

## **Additional Estimates 2009–10**

1.1 On 26 November 2009 the Senate referred the following documents to the Committee for examination and report:

- particulars of proposed additional expenditure in respect of the year ending on 30 June 2010 [Appropriation Bill (No. 3) 2009-10];
- particulars of certain proposed additional expenditure in respect of the year ending on 30 June 2010 [Appropriation Bill (No. 4) 2009-10];
- final budget outcome 2008-09; and
- issues from the advances under the annual Appropriation Acts for 2008-09.

1.2 The Committee has considered the additional expenditure of the portfolios set out in their respective Portfolio Additional Estimates Statements 2009-2010 (PAES).

### **Portfolio coverage**

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

- Parliamentary departments;
- Prime Minister and Cabinet portfolio;
- Finance and Deregulation portfolio; and
- Human Services portfolio.

Appendix 1 lists the departments and agencies under the portfolios mentioned above.

### **Hearings**

1.4 The committee held public hearings on Monday, 8 and Tuesday, 9 February 2010. Over the course of the two days' hearings—totalling 20 hours and 45 minutes excluding breaks—the committee took evidence from the President of the Senate, Senator the Hon John Hogg; Senator the Hon Joe Ludwig, Special Minister of State, representing the Prime Minister and the Minister for Finance and Deregulation; and Senator the Hon Penny Wong, Minister for Climate Change and Water, together with officers of the departments and agencies concerned. The Committee expresses its appreciation for the assistance of the Ministers, Departmental Secretaries and the officers who appeared before it.

1.5 The following agencies were released from the hearings without examination: Department of the Senate; Australian Public Service Commission; Office of the Inspector-General of Intelligence and Security; Office of National Assessments; Office of the Privacy Commissioner; Office of the Commonwealth Ombudsman; Old Parliament House; National Archives of Australia; Office of the Renewable Energy Regulator; and ComSuper.

1.6 The following agencies were dismissed prior to the hearings: National Australia Day Council Ltd; Albury-Wodonga Development Corporation; Australian Industry Development Corporation; Australian Reward Investment Alliance; Australian River Co Ltd; ASC Pty Ltd; Australian Technology Group Ltd; Tuggeranong Office Park Pty Ltd; and Australian Hearing Services.

1.7 Copies of Hansard are available on the internet at the following address: [www.aph.gov.au/hansard/senate/commttee/committee\\_transcript.asp?MODE=YEAR&ID=107&YEAR=2010](http://www.aph.gov.au/hansard/senate/commttee/committee_transcript.asp?MODE=YEAR&ID=107&YEAR=2010).

1.8 In accordance with Standing Order 26, the date for submission to the Committee of written answers to questions or additional information relating to the expenditure is Friday, 26 March 2010.

1.9 Further written information furnished by departments and agencies will be tabled, as received, in the Senate. That information is also available on the committee's internet page: [www.aph.gov.au/Senate/committee/fapa\\_ctte/estimates/index.htm](http://www.aph.gov.au/Senate/committee/fapa_ctte/estimates/index.htm)

## **General Issues**

### ***Conduct of hearings***

1.10 Estimates hearings are a key element in ensuring the accountability of the executive to the Parliament. This is underscored by resolutions passed by the Senate which affirm its right to inquiry into the expenditure of all public funds. As a result, the estimates hearings are often characterised by vigorous and robust questioning by Senators and spirited exchanges between Senators and the minister attending.

1.11 However, while engaging in the estimates process Senators must observe the rules of the Senate in relation to debate, to limit questions to those relevant to the inquiry and to ask questions in an orderly fashion. Witnesses should be able to answer questions in an orderly way without interruption or commentary from Senators. When the Chair is speaking there should be no interruption.

1.12 Without order in the committee, the estimates process may be undermined and the aim of ensuring accountability of the executive government compromised.

### ***Disclosure of information***

1.13 During the estimates hearings the order of the Senate of 19 May 2009 for public interest immunity claims was raised in relation to questions concerning the names of ministerial staff who had attended a Cabinet sub committee meeting on

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border protection. The Special Minister of State, Senator the Hon Joe Ludwig, declined to provide the names and provided grounds for harm to the public interest.<sup>1</sup>

1.14 The Minister for Climate Change and Water, Senator the Hon Penny Wong also declined to provide the Morgan Stanley summary report as the information was provided to the government on the basis that it would be treated as commercial-in-confidence. The Minister noted that the department had 'placed on its website an articulation of the Morgan Stanley report'.<sup>2</sup>

1.15 The sections of the report that follow list various issues considered by the committee and discuss some of these in detail. The order is not based on hierarchy but the order in which those issues arose during the hearings.

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1 Senator the Hon Joe Ludwig, Special Minister of State, *Estimates Hansard*, 8.2.10, pp 55, 56, 74.

2 Senator the Hon Penny Wong, Minister for Climate Change and Water, *Estimates Hansard*, 8.2.10, p. 101.

