

RULE OF LAW INSTITUTE OF AUSTRALIA

Budget Estimates Survey

Questions Taken on Notice by the
Australian Securities & Investment Commission

October 2013

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Purpose of the Survey

The Rule of Law Institute of Australia's (RoLIA) survey on responses to questions taken on notice by the Australian Investment and Securities Commission (ASIC) promotes awareness of the process of ensuring the accountability of government that is provided by the Australian Senate during Senate Estimates.

The information in this survey is collated from publicly available on Australian Parliament House website:

- the total number of questions asked of the agency
- the number of questions answered on time by the agency
- the number of questions answered late by the agency
- the number of questions answered more than 30 days late by the agency.

Questions taken on notice during Senate Estimates have a due date, and as per Senate Standing Order 74(5), if questions are not answered within 30 days of the due date the senator asking the question may ask for an explanation, move that the Senate take note of the explanation provided, or move a motion with regard to a failure to provide an answer or explanation.

The following table provides a list of the due dates set for each round of estimates, the date at which Standing Order 74(5) comes into effect, and the day on which RoLIA collected the data from the Australian Parliament House website.

Estimates	Due Date	30 Days After Due Date	Data Collected from APH Website
MAY 2012	27/07/2012	26/08/2012	21/10/2013
OCT 2012	07/12/2012	06/01/2013	21/10/2013
FEB 2013	05/04/2013	05/05/2013	21/10/2013
JUNE 2013	19/07/2013	18/08/2013	21/10/2013

Sources

Data was collated from the Australian Parliament House website on Questions on Notice from the following Estimates Hearings:

Economics Legislation Committee, Treasury Portfolio:

2013-14 Estimates

Budget - June 2013

2012-13 Estimates

Budget - May 2012

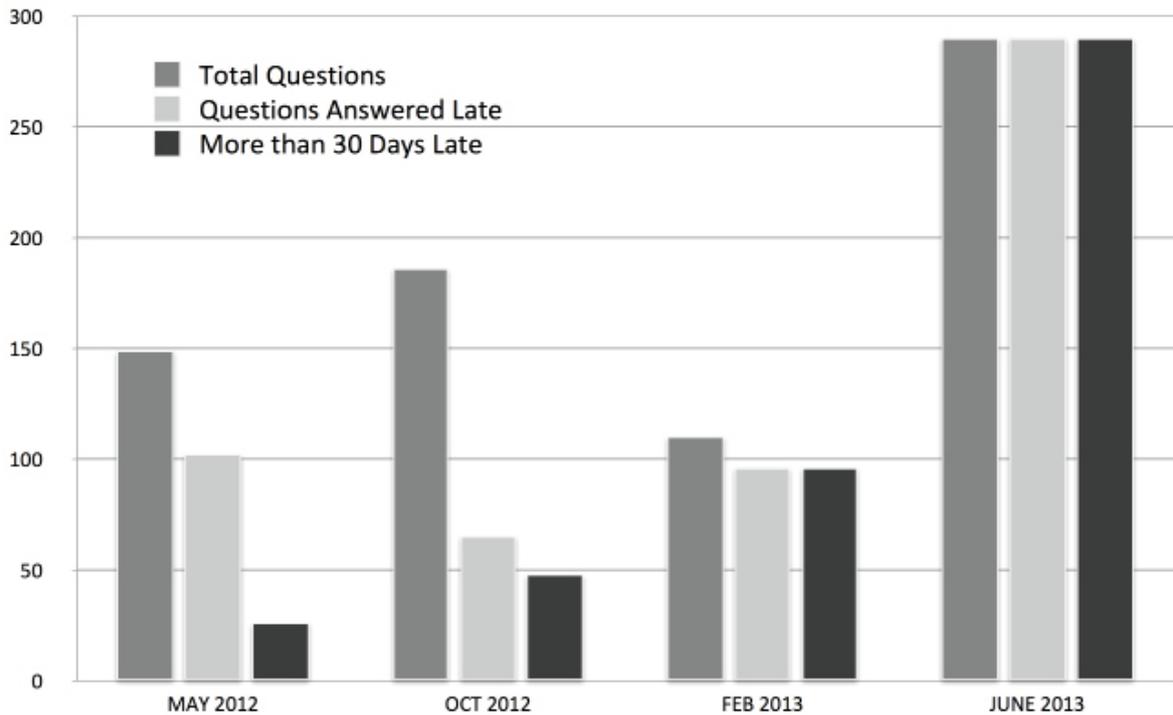
Budget Supplementary - Oct/Nov 2012

Additional - Feb 2013

Data used in this survey can be found at:

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

Data on ASIC Reponse to Questions on Notice May 2012 to June 2013



* Includes questions answered more than 30 days late

MAY 2012	Total Questions	149
	Questions Not Answered	3
	Answered On Time	44
	Answered Late	102
	More than 30 days late	26
OCT 2012	Total Questions	186
	Questions Not Answered	0
	Answered On Time	121
	Answered Late	65
	More than 30 days late	48
FEB 2013	Total Questions	110
	Questions Not Answered	14
	Answered On Time	0
	Answered Late	96
	More than 30 days late	96
JUNE 2013	Total Questions	290
	Questions Not Answered	16
	Answered On Time	0
	Answered Late	290
	More than 30 days late	290

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	(PDF 8KB)
361-362	Bushby	AOFM	Recruitment Costs (AOFM)	7/12/2012	(PDF 8KB)
363-364	Bushby	APRA	Recruitment Costs (APRA)	18/12/2012	(PDF 9KB)

The data is parsed and groups of questions are separated into individual rows so counts of the data can be made accurately.

**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>

Acknowledgement

Thank you to Jean-Luc for his assistance in creating a more efficient way to sort the data used in this survey.