



New South Wales

Appropriation (Special Offices) Act 2001 No 38

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Appropriation (Special Offices) Act 2001 No 38

Act No 38, 2001

An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of certain offices for the year 2001–02. [Assented to 29 June 2001]

The Legislature of New South Wales enacts:**1 Name of Act**

This Act is the *Appropriation (Special Offices) Act 2001*.

2 Commencement

This Act commences or is taken to have commenced on 1 July 2001.

3 Interpretation

- (1) In this Act, a reference to the year 2001–02 is a reference to the year from 1 July 2001 to 30 June 2002.
- (2) A reference in the *Public Finance and Audit Act 1983* to an or the Appropriation Act includes a reference to this Act.

4 Appropriation from Consolidated Fund 2001–02 for recurrent services of certain offices

- (1) Out of the Consolidated Fund there are hereby appropriated the sums identified in sections 6 and 7, as the sums appropriated by this Act for recurrent services, which sums may be issued and applied for or towards the several uses and purposes expressed in those sections for the recurrent services of the Government for the year 2001–02.
- (2) The total sum appropriated out of the Consolidated Fund for the recurrent services of the Government for the year 2001–02, in accordance with the provisions of sections 6 and 7, is the sum of \$85,384,000.
- (3) Any amounts expended for recurrent services under section 25 of the *Public Finance and Audit Act 1983* or any Supply Act on or after 1 July 2001 and before the date of assent to this Act are taken to have been expended out of such of the sums for recurrent services set out in sections 6 and 7, as may be determined by the Treasurer.

5 Appropriation from Consolidated Fund 2001–02 for capital works and services of certain offices

- (1) Out of the Consolidated Fund there are hereby appropriated the sums identified in sections 6 and 7, as the sums appropriated by this Act for capital works and services, which sums may be issued and applied for or towards the several uses and purposes expressed in those sections for capital works and services for the year 2001–02.

- (2) The total sum appropriated out of the Consolidated Fund for capital works and services for the year 2001–02, in accordance with the provisions of sections 6 and 7, is the sum of \$5,438,000.
- (3) Any amounts expended for capital works and services under section 25 of the *Public Finance and Audit Act 1983* or any Supply Act on or after 1 July 2001 and before the date of assent to this Act are taken to have been expended out of such of the sums for capital works and services set out in sections 6 and 7, as may be determined by the Treasurer.

6 Premier

- (1) **RECURRENT SERVICES:** The sum of \$31,231,000 is hereby appropriated to the Premier for the recurrent services of the following:

	\$,000
01. Independent Commission Against Corruption	14,124
02. Ombudsman’s Office	9,326
03. State Electoral Office	<u>7,781</u>
Total, Recurrent Services	<u>31,231</u>

- (2) **CAPITAL WORKS AND SERVICES:** The sum of \$1,979,000 is hereby appropriated to the Premier for the capital works and services of the following:

	\$,000
01. Independent Commission Against Corruption	520
02. Ombudsman’s Office	358
03. State Electoral Office	<u>1,101</u>
Total, Capital Works and Services	<u>1,979</u>

7 Attorney General

- (1) **RECURRENT SERVICES:** The sum of \$54,153,000 is hereby appropriated to the Attorney General for the recurrent services of the following:

	\$,000
01. Office of the Director of Public Prosecutions	54,153
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Total, Recurrent Services	54,153
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- (2) **CAPITAL WORKS AND SERVICES:** The sum of \$3,459,000 is hereby appropriated to the Attorney General for the capital works and services of the following:

	\$,000
01. Office of the Director of Public Prosecutions	3,459
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Total, Capital Works and Services	3,459
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8 Variation of authorised payments from Consolidated Fund

- (1) Payment of a sum appropriated under section 6 or 7 may not be made by an agency in excess of the sum specified in relation to the agency, except as provided by this section and Division 4 of Part 2 of the *Public Finance and Audit Act 1983*.
- (2) If the exigencies of the Public Service render it necessary, the Treasurer may authorise:
- (a) the payment of a sum in excess of the amount shown as the Consolidated Fund Recurrent Services estimate for an agency, but only on the condition that an equivalent sum is not paid out of the estimate of the Consolidated Fund Recurrent Services for another agency, and
 - (b) the payment of a sum in excess of the amount shown as the Consolidated Fund Capital Works and Services estimate for an agency, but only on the condition that an equivalent sum is not paid out of the estimate of the Consolidated Fund Capital Works and Services for another agency.
- (3) This section does not apply to sums appropriated otherwise than by this Act.

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- (4) This section does not empower the Treasurer to authorise the payment of a sum in augmentation of or as an addition to any salary or wages the amount of which has been fixed by law.
 - (5) The Treasurer, or a person appointed by the Treasurer under section 9, is required to inform the Auditor-General of every authorisation given under this section.

9 Appointment of person to carry out the functions of the Treasurer under section 8

- (1) The Treasurer may appoint a person to carry out the Treasurer's functions under section 8.
- (2) Any such appointment is subject to such conditions (if any) as the Treasurer determines.
- (3) The Treasurer may revoke any such appointment at any time.

[Minister's second reading speech made in—
Legislative Assembly on 29 May 2001
Legislative Council on 28 June 2001]