



# **Legislative Assembly for the Australian Capital Territory**

Standing Committee on Public Accounts

## **Inquiry into Appropriation Bill 2023–2024 (No 2) and Appropriation (Office of the Legislative Assembly) Bill 2023–2024 (No 2)**

Legislative Assembly for the Australian Capital Territory  
Standing Committee on Public Accounts

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Approved for publication

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Report 22  
10th Assembly  
March 2024



# About the committee

## Establishing resolution

The Assembly established the Standing Committee on Public Accounts on 2 December 2020.

The Committee is responsible for the following areas:

- ACT Auditor-General
- Office of the Legislative Assembly
- Accounts of the receipts and expenditure of the ACT and its authorities
- All reports of the Auditor-General which have been presented to the Assembly
- Treasury including taxation and revenue

You can read the full establishing resolution [on our website](#).

## Committee members

Mr Ed Cocks MLA, Chair

Mr Michael Pettersson MLA, Deputy Chair

Mr Andrew Braddock MLA

## Secretariat

Ms Sophie Milne, Committee Secretary

Ms Kate Mickelson, Assistant Secretary

## Contact us

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## About this inquiry

The Appropriation Bill 2023–2024 (No 2) and Appropriation (Office of the Legislative Assembly) 2023–2024 (No 2) were presented in the Assembly on 8 February 2024 and referred to the Standing Committee on Public Accounts. Standing order 174 refers all bills presented to the Assembly to the relevant standing committee for inquiry. A Committee has three weeks from the date of presentation, or one week after the tabling of the relevant scrutiny report, whichever is later, to advise the Speaker on whether it will undertake an inquiry.

Under the standing orders, if the Committee does decide to undertake an inquiry, it must report within three months from the date of presentation of the bill, with the exception of bills presented in the last sitting period of a calendar year, in which case the Committee has four months to inquire and report.

On 8 February 2024 the Assembly passed the following resolution:

That, notwithstanding the provisions of standing orders 174, 175 and 176, the Appropriation Bill 2023-2024 (No 2) and the Appropriation (Office of the Legislative Assembly) Bill 2023-2024 (No 2) be referred to the Standing Committee on Public Accounts to decide whether or not to undertake an inquiry, and, should the committee decide to inquire, the reporting date will be 8 March 2024.<sup>1</sup>

The Committee decided to inquire into the bill on 14 February 2024. The reporting date is 8 March 2024.

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<sup>1</sup> Legislative Assembly for the ACT, *Minutes of Proceedings*, No 112, 8 February 2024, p 1690.

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# Acronyms & Abbreviations

Acronym or Abbreviation	Long form
ABS	Australian Bureau of Statistics
ACT	Australian Capital Territory
CHHP	Community, Health and Hospitals Program
The Commission	The Commonwealth Grants Commission
GST	Goods and Services Tax
HNOB	Headline Net Operating Balance
MLA	Member of the Legislative Assembly
NOB	Net Operating Balance
SRA	Superannuation Return Adjustment
UFP	Uniform Presentation Framework

# Recommendations

## Recommendation 1

The Committee recommends that the ACT Legislative Assembly provide no less than six full weeks to committees to conduct budget inquiries.

## Recommendation 2

The Committee recommends that the ACT Government write to the Australian Bureau of Statistics requesting it respond in writing detailing its plans to improve the measurement of net interstate migration and in what timeframes, and that any response be tabled in the ACT Legislative Assembly.

## Recommendation 3

The Committee recommends that the ACT Government clearly report the Uniform Presentation Framework Net Operating Balance alongside the Headline Net Operating Balance in the annual Budget and Budget Review.

## Recommendation 4

The Committee recommends that the ACT Government provide further information on the utility of Headline Net Operating Balance in Budget and Budget Review statements.

## Recommendation 5

The Committee recommends that the ACT Government release Superannuation Return Adjustment forecasts using both the projected long term investment return and the long-term valuation discount rate.

## Recommendation 6

The Committee recommends that the ACT Government report Key Balance Sheet Measures such as Net Debt, Net Financial Liabilities and Net Worth to both revenue and Gross State Product to provide a more transparent analysis of the Territory's balance sheet.

## Recommendation 7

The Committee recommends that the ACT Government include comparative tables of key economic measures in the Budget and Budget Review statements, to enable comparison with other Australian jurisdictions.

## Recommendation 8

The Committee recommends that the ACT Government include in the notes accompanying the financial statements, the basis of accounting, key accounting policies and a disaggregation of key assets and liabilities in line with practice in other Australian jurisdictions.

## Recommendation 9

The Committee recommends that the ACT Government only change the title of appropriations or Capital Works Projects where there has been a significant change of scope so that total



project values, funding and physical completion dates can be easily traced across multiple budgets.



# 1. Introduction

- 1.1. The Committee held a public hearing for this inquiry on 29 February 2024. See Appendices [A](#) and [C](#).
- 1.2. Three questions were taken on notice and 13 questions on notice were received during this inquiry. See Appendix [B](#).

## Budget review

- 1.3. Each year, the Treasurer is required pursuant to section 20A of the *Financial Management Act 1996* to prepare a budget review and to table it in the ACT Legislative Assembly. This budget review provides ‘updated information to allow the assessment of the government’s financial performance against the financial policy objectives and strategies set out in the financial policy objectives and strategies statement for the Territory budget for the financial year.’<sup>2</sup>
- 1.4. The Treasurer tabled the budget review for the 2023–2024 financial year on 8 February 2024, along with the two Bills which are the subject of this inquiry: the Appropriation Bill 2023–2024 (No 2) and the Appropriation (Office of the Legislative Assembly) Bill 2023–2024 (No 2) (the Bills). These Bills will provide for additional funding for public agencies, required due to ‘a number of Government policy decisions and technical adjustments.’<sup>3</sup>
- 1.5. The Appropriation (Office of the Legislative Assembly) Bill 2023–2024 (No 2), in particular, was noted to be required for provision of additional funding for the Legislative Assembly of the ACT to meet the outcomes of recent enterprise bargaining.<sup>4</sup>

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<sup>2</sup> *Financial Management Act 1996*, s 20B.

<sup>3</sup> ACT Government, *Budget 2023–2024, Supplementary Budget Papers*, p 7.

<sup>4</sup> Mr Andrew Barr MLA, Treasurer, *Proof Assembly Hansard*, 8 February 2024, p 277.

## 2. Key issues

### Time for inquiries

- 2.1. After presenting the supplementary Bills to the Assembly on 8 February 2024, the Assembly agreed to the motion of the Treasurer that:
- ... notwithstanding the provisions of standing orders 174, 175 and 176, the Appropriation Bill 2023-2024 (No 2) and the Appropriation (Office of the Legislative Assembly) Bill 2023-2024 (No 2) be referred to the Standing Committee on Public Accounts to decide whether or not to undertake an inquiry, and, should the committee decide to inquire, the reporting date will be 8 March 2024.<sup>5</sup>
- 2.2. Last year, on 9 February 2023, supplementary appropriation bills were presented along with the 2022–2023 budget review and a similar motion was passed with a reporting date of 21 March 2023.<sup>6</sup>
- 2.3. During the ninth Assembly, the 2017–2018 supplementary appropriation bills were referred to the Standing Committee on Public Accounts on 15 February 2018 with no reporting date.<sup>7</sup> The report was presented to the Assembly on 10 April 2018.<sup>8</sup>

### Committee Comment

- 2.4. The Committee understands the need for a truncated inquiry into supplementary appropriation bills, for public monies to be made available as quickly as possible for the funding of government agencies. However, this must be balanced with allowing appropriate time for the conduct of regular scrutiny by the Legislative Assembly's committees.
- 2.5. The Committee conducted this inquiry within the short timeframe of four weeks, which presents difficulties in managing the regular work of calling for submissions, holding a hearing, and drafting and deliberating on a report. As the next sitting day of the Assembly is not scheduled until 19 March 2024, the Committee has not had the opportunity to request an extension of reporting date from the Assembly.
- 2.6. The Committee notes that its inquiry was also delayed by the unavailability of the Treasurer to attend a hearing until Thursday 29 February 2024, due to overseas travel. As Ministers have 5 business days to respond to questions on notice from the hearing, the responses were not available before the drafting of this report, which further hinders the quality and success of the inquiry.

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<sup>5</sup> Legislative Assembly of the ACT, *Minutes of Proceedings*, No 112, 8 February 2024, p 1690.

<sup>6</sup> Legislative Assembly of the ACT, *Minutes of Proceedings* No 74, 9 February 2023, p 1038.

<sup>7</sup> Legislative Assembly of the ACT, *Minutes of Proceedings*, Ninth Assembly, No 46, 15 February 2018, p 675.

<sup>8</sup> Legislative Assembly of the ACT, *Minutes of Proceedings*, Ninth Assembly, No 53, 10 April 2018, p 764.

### Recommendation 1

The Committee recommends that the ACT Legislative Assembly provide no less than six full weeks to committees to conduct budget inquiries.

## Net migration statistics

- 2.7. In Australia, revenue raised through the Goods and Service Tax (GST) is distributed among the states and territories according to each jurisdiction's relative needs. The Commonwealth Grants Commission (the Commission) provides advice to the Australian Government on the allocation of this revenue.<sup>9</sup>
- 2.8. The Australian Bureau of Statistics (the ABS) provides the estimated resident population data which is used, along with other factors, by the Commission to calculate each jurisdiction's allocation of GST revenue.<sup>10</sup>
- 2.9. The Government has raised concerns that the ABS has been using inaccurate modelling to calculate the ACT's net interstate migration data, leading to underestimates of the Territory's population since 2021.<sup>11</sup> The ABS relies on Medicare data to calculate interstate migration, however it is understood that this is not a reliable source in the ACT context as much of the territory's immigrants are young and mobile, and not as likely to immediately update their Medicare details when they change address.<sup>12</sup>
- 2.10. Mr Stuart Hocking PSM, Under Treasurer, told the Committee that the latest census data showed that the ABS had underestimated the ACT population by 20,000 people, which was even larger than the underestimate in the previous census.<sup>13</sup> He said that these miscounts:
- [have] material effects because it affects our GST grants. And, to the extent that they get it wrong, regarding any GST revenue that we miss out on, we can never claw it back, historically. It affects our GST share going forward, but we lose money over that period from the undercount.<sup>14</sup>
- 2.11. The Committee was further informed that the ABS is aware of the issue and is currently looking at alternative data sources which it could use to calculate the net interstate migration for the ACT.<sup>15</sup>

<sup>9</sup> Commonwealth Grants Commission, *About GST Distribution*, <https://www.cgc.gov.au/about-gst-distribution> (accessed 4 March 2024).

<sup>10</sup> Commonwealth Grants Commission, *Report on GST Sharing Relativities—2015 Review*, Attachment 1, 'Population Data Supporting the Assessments', p 557, <https://www.cgc.gov.au/reports-for-government/2015-review> (accessed 4 March 2024).

<sup>11</sup> ACT Government, *Budget 2023-2024, Budget Review*, 'Box 2.2.3: ABS underestimation of the ACT's net interstate migration', p 26.

<sup>12</sup> ACT Government, *Budget 2023-2024, Budget Review*, 'Box 2.2.3: ABS underestimation of the ACT's net interstate migration', p 26.

<sup>13</sup> Mr Stuart Hocking PSM, Under Treasurer, *Proof Committee Hansard*, 29 February 2024, pp 10–11.

<sup>14</sup> Mr Stuart Hocking PSM, Under Treasurer, *Proof Committee Hansard*, 29 February 2024, p 11.

<sup>15</sup> Mr Stuart Hocking PSM, Under Treasurer, *Proof Committee Hansard*, 29 February 2024, p 11.

## Committee Comment

- 2.12. The Committee is concerned that the ABS is not progressing quickly enough to update its methodology for calculating the ACT's population. In light of the material impact its calculations have on the GST revenue share which the ACT receives, the Committee would like more information from the ABS on how it is working to resolve this issue.

### Recommendation 2

The Committee recommends that the ACT Government write to the Australian Bureau of Statistics requesting it respond in writing detailing its plans to improve the measurement of net interstate migration and in what timeframes, and that any response be tabled in the ACT Legislative Assembly.

## Headline Net Operating Balance

- 2.13. Since 1991, the Australian Federal, State, and Territory governments have adhered to the requirements of the Uniform Presentation Framework (the UPF) when presenting their budgets, to present their financial data in a uniform way. This approach 'facilitate[s] a better understanding of individual governments' budget papers and provide[s] for more meaningful comparisons of each government's financial results and projections.'<sup>16</sup>

- 2.14. The UPF requires Governments to disclose their Net Operating Balance (NOB) as a 'good measure of the sustainability of the government's fiscal position over time.'<sup>17</sup> The UPF states:

The net operating balance can also be defined as the change in net worth arising from economic transactions, and therefore excludes the effect of revaluations and other changes in the volume of assets and liabilities. Because revaluations are largely outside a government's control, the net operating balance is a better measure of a government's financial activity in a given period than the change in net worth.<sup>18</sup>

- 2.15. The ACT Government financial statements present at first instance the Headline Net Operating Balance (HNOB), which adjusts the operating balance to 'reflect an estimate of expected returns from the Territory's Superannuation Provision Account.'<sup>19</sup> This differs to the approach taken by other Australian jurisdictions which rely on the UPF NOB.<sup>20</sup>

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<sup>16</sup> Commonwealth of Australia, *Uniform Presentation Framework—For the Presentation of Uniform Financial Information by Commonwealth, State and Territory Governments*, February 2019, p 1, <https://treasury.gov.au/publication/p2019-t365789> (accessed 4 March 2024).

<sup>17</sup> Commonwealth of Australia, *Uniform Presentation Framework—For the Presentation of Uniform Financial Information by Commonwealth, State and Territory Governments*, February 2019, p 7, <https://treasury.gov.au/publication/p2019-t365789> (accessed 5 March 2024).

<sup>18</sup> Commonwealth of Australia, *Uniform Presentation Framework—For the Presentation of Uniform Financial Information by Commonwealth, State and Territory Governments*, February 2019, p 7, <https://treasury.gov.au/publication/p2019-t365789> (accessed 5 March 2024).

<sup>19</sup> Pegasus Economics, *Review of the ACT Budget 2023-2024*, July 2023, p 10.

<sup>20</sup> Pegasus Economics, *Review of the ACT Budget 2023-2024*, July 2023, p 9.

- 2.16. Mr McAuliffe also confirmed for the Committee that all financial assets of the Superannuation Provision Account can only be used 'for the purpose of meeting the defined benefits super liabilities' and are essentially 'ring-fenced within that account.'<sup>21</sup>

## Committee Comment

- 2.17. The Committee notes that all State and Territory governments, except the ACT Government, use the Uniform Presentation Framework Net Operating Balance as their main measure of deficit and surplus.
- 2.18. The Committee further notes that the ACT Government is the only jurisdiction in Australia which uses the Headline Net Operating Balance (HNOB) as its main measure of deficit and surplus.
- 2.19. The Committee observes that expected returns from the Territory's Superannuation Provision Account cannot be used to pay for infrastructure, debt or general government spending.
- 2.20. The Committee observes that, while the HNOB forecasts a surplus from the 2025–26 financial year in the Budget Review,<sup>22</sup> the UPF NOB does not.<sup>23</sup> Rather, the 2023–24 Budget Review has estimated a UPF NOB deficit of \$1.020 billion for 2023–24 and has forecast deficits through to 2026–27.<sup>24</sup>
- 2.21. The Committee also notes that the ACT Government, as recently as the 2013–14 budget, published the HNOB figure alongside the UPF NOB figure and has since separated the two different measures. The UPF figure is now published on page 287 of the 2023–24 Budget.
- 2.22. The Committee considers it would be useful for the ACT Government to contextualise their use of the HNOB in the budget papers. For example, where Tasmania varies from the UPF and publishes the underlying net operating balance in their budget papers (as it receives extra infrastructure funding from the Commonwealth), it includes a footnote which states:

Underlying Net Operating Balance is not a standard fiscal measure applied by other state governments, and its utility is subject to interpretation.<sup>25</sup>

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<sup>21</sup> Mr Patrick McAuliffe, Executive Branch Manager, Investments and Borrowings, Budget, Procurement, Investment and Finance, Treasury, Chief Minister Treasury and Economic Development Directorate, *Proof Committee Hansard*, 29 February 2024, p 6.

<sup>22</sup> ACT Government, *Budget 2023-2024, Budget Review*, 'Table 1.1.2: General Government Sector Headline Net Operating Balance (\$m)', p 10.

<sup>23</sup> ACT Government, *Budget 2023-2024, Budget Review*, 'Table 4.1.1: Australian Capital Territory General Government Sector – Operating Statement (\$'000)', p 115.

<sup>24</sup> Mr Stuart Hocking PSM, Under Treasurer, *Proof Committee Hansard*, 29 February 2024, p 3.

<sup>25</sup> Tasmanian Government, *The Budget, Budget Paper No 1*, 2023, p 10.

### Recommendation 3

The Committee recommends that the ACT Government clearly report the Uniform Presentation Framework Net Operating Balance alongside the Headline Net Operating Balance in the annual Budget and Budget Review.

### Recommendation 4

The Committee recommends that the ACT Government provide further information on the utility of Headline Net Operating Balance in Budget and Budget Review statements.

## Superannuation Return Adjustment

- 2.23. In their review of the 2023–2024 ACT budget, Pegasus Economics noted that the ACT Government applies a Superannuation Return Adjustment (SRA), in order to recognise that the Government holds assets in the Superannuation Provision Account which can offset its superannuation liabilities.<sup>26</sup> Their report states:

While the Government Finance Statistics (GFS) reporting framework requires the inclusion of superannuation interest costs and other superannuation expenses in the operating balance, it only allows for interest income and dividends to be included as a transactional revenue item in the net operating balance, ignoring the capital growth on the assets in the Superannuation Provision Account (ACT Government, 2016, p. 42). The ACT Treasury has indicated to us that inclusion of the SRA provides a better indication of the sustainability of the headline net operating balance.<sup>27</sup>

- 2.24. The Pegasus Economics report also expressed the view that the ACT Government had favourably biased the outcome of the SRA ‘by assuming a return on the assets that exceeds the discount rate adopted in valuing the superannuation liabilities’, which in turn materially affected the Government’s net operating balance.

## Committee Comment

- 2.25. The Committee is of the view that both calculations of the SRA should be presented in the budget papers, to give a more comprehensive view of forecast adjustments.

### Recommendation 5

The Committee recommends that the ACT Government release Superannuation Return Adjustment forecasts using both the projected long term investment return and the long-term valuation discount rate.

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<sup>26</sup> Pegasus Economics, *Review of the ACT Budget 2023-2024*, July 2023, p 47.

<sup>27</sup> Pegasus Economics, *Review of the ACT Budget 2023-2024*, July 2023, p 47.



## Improvements for transparency

2.26. In their review of the 2023–2024 Budget, Pegasus Economics identified several items which they felt could be included in the financial statements for increased accountability and transparency. These included:

- key assets such as investments in other public sector entities;
- notes on underlying accounting policies; and
- a breakdown of forecast assumptions.<sup>28</sup>

## Committee Comment

2.27. The Committee considers it would be useful for these inclusions to be present in the ACT financial statements, consistent with other Australian jurisdictions,<sup>29</sup> for improved accountability and transparency.

### Recommendation 6

The Committee recommends that the ACT Government report Key Balance Sheet Measures such as Net Debt, Net Financial Liabilities and Net Worth to both revenue and Gross State Product to provide a more transparent analysis of the Territory's balance sheet.

### Recommendation 7

The Committee recommends that the ACT Government include comparative tables of key economic measures in the Budget and Budget Review statements, to enable comparison with other Australian jurisdictions.

### Recommendation 8

The Committee recommends that the ACT Government include in the notes accompanying the financial statements, the basis of accounting, key accounting policies and a disaggregation of key assets and liabilities in line with practice in other Australian jurisdictions.

## Naming conventions

2.28. The budget statements and budget review detail the expenses of a wide variety of appropriations and infrastructure works, and the titling of these projects is variable. For example, Community, Health and Hospitals Program (CHHP) project listed as 'CHHP - Alcohol & Other Residential Rehab Expansion & Modernisation' in the 2023–2024 Budget<sup>30</sup>

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<sup>28</sup> Pegasus Economics, *Review of the ACT Budget 2023-2024*, July 2023, pp 46–47.

<sup>29</sup> Pegasus Economics, *Review of the ACT Budget 2023–2024*, July 2023, p 46.

<sup>30</sup> ACT Government, *Budget 2023–24, Budget Statements C*, p 20.

was previously called 'Alcohol & Other Residential Rehab Expansion & Modernisation' in the 2022–2023 Budget.<sup>31</sup>

## Committee Comment

- 2.29. The Committee notes that the titles of appropriations and Capital Works Projects are subject to change across multiple budgets. Even small changes can make it very difficult to follow total project values, funding and physical completion dates across each budget.

### Recommendation 9

The Committee recommends that the ACT Government only change the title of appropriations or Capital Works Projects where there has been a significant change of scope so that total project values, funding and physical completion dates can be easily traced across multiple budgets.

## 3. Conclusion

- 3.1. The Committee would like to thank the Treasurer and officials who participated in the conduct of this inquiry.
- 3.2. The Committee makes nine recommendations.

Mr Ed Cocks MLA  
Chair, Standing Committee on Public Accounts  
7 March 2024

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<sup>31</sup> ACT Government, *Budget 2022–23, Budget Statements C*, p 19.

# Appendix A: Witnesses

Thursday, 29 February 2024

Mr Andrew Barr MLA, Treasurer

## Treasury

- **Mr Stuart Hosking PSM**, Under Treasurer
- **Mr Russell Campbell**, Deputy Under Treasurer
- **Mr Patrick McAuliffe**, Executive Branch Manager, Investments and Borrowings, Budget, Procurement, Investment and Finance

## Appendix B: Questions on Notice and Questions Taken on Notice

### Questions on Notice

No.	Date	Asked of	Subject	Response received
1	29/02/2024	BARR	Expenses to body corporate	-
2	29/02/2024	BARR	Compensation costs	-
3	29/02/2024	BARR	Net financial liabilities	06/03/24
4	29/02/2024	BARR	Light Rail	-
5	29/02/2024	BARR	Average Borrowing Costs	06/03/24
6	29/02/2024	BARR	Infrastructure program	06/03/24
7	29/02/2024	BARR	Public Trading Enterprises	-
8	29/02/2024	BARR	Housing	-
9	29/02/2024	BARR	Net Operating Cash Balance	-
10	29/02/2024	BARR	Key Balance Sheet Metrics	-
11	29/02/2024	BARR	Infrastructure program	-
12	29/02/2024	BARR	Territory debt funding program	06/03/24
13	29/02/2024	BARR	Taxation	06/03/24
14	06/03/2024	BARR	Contracts	-
15	06/03/2024	BARR	Key Balance Sheet Metrics	-

### Questions Taken on Notice

No.	Date	Asked of	Subject	Response received
2	29/02/2024	BARR	Spending on infrastructure vs other purposes	-
3	29/02/2024	BARR	Digital Health Strategy	-

## Appendix C: Gender distribution of witnesses

Beginning in April 2023, in response to an audit by the Commonwealth Parliamentary Association, Committees are collecting information on the gender of witnesses. The aim is to determine whether committee inquiries are meeting the needs, and allowing the participation of, a range of genders in the community. Participation is voluntary and there are no set responses.

Gender indication	Total
Female	0
Male	4
Other responses/No data	0