

Chapter 1

Budget estimates 2014–15

Introduction

1.1 On 13 May 2014, the Senate referred the following to the Senate Environment and Communications Legislation Committee (the committee):

- Particulars of proposed expenditure in respect of the year ending on 30 June 2015 [Appropriation Bill (No. 1) 2014–15]; and
- Particulars of certain proposed expenditure in respect of the year ending on 30 June 2015 [Appropriation Bill (No. 2) 2014–15].¹

1.2 The committee is required to report to the Senate on 24 June 2015.²

Portfolio coverage

1.3 The committee has responsibility for examining the expenditure and outcomes of the following:

- Environment portfolio; and
- Communications portfolio.³

Hearings

1.4 The committee held public hearings on the Environment portfolio on Monday, 26 and Tuesday, 27 May 2014. Public hearings on the Communications portfolio were held on Wednesday, 28 and Thursday, 29 May 2014.

1.5 The committee took evidence from Senator the Hon Mathias Cormann, Minister for Finance, and Senator the Hon Simon Birmingham, Parliamentary Secretary to the Minister for the Environment, representing the Minister for the Environment; Senator the Hon Mitch Fifield, Assistant Minister for Social Services, representing the Minister for Communications; and officers of the relevant departments and agencies. The committee thanks the Ministers, departmental secretaries and officers for their assistance.

1.6 Low Carbon Australia was not required to attend the hearings.

Use of videoconference

1.7 Representatives of the Office of the Supervising Scientist appeared before the committee via videoconference. This method of appearance, a first for an estimates

1 *Journals of the Senate*, No. 27, 13 May 2014, p. 778.

2 *Journals of the Senate*, No. 6, 4 December 2013, p. 224.

3 *Journals of the Senate*, No. 1, 12 November 2013, p. 16.

hearing, resulted in significant savings for the authority while not impeding the work of the committee.

Questions on notice and *Hansard* transcripts

1.8 The committee notes that it had set Friday, 11 April 2014 as the date for the return of answers to questions taken on notice during the additional estimates hearings held in February 2014. At that date, 209 of 220 answers from the Department of the Environment were outstanding and all 446 answers from the Department of Communications were outstanding. Many late answers were submitted just prior to, and during, the May budget estimates hearings. The committee reiterates its expectation that answers to questions on notice should be provided to the committee by the due date.

1.9 In accordance with standing order 26(9)(a), the committee has set Friday, 11 July 2014 as the date for the return of written answers or additional information in response to questions placed on notice during the budget estimates hearings.

1.10 Written answers and information provided to the committee in response to questions on notice are tabled in the Senate and posted on the committee's web page. Links to the *Hansard* transcripts of these public hearings and to answers and additional information are available on the internet at:

http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/ecctte/estimates/bud1415/index

Public interest immunity and commercial-in-confidence claims

1.11 The committee notes that two agencies, while providing a general response to a number of questions on notice, declined to provide specific information on the ground that the information was 'commercial-in-confidence'.

1.12 The committee refers agencies to the procedural order of the Senate of 30 October 2003 which states that:

The Senate and Senate committees shall not entertain any claim to withhold information from the Senate or a committee on the grounds that it is commercial-in-confidence, unless the claim is made by a minister and is accompanied by a statement setting out the basis for the claim, including a statement of any commercial harm that may result from the disclosure of the information.

1.13 In addition, the Senate's order of 13 May 2009 relating to public interest immunity claims provides that where there is a claim that disclosure of information would not be in the public interest, the committee is to be provided with a statement of the ground for that conclusion, specifying the harm to the public interest.

1.14 The Senate orders make it clear that a claim for not answering a question on the ground that the information is 'commercial-in-confidence' must be based on specified potential harm. The committee expects that this information will be included in any future answers to questions on notice which include commercial-in-confidence claims.

Guidance document

1.15 The committee thanks the Department of the Environment for providing an updated guidance document for budget estimates. The document clearly detailed the department's new post-budget outcome structure and assisted committee members in establishing the correct area in which to raise their questions.

