parliamentary activity has increased significantly. For example; so far in 2008-09 Chamber activity has been some 50% higher than the 2007-08 year, and Committee activity is more than 100% higher than in 2007-08. Increased levels of Parliamentary activity increase the operating costs of DPS in providing services to the Parliament including security, Hansard, broadcast services; energy and other utility costs for the building also increase.³

Further the Department of the House of Representatives Budget Statements notes that:

...increased activity levels, and increasing input factor costs, will place unprecedented pressure on the financial resources available to the Department. It is anticipated that the Department will have to reduce its services in some areas to remain within budget in 2009-10, and that funding pressures will intensify significantly in the outyears. The Department will endeavour to limit the impact of those reductions on its core operations.⁴

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3. Australian Government, Portfolio Budget Statements 2009-10: Budget related paper No.1.18C, Department of Parliamentary Services, Commonwealth Australia, Canberra, 2009, p. 11, http://www.aph.gov.au/DPS/publications/2009-10_DPS_PBS.pdf accessed 19 May 2009.
 4. Australian Government, Portfolio Budget Statements 2009-10: Budget related paper No.1.18A, Department of the House of Representatives, Commonwealth Australia, Canberra, 2009, p.9, http://www.aph.gov.au/house/dept/pbs2009/DHR_PBS_2009-10.pdf accessed 20 May 2009.

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Table 1: comparison of proposed 2009-2010 appropriations with actual available appropriations for 2008-2009.

	2009-10	2008-09
Department of the Senate	20.513 million	20.254 million
Department of the House of Representatives	22.219 million	21.935 million
Department of Parliamentary Services	130.006 million	128.767 million
Total of Parliamentary Departments	172.738 million	170.956 million

Source: Schedule 1 Appropriation (Parliamentary Departments) Bill (No.1) 2009-10

Main provisions

Clause 4 provides that the Portfolio Budget Statements (PBS) may be used to interpret provisions of the Bill where necessary under section 15AB of the *Acts Interpretation Act 1901*.

Clause 6 states that the total appropriation for the Parliamentary Departments is \$172 738 000, a figure only slightly higher than from 2008-09. **Schedule 1** to the Bill details the appropriations for each Parliamentary Department, a summary of which is reproduced in Table 1 in this Digest.

Clause 11 provides that the responsible Presiding Officer may request the Finance Minister to make a written determination by reducing the appropriation for an item in the budget of a parliamentary department by an amount specified in the determination. **Subclause 11(6)** provides that any such determination by the Finance Minister may be disallowed by either House of Parliament in accordance with the provisions of section 42 of the *Legislative Instruments Act 2003*.

Clause 12 allows for the reduction of the appropriation for administered items. Under this provision, if the relevant Parliamentary Departmental annual report specifies that the amount required for the item is less than that originally anticipated, the appropriation is taken to have been reduced to the lesser amount.

Clause 13 deals with increases ('advances') to appropriations due to unforeseen and urgent circumstances. These advances are made via determinations by the responsible Presiding

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Officer. The maximum advance under clause 14 is a total of \$300 000 each for the chamber departments, and a total of \$1 million for the Department of Parliamentary Services. These amounts are the same as those contained in the equivalent 2008-2009 Appropriation Act. Determinations under clause 14 are legislative instruments, but not subject to disallowance: **subclause 13(6)**.

Clause 15 appropriates funds from the Consolidated Revenue Fund as necessary for the purposes of the Act, including the operation of the Act as affected by the *Financial Management and Accountability Act 1997*, in particular sections 30 to 32 of that Act.

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