

# CHAPTER 1

## Overview

1.1 On 12 May 2015 the Senate referred the following documents to the committee for examination and report in relation to its portfolios:

- Particulars of proposed expenditure in respect of the year ending on 30 June 2016;
- Particulars of certain proposed expenditure in respect of the year ending on 30 June 2016;
- Particulars of proposed expenditure in relation to the parliamentary departments in respect of the year ending on 30 June 2016;
- Particulars of proposed additional expenditure in respect of the year ending on 30 June 2015; and
- Particulars of certain proposed additional expenditure in respect of the year ending on 30 June 2015.<sup>1</sup>

1.2 The committee is required to report to the Senate on 23 June 2015.<sup>2</sup>

### Portfolio coverage

1.3 The committee has responsibility for examining the expenditure and outcomes of the Employment and Education and Training portfolios.<sup>3</sup> Appendix 1 lists the outcomes, agencies and other bodies under these portfolios.

### Portfolio Budget Statements (PBS) 2015-16

1.4 Portfolio Budget Statements (PBS) inform senators of the proposed allocation of funding to outcomes and agencies within the portfolio.

1.5 Outcomes within the Education and Training portfolio have been amended to reflect machinery-of-government changes made in December 2014.<sup>4</sup>

### Hearings

1.6 The committee held hearings over four days, examining the Employment portfolio on 1 and 2 June 2015 and the Education and Training portfolio on 3 and 4 June 2015. The committee met for a total of 42 hours and six minutes, excluding breaks.

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1 *Journals of the Senate*, No. 92, 12 May 2015, p. 2561.

2 *Journals of the Senate*, No. 76, 10 February 2015, pp 2116–2117.

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

4 Portfolio Budget Statements 2015–16, *Education and Training portfolio*, pp 18–19.

1.7 Over the two days that the committee spent examining the Employment portfolio, the approximate distribution of time by party was as follows:

- Labor Senators, 73.2%
- Coalition Senators, 15.6%;
- Greens Senators, 9%; and
- Other parties and independent Senators, 2.1%.

1.8 Over the two days that the committee spent examining the Education and Training portfolio, the approximate distribution of time by party was as follows:

- Labor Senators, 69.5%;
- Coalition Senators, 9%; and
- Greens Senators, 21.5%.

### **The operation of Standing Order 26(4)**

1.9 Standing Order 26(4) provides that:

If a senator has further explanations to seek, items of expenditure shall not be closed for examination unless the senator has agreed to submit written questions or the committee has agreed to schedule additional hearings for that purpose.<sup>5</sup>

1.10 The effect of this standing order is that the committee must continue to examine a given agency or outcome until no senator has any questions remaining, regardless of the day's schedule. Consequently, the committee spends far longer than estimated examining certain outcomes and agencies, and far less time examining others. Senators have expressed their frustration with the uncertainty created by the operation of the standing order. Appendix 3 shows the time allocated to each area and the actual time the committee spent examining it.

### **Public interest immunity claims**

1.11 On 13 May 2009, the Senate passed an order relating to public interest immunity claims.<sup>6</sup> The order sets out the processes to be followed if a witness declines to answer a question. The full text of this order has previously been provided to departments and agencies and was incorporated in the Chair's opening statement at the commencement of each hearing.

### **Questions on notice**

1.12 The committee has drawn the attention of the department and its agencies to the agreed deadline of Friday, 24 July 2015 for the receipt of answers to questions taken on notice from this round, in accordance with Standing Order 26.

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5 The Senate, *Standing Orders and other orders of the Senate*, July 2014, SO 26.

6 *Journals of the Senate*, No. 68, 13 May 2009, p. 1941. The order was moved by Senator Cormann.

1.13 Responses to questions on notice and additional information provided to the committee are tabled in the Senate and uploaded to the committee's web page. Links to the *Hansard* transcripts of these public hearings and to answers and additional information will be posted on the committee's website.<sup>7</sup>

**Note on Hansard page referencing**

1.14 Hansard references throughout this report are to the proof transcript. Please note page numbering may differ between the proof and final Hansard.

**Recommendation 1**

**1.15 The committee recommends that Standing Order 26(4) be referred to the Procedure Committee for consideration.**

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7 Information will be published at the following website address:  
[http://www.aph.gov.au/Parliamentary\\_Business/Senate\\_Estimates/eetctte/estimates/add1415/index](http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/eetctte/estimates/add1415/index)