

2023

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

TENTH ASSEMBLY

Financial Management Amendment Bill 2021 (No 2)

Supplementary Explanatory Statement

**Presented by
Mick Gentleman MLA
Minister for Industrial Relations and Workplace Safety
June 2023**

FINANCIAL MANAGEMENT AMENDMENT BILL 2021 (NO 2)

This supplementary explanatory statement relates to the Financial Management Amendment Bill 2021 (No 2).

These amendments have not been submitted to the Scrutiny Committee as they have been made in response to comments raised by the Scrutiny Committee in its report of 1 February 2022.

CLAUSE NOTES

Amendment 1

CLAUSE 4 Proposed new section 128(1)

Page 4, line 4 Public sector entity

Amendment 1 is a minor and technical amendment to ensure the use of consistent terminology throughout the Bill.

Amendment 2

CLAUSE 4 Proposed new section 128(3)

Page 4, line 8 Disallowable instrument

Amendment 2 omits proposed new section 128(3) and substitutes amended wording. Section 128(3) has been amended from a determination being a notifiable instrument to determination being a disallowable instrument. This amendment is made in response to comment made by the JACS Scrutiny Committee report that there was limited justification for the framework to be determined as a notifiable instrument.

Amendment 3

CLAUSE 4 Proposed new section 129(2)

Page 4, line 17 New example

Amendment 3 inserts a new example illustrating that Commonwealth entities are not subject to the requirements of the Bill.

Amendment 4

CLAUSE 4 Proposed new section 129(3)

Page 4, line 20 Public sector entity

Amendment 4 is a minor and technical amendment to ensure the use of consistent terminology throughout the Bill.

Amendment 5

CLAUSE 4 Proposed new section 129A

Page 5, line 1 omit

Amendment 5 omits the proposed new section in its entirety. This amendment is made in response to comment from the JACS Scrutiny Committee that the section may impinge on the autonomy of independent statutory office holders (i.e., the Auditor-General, Integrity Commissioner, Electoral Commissioner, etc.)