

**MISCELLANEOUS ACTS (PUBLIC FINANCE AND AUDIT)
AMENDMENT ACT 1987 No. 36**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of certain Acts
4. Transitional provisions

SCHEDULE 1—AMENDMENTS

**MISCELLANEOUS ACTS (PUBLIC FINANCE AND AUDIT)
AMENDMENT ACT 1987 No. 36**

NEW SOUTH WALES



Act No. 36, 1987

An Act to amend certain Acts with respect to the accounts and annual reports of Departments and statutory bodies; and for other purposes.
[Assented to 15 May 1987]

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Miscellaneous Acts (Public Finance and Audit) Amendment Act 1987".

Commencement

2. (1) Except as provided by this section, this Act shall commence on the date of assent to this Act.

(2) Section 3, in its application to a provision of Schedule 1, shall commence, or be deemed to have commenced, on the day on which the provision commences.

(3) Section 4 and so much of Schedule 1 as relates to the Ambulance Services Act 1976 and the Public Hospitals Act 1929 shall be deemed to have commenced on 1 July 1986.

Amendment of certain Acts

3. Each Act specified in Schedule 1 is amended in the manner set forth in that Schedule.

Transitional provisions

4. (1) Section 10 of the Ambulance Services Act 1976, as in force immediately before 1 July 1986, shall, notwithstanding this Act, continue to apply to and in respect of such money as was deposited to the credit of the Ambulance Services Fund as at 30 June 1986.

(2) Section 11 and Part III of the Public Hospitals Act 1929, as in force immediately before 1 July 1986, shall, notwithstanding this Act, continue to apply to and in respect of such money as was deposited to the credit of the Hospital Fund as at 30 June 1986.

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

SCHEDULE 1

(Sec. 3)

AMENDMENTS

Ambulance Services Act 1976 No. 72—Section 10 (**Ambulance Services Fund**)—

Omit the section.

Annual Reports (Departments) Act 1985 No. 156—(1) Section 13 (**Presentation of annual report to Parliament**)—

Section 13 (2), (3)—

Omit the subsections, insert instead:

(2) If a House of Parliament is not sitting when the appropriate Minister seeks to comply with subsection (1), the appropriate Minister shall present copies of the annual report to the Clerk of the House of Parliament.

(3) An annual report presented to the Clerk of a House of Parliament shall—

(a) on presentation and for all purposes, be deemed to have been laid before the House of Parliament;

(b) be printed by authority of the Clerk of the House;

(c) for all purposes be deemed to be a document published by order or under the authority of the House; and

(d) be recorded—

(i) in the case of the Legislative Council—in the Minutes of the Proceedings of the Legislative Council; or

(ii) in the case of the Legislative Assembly—in the Votes and Proceedings of the Legislative Assembly.

on the first sitting day of the House after receipt of the annual report by the Clerk.

(2) Section 14 (**Public availability of annual reports**)—

Omit “laid before both Houses of Parliament in accordance with section 13 (1) or copies of the annual report have been transmitted to the Clerk of the Parliaments and the Clerk of the Legislative Assembly in accordance with section 13 (2)”, insert instead “laid, or is deemed to have been laid, before both Houses of Parliament in accordance with section 13”.

(3) Section 16 (**Application for extension of time**)—

Section 16 (1)—

Omit “6 weeks”, insert instead “3 months”.

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

SCHEDULE 1—*continued*

AMENDMENTS—*continued*

Annual Reports (Statutory Bodies) Act 1984 No. 87—

(1) Section 11 (**Presentation of annual report to Parliament**)—

Section 11 (2), (3)—

Omit the subsections, insert instead:

(2) If a House of Parliament is not sitting when the appropriate Minister seeks to comply with subsection (1), the appropriate Minister shall present copies of the annual report to the Clerk of the House of Parliament.

(3) An annual report presented to the Clerk of a House of Parliament shall—

(a) on presentation and for all purposes, be deemed to have been laid before the House of Parliament;

(b) be printed by authority of the Clerk of the House;

(c) for all purposes be deemed to be a document published by order or under the authority of the House; and

(d) be recorded—

(i) in the case of the Legislative Council—in the Minutes of the Proceedings of the Legislative Council; or

(ii) in the case of the Legislative Assembly—in the Votes and Proceedings of the Legislative Assembly,

on the first sitting day of the House after receipt of the annual report by the Clerk.

(2) Section 12 (**Public availability of annual reports**)—

Omit “laid before both Houses of Parliament in accordance with section 11 (1) or copies of its annual report have been transmitted to the Clerk of the Parliaments and the Clerk of the Legislative Assembly in accordance with section 11 (2)”, insert instead “laid, or is deemed to have been laid, before both Houses of Parliament in accordance with section 11”.

(3) Section 13 (**Application for extension of time**)—

Section 13 (1)—

Omit “6 weeks”, insert instead “3 months”.

Public Hospitals Act 1929 No. 8—

(1) Section 11 (**Powers and duties of Secretary as to inquiries and inspections**)—

Section 11 (1) (e), (1A)—

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

SCHEDULE 1—*continued*
AMENDMENTS—*continued*

Omit “the Hospital Fund” wherever occurring, insert instead “money appropriated from the Consolidated Fund”.

(2) Part III, heading—

Omit “HOSPITAL FUND.”, insert instead “FINANCE”.

(3) Section 17 (**Finance**)—

(a) Section 17 (1), (2), (3), (4)—

Omit the subsections.

(b) Section 17 (5)—

Omit “out of the Hospital Fund to each area health service and hospital”, insert instead “to each area health service and hospital out of money appropriated from the Consolidated Fund”.

(c) Section 17 (5) (a)—

Omit “from the Hospital Fund”, insert instead “out of money appropriated from the Consolidated Fund”.

(d) Section 17 (6)—

Omit “out of the Hospital Fund to each associated organisation”, insert instead “to each associated organisation out of money appropriated from the Consolidated Fund”.

(e) Section 17 (7) (b)—

Omit “from the Hospital Fund”, insert instead “out of money appropriated from the Consolidated Fund”.

(f) Section 17 (7)—

Omit “from the Hospital Fund” where secondly occurring.

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

SCHEDULE 1—*continued*
AMENDMENTS—*continued*

(4) Section 17A (Agreement by separate institution to repay sums)—

Section 17A (1)—

Omit “from the Hospital Fund to a separate institution”, insert instead “to a separate institution out of money appropriated from the Consolidated Fund”.