

# RULE OF LAW INSTITUTE OF AUSTRALIA

## Senate Estimates Survey No 6

on

Standing Senate Committee on Economics  
Supplementary Budget Estimates Hearings

October 2012

Questions taken on Notice by Agencies in  
the Treasury Portfolio

*Data Collected 20 February 2013*

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## Purpose of the Survey

The Rule of Law Institute of Australia's (RoLIA) surveys on the response by Government agencies to questions on notice are an important exercise in promoting awareness of the rule of law in government. Monitoring and analysing Estimates hearings provides key indicators on the accountability of government agencies which have extensive powers and responsibilities in administering the law in Australia.

This survey analyses questions by the *Senate Standing Committee on Economics* to agencies within the *Treasury Portfolio* during Supplementary Estimates held on 17 and 18 October in 2012. There were written questions supplied to agencies up to the 8 November 2012, and as per Senate Standing Order 74(5) the due date for these questions was 7 December 2012.

RoLIA's survey was conducted on 20 February 2013, 75 days after the due date.

## Methodology

Data regarding questions on notice is available on the Australian Parliament House website in list form and provides the following information about questions taken on notice:

- Question number
- Senator who asked the question
- Division/Agency
- Broad Topic
- Date Answered

Questions are often grouped in a single row for example:

359-360	Bushby	PC	Recruitment Costs (PC)	5/12/2012	<a href="#">(PDF 8KB)</a>
361-362	Bushby	AOFM	Recruitment Costs (AOFM)	7/12/2012	<a href="#">(PDF 8KB)</a>
363-364	Bushby	APRA	Recruitment Costs (APRA)	18/12/2012	<a href="#">(PDF 9KB)</a>

RoLIA parsed the groups of questions into individual rows so counts could be made of Senator, date answered and agencies. Summary tables organising the data by agency and Senator present information on:

- questions answered on time
- questions answered late
- percentage of questions answered on time
- percentage of questions answered late
- number of questions not yet answered at the time of survey (20 February 2013)

Graphs 1 and 2 illustrate the distribution of questions answered before and after the due date.

Table 1: Table of results by Agency

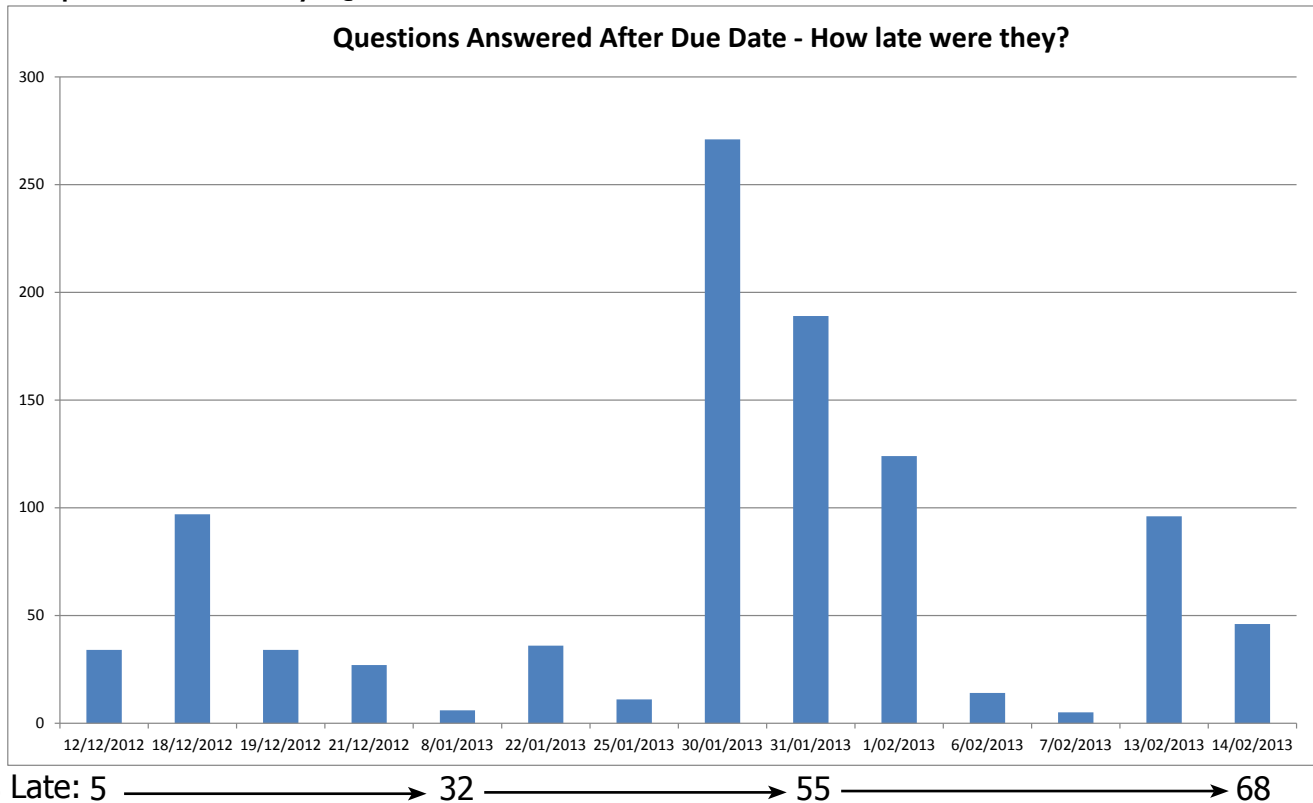
Agencies	Answered Late*	On Time**	% Late	% On Time	Total Answered	Not Answered
ABS	85	92	48%	52%	177	0
ACCC	173	1	99%	1%	174	0
AOFM	59	107	36%	64%	166	0
APRA	47	121	28%	72%	168	0
ASIC	65	121	35%	65%	186	0
ATO	87	113	44%	57%	200	0
CGC	23	142	14%	86%	165	0
CSG	177	13	93%	7%	190	4
FG	38	0	100%	0%	38	1
IGT	165	0	100%	0%	165	0
MEG	10	4	71%	29%	14	0
MG	4	19	17%	83%	23	0
PC	48	142	25%	75%	190	4
RG	9	1	90%	10%	10	6

\* Answered after 7 December 2012  
 \*\* Answered on or before 7 December 2012

ABS - Australian Bureau of Statistics  
 ACCC - Australian Competition and Consumer Commission  
 AOFM - Australian Office of Financial Management  
 APRA - Australian Prudential Regulatory Authority  
 ASIC - Australian Securities Investment Commission  
 ATO - Australian Tax Office  
 CGC - Commonwealth Grants Commission  
 CSG - Corporate Services Group  
 FG - Fiscal Group  
 IGT - Inspector General of Taxation  
 MEG - Macroeconomics Group  
 PC - Productivity Commission  
 MG - Markets Group  
 RG - Revenue Group

**Totals**  
 1881 Questions Asked  
 47% of Total Questions Answered on Time  
 53% of Total Questions Not Answered on Time  
 0.8% of Questions Not Answered 75 days after due date

Graph 1: Summary Questions Answered After Due Date



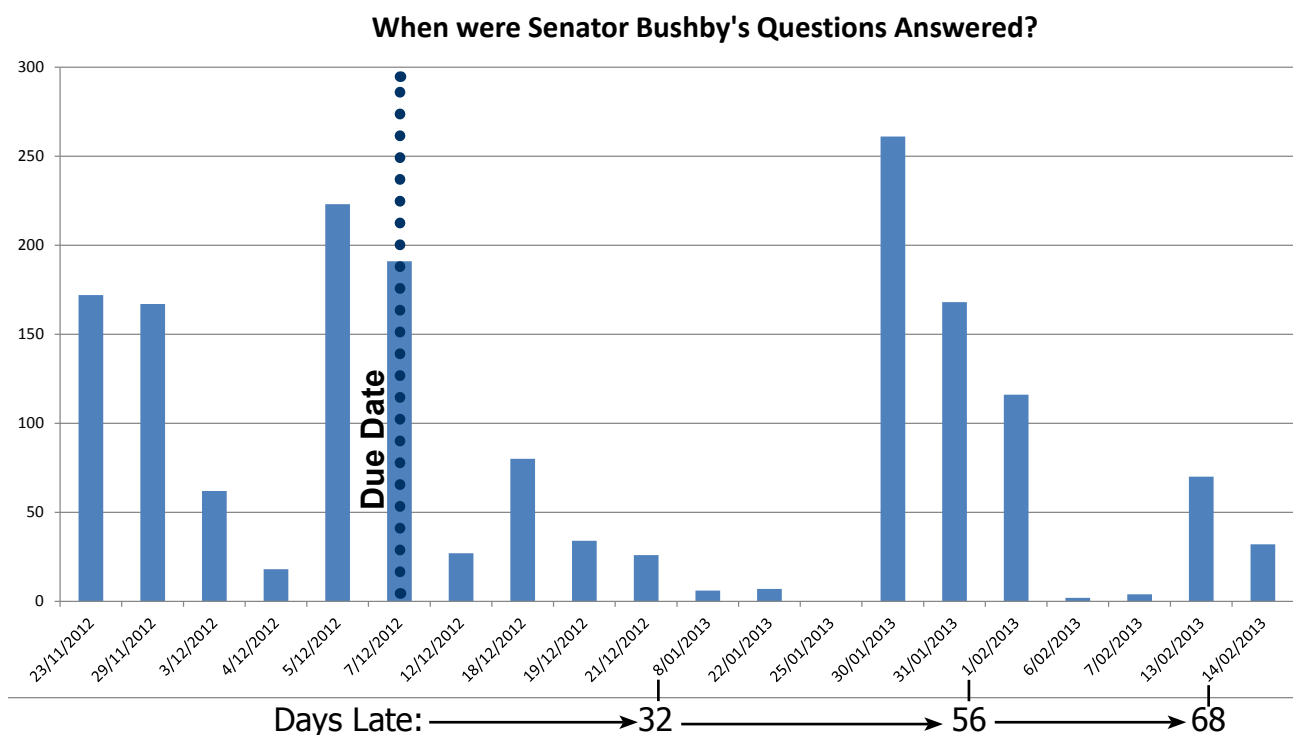
916 Questions remained unanswered at the 1 Jan 2013  
 266 Questions remained unanswered after 1 Feb 2013

Table 2: Table of Results by Senator

	Answered on Time*	% On Time	Answered Late**	% Late	Not Answered	Total Asked
Bushby	833	50%	833	50%	4	1670
Joyce	15	19%	60	76%	4	79
McKenzie	8	23%	26	74%	1	35
Cameron	0	0%	21	100%	0	21
Cormann	3	20%	9	60%	3	15
Williams	2	15%	11	85%	0	13
Milne	1	9%	9	82%	1	11
Siewert	3	38%	4	50%	1	8
Xenophon	7	100%	0	0%	0	7
Waters	0	0%	4	80%	1	5
Birmingham	0	0%	4	100%	0	4
Whish-Wilson	1	25%	3	75%	0	4
Ryan	3	100%	0	0%	0	3
Fifield	0	0%	2	100%	0	2
Ludlam	0	0%	2	100%	0	2
Mason	0	0%	1	100%	0	1
Payne	0	0%	1	100%	0	1

\* Answered on or before 7 December 2012  
 \*\* Answered after 7 December 2012

Graph 2: Senator Bushby's Questions by Date Answered



**Appendix : Senate Standing Order 74(5)** (5) If a minister does not answer a question on notice asked by a senator within 30 days of the asking of that question, or if a question taken on notice during a hearing of a legislative and general purpose standing committee considering estimates remains unanswered 30 days after the day set for answering the question, and a minister does not, within that period, provide to the senator who asked the question an explanation satisfactory to that senator of why an answer has not yet been provided:

(a) at the conclusion of question time on any day after that period, the senator may ask the relevant minister for such an explanation; and

(b) the senator may, at the conclusion of the explanation, move without notice – That the Senate take note of the explanation; or

(c) in the event that the minister does not provide an explanation, the senator may, without notice, move a motion with regard to the minister's failure to provide either an answer or an explanation.

**Other Surveys by RoLIA** Senate Estimates Survey No 3

Senate Estimates Survey No 4 - May 2012

Senate Estimates Survey No 5 - August 2012

See: <http://bit.ly/roliaestimates>