



New South Wales

Appropriation Act 2016 No 30

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New South Wales

Appropriation Act 2016 No 30

Act No 30, 2016

An Act to appropriate out of the Consolidated Fund sums for the services of the Government for the year 2016–17 and to make additional appropriations to give effect to budget variations for the year 2014–15. [Assented to 28 June 2016]

See also the *Appropriation (Parliament) Act 2016* and the *State Revenue Legislation Amendment (Budget Measures) Act 2016*.

The Legislature of New South Wales enacts:

Part 1 Preliminary

1 Name of Act

This Act is the *Appropriation Act 2016*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Interpretation

In this Act:

- (a) a reference to *services* for which this Act makes an appropriation includes a reference to the following:
 - (i) recurrent services,
 - (ii) capital works and services,
 - (iii) repayment of debt, and
- (b) a reference to the year 2014–15 is a reference to the year from 1 July 2014 to 30 June 2015, and
- (c) a reference to the year 2016–17 is a reference to the year from 1 July 2016 to 30 June 2017.

Part 2 Appropriation (Departments)

Note. The total amount appropriated out of the Consolidated Fund for services for the year 2016–17 in accordance with this Part is \$65,567,498,000.

Division 1 Education

4 Department of Education

This Act appropriates the sum of \$12,350,986,000 to the Minister for Education out of the Consolidated Fund for the services of the Department of Education for the year 2016–17.

Note: The appropriation will fund services, disaggregated across service groups as follows:

	Expenses \$,000	Capital expenditure \$,000
01 Early Childhood Education Services	381,921	—
02 Primary Education Services in Government Schools	6,473,606	359,784
03 Secondary Education Services in Government Schools	5,566,556	193,768
04 Non-Government Schools	1,152,122	—
05 Aboriginal Affairs	28,922	94
06 Cluster Grant Funding	112,437	—
Total	13,715,564	553,646

Division 2 Family and Community Services

5 Department of Family and Community Services

This Act appropriates the sum of \$5,840,321,000 to the Minister for Family and Community Services and Minister for Social Housing out of the Consolidated Fund for the services of the Department of Family and Community Services for the year 2016–17.

Note: The appropriation will fund services, disaggregated across service groups as follows:

	Expenses \$,000	Capital expenditure \$,000
01 Community Support for People with Disability, their Family and Carers	993,025	4,664
02 Short-term Interventions for People with Disability, their Family and Carers	439,287	6,353
03 Supported Accommodation for People with Disability	1,827,131	51,768
04 Earlier Intervention for Vulnerable People and Support for Communities	319,041	6,544
05 Statutory Child Protection	492,834	19,550

	Expenses	Capital expenditure
	\$,000	\$,000
06 Out-of-Home Care for Vulnerable Children and Young People	1,079,159	23,323
07 Social Housing Assistance and Tenancy Support	812,554	9,103
08 Homelessness Services	293,869	1,734
Total	6,256,900	123,039

Division 3 Finance, Services and Innovation

6 Department of Finance, Services and Innovation

This Act appropriates the sum of \$1,463,763,000 to the Minister for Finance, Services and Property out of the Consolidated Fund for the services of the Department of Finance, Services and Innovation for the year 2016–17.

Note: The appropriation will fund services, disaggregated across service groups as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 ICT, Digital and Innovation	68,817	10,055
02 Government Services	241,392	1,722
03 State Revenue	587,890	17,221
04 Fair Trading	124,294	7,921
05 Better Regulation	171,467	9,638
06 Public Works	118,914	16,755
07 Land and Property Information	216,810	26,855
08 Personnel Services	806,580	—
Total	2,336,164	90,167

Division 4 Health

7 Ministry of Health

This Act appropriates the sum of \$11,453,863,000 to the Minister for Health out of the Consolidated Fund for the services of the Ministry of Health for the year 2016–17.

Note: The appropriations under this section and section 16 will fund services, disaggregated across service groups as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Population Health Services	565,763	27,442
02 Primary and Community Based Services	920,361	69,071
03 Aboriginal Health Services	83,964	23,777
04 Outpatient Services	2,930,705	196,719

	Expenses	Capital expenditure
	\$,000	\$,000
05 Emergency Services	2,725,677	324,808
06 Inpatient Hospital Services	9,183,925	548,191
07 Mental Health Services	1,824,265	63,644
08 Rehabilitation and Extended Care Services	1,657,560	104,026
09 Teaching and Research	753,067	99,601
10 Specialist Domestic and Family Violence	83,093	—
11 Cluster Grant Funding	23,716	—
Total	20,752,096	1,457,279

Division 5 Industry, Skills and Regional Development

8 Department of Industry, Skills and Regional Development

This Act appropriates the sum of \$2,843,410,000 to the Minister for Industry, Resources and Energy out of the Consolidated Fund for the services of the Department of Industry, Skills and Regional Development for the year 2016–17.

Note: The appropriation will fund services, disaggregated across service groups as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Economic and Regional Development	228,649	1,617
02 Resources and Energy	379,195	2,396
03 Primary Industries	940,562	212,395
04 Personnel Services	16,789	—
05 Skills Development	786,073	1,761
06 Cluster Grant Funding	1,045,117	—
Total	3,396,385	218,169

Division 6 Justice

9 Department of Justice

This Act appropriates the sum of \$7,386,549,000 to the Deputy Premier, Minister for Justice and Police, Minister for the Arts and Minister for Racing out of the Consolidated Fund for the services of the Department of Justice for the year 2016–17.

Note: The appropriation will fund services, disaggregated across service groups as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Justice Services	328,673	16,434
02 Justice Policy and Performance	37,317	—
03 Emergency Management	150,476	94

	Expenses \$,000	Capital expenditure \$,000
04 Liquor and Gaming	78,764	500
05 Arts and Culture	84,424	25,029
06 Courts and Tribunal Judiciary Services	213,474	—
07 Courts and Tribunal Operations	321,742	136,587
08 Corrective Services	1,371,423	1,101,767
09 Juvenile Justice	199,675	2,850
10 Business and Personnel Services	68,307	—
11 Cluster Grant Funding	3,922,787	—
Total	6,777,062	1,283,261

Division 7 Planning and Environment

10 Department of Planning and Environment

This Act appropriates the sum of \$1,418,610,000 to the Minister for Planning out of the Consolidated Fund for the services of the Department of Planning and Environment for the year 2016–17.

Note: The appropriation will fund services, disaggregated across service groups as follows:

	Expenses \$,000	Capital expenditure \$,000
01 Growth Design and Programs	237,514	521
02 Policy and Strategy	47,865	26,316
03 Planning Services	78,388	271
04 Personnel Services	3,728	—
05 Cluster Grant Funding	1,186,719	—
Total	1,554,214	27,108

Division 8 Premier and Cabinet

11 Department of Premier and Cabinet

This Act appropriates the sum of \$540,473,000 to the Premier and Minister for Western Sydney out of the Consolidated Fund for the services of the Department of Premier and Cabinet for the year 2016–17.

Note: The appropriation will fund services, disaggregated across service groups as follows:

	Expenses \$,000	Capital expenditure \$,000
01 Policy Support	80,175	150
02 Administrative Support for Government	135,289	4,739
03 Protocol and Special Events	21,798	2,749

	Expenses \$,000	Capital expenditure \$,000
04 Cluster Grant Funding	317,605	—
Total	554,867	7,638

Division 9 Transport, Roads and Maritime

12 Transport for NSW

- (1) This Act appropriates the sum of \$11,477,595,000 to the Minister for Transport and Infrastructure out of the Consolidated Fund for the services of Transport for NSW for the year 2016–17.

Note: The appropriation will fund services, disaggregated across service groups as follows:

	Expenses \$,000	Capital expenditure \$,000
01 Asset Maintenance	3,398,565	188,728
02 Services and Operations	4,487,913	134,494
03 Growth and Improvement	6,624,240	2,100,199
04 Cluster Grant Funding	2,265	—
Total	14,512,983	2,423,421

- (2) A reference in this section to Transport for NSW includes a reference to the Department of Transport.

Division 10 Treasury

13 The Treasury

This Act appropriates the sum of \$144,191,000 to the Treasurer and Minister for Industrial Relations out of the Consolidated Fund for the services of The Treasury for the year 2016–17.

Note: The appropriation will fund services, as follows:

	Expenses \$,000	Capital expenditure \$,000
01 State Resource Management	132,431	36,535
Total	132,431	36,535

14 Crown Finance Entity

This Act appropriates the sum of \$10,477,737,000 to the Treasurer and Minister for Industrial Relations out of the Consolidated Fund for the services of the Crown Finance Entity for the year 2016–17.

Note: The appropriation will fund services, disaggregated across service groups as follows:

	Expenses \$,000	Capital expenditure \$,000
01 Debt Liability Management	1,862,087	—

	Expenses	Capital expenditure
	\$,000	\$,000
02 Superannuation Liability Management	2,027,771	—
03 Central Financial Services	4,498,088	500
Total	<hr/> 8,387,946	<hr/> 500

15 Advance to the Treasurer

This Act appropriates the sum of \$170,000,000 to the Treasurer and Minister for Industrial Relations out of the Consolidated Fund for the services of the Advance to the Treasurer for the year 2016–17.

Part 3 Additional appropriation for health related services

16 Special appropriation to Minister for Health—additional revenue from gaming machine taxes

- (1) This Act appropriates the sum of \$340,592,310 to the Minister for Health out of the Consolidated Fund for the services of the Ministry of Health for the year 2016–17.
- (2) The sum appropriated is in addition to any other sum appropriated by this Act.

Part 4 Appropriation (Special Offices)

Note. The total amount appropriated out of the Consolidated Fund for services for the year 2016–17 in accordance with this Part is \$377,559,000.

17 Judicial Commission of New South Wales

This Act appropriates the sum of \$7,138,000 to the Attorney General out of the Consolidated Fund for the services of the Judicial Commission of New South Wales for the year 2016–17.

Note: The appropriation will fund services, as follows:

	Expenses \$,000	Capital expenditure \$,000
01 Education, Sentencing and Complaints	6,709	1,900
Total	6,709	1,900

18 Office of the Director of Public Prosecutions

This Act appropriates the sum of \$128,237,000 to the Attorney General out of the Consolidated Fund for the services of the Office of the Director of Public Prosecutions for the year 2016–17.

Note: The appropriation will fund services, disaggregated across service groups as follows:

	Expenses \$,000	Capital expenditure \$,000
01 Prosecutions	129,030	2,995
02 Victim and Witness Assistance	7,699	73
Total	136,729	3,068

19 Office of the Children's Guardian

This Act appropriates the sum of \$16,997,000 to the Minister for Family and Community Services and Minister for Social Housing out of the Consolidated Fund for the services of the Office of the Children's Guardian for the year 2016–17.

Note: The appropriation will fund services, as follows:

	Expenses \$,000	Capital expenditure \$,000
01 Office of the Children's Guardian	29,058	689
Total	29,058	689

20 Independent Commission Against Corruption

This Act appropriates the sum of \$21,213,000 to the Premier and Minister for Western Sydney out of the Consolidated Fund for the services of the Independent Commission Against Corruption for the year 2016–17.

Note: The appropriation will fund services, as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Corruption Investigation, Prevention, Research and Education	23,555	680
Total	<hr/> 23,555	<hr/> 680

21 Independent Pricing and Regulatory Tribunal

This Act appropriates the sum of \$30,297,000 to the Premier and Minister for Western Sydney out of the Consolidated Fund for the services of the Independent Pricing and Regulatory Tribunal for the year 2016–17.

Note: The appropriation will fund services, as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Utilities Pricing, Regulation and Analysis and Policy Work	32,470	1,390
Total	<hr/> 32,470	<hr/> 1,390

22 New South Wales Electoral Commission

This Act appropriates the sum of \$91,174,000 to the Premier and Minister for Western Sydney out of the Consolidated Fund for the services of the New South Wales Electoral Commission for the year 2016–17.

Note: The appropriation will fund services, as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Conduct and Management of Elections	95,274	5,831
Total	<hr/> 95,274	<hr/> 5,831

23 Ombudsman's Office

This Act appropriates the sum of \$31,050,000 to the Premier and Minister for Western Sydney out of the Consolidated Fund for the services of the Ombudsman's Office for the year 2016–17.

Note: The appropriation will fund services, as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Complaint Resolution, Investigation, Oversight and Scrutiny	34,137	2,668
Total	<hr/> 34,137	<hr/> 2,668

24 Police Integrity Commission

This Act appropriates the sum of \$21,163,000 to the Deputy Premier, Minister for Justice and Police, Minister for the Arts and Minister for Racing out of the Consolidated Fund for the services of the Police Integrity Commission for the year 2016–17.

Note: The appropriation will fund services, as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Investigations, Research and Complaint Management	21,865	2,000
Total	<hr/> 21,865	<hr/> 2,000

25 Public Service Commission

This Act appropriates the sum of \$30,290,000 to the Premier and Minister for Western Sydney out of the Consolidated Fund for the services of the Public Service Commission for the year 2016–17.

Note: The appropriation will fund services, as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Services and Capabilities Improvement	37,923	255
Total	<hr/> 37,923	<hr/> 255

Part 5 Commonwealth transfer payments

26 Appropriation for Commonwealth transfer payments

- (1) This Act appropriates the sum of \$4,155,707,000 to the Treasurer out of the Consolidated Fund, for Commonwealth transfer payments to non-Government schools and local government for services for the year 2016–17.
- (2) The sum appropriated is in addition to any other sum appropriated by this Act.
- (3) The sum appropriated is subject to section 26 of the *Public Finance and Audit Act 1983*.

Part 6 General

27 Variation of authorised payments from Consolidated Fund

- (1) Payment of a sum appropriated by this Act for a purpose may not be made in excess of the sum specified for the purpose, except as provided by this section or Division 4 of Part 2 of the *Public Finance and Audit Act 1983*.
- (2) If the exigencies of government so require, the Treasurer may authorise the payment of a sum in excess of the sum specified for a purpose, but only if an equivalent sum is not paid out for another purpose, whether the other purpose is specified in relation to the same or a different Minister, subject to subsections (3)–(5).
- (3) The sum appropriated under Part 3 may only be paid out for the purpose specified in Part 3.
- (4) The sums appropriated under Part 4 may only be paid out for the purposes specified in Part 4.
- (5) The sum appropriated under Part 5 may only be paid out for the purpose specified in Part 5.
- (6) This section does not apply to sums appropriated by another Act.
- (7) This section does not enable 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.
- (8) The Treasurer is to inform the Auditor-General of every authorisation given under this section.
- (9) An authorisation under this section may be given before or after the relevant payment is made.

28 Appointment of person to carry out functions of Treasurer under section 27

- (1) The Treasurer may appoint a person to carry out the Treasurer's functions under section 27.
- (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.
- (4) A person appointed under this section has, in place of the Treasurer, the Treasurer's function under section 27 (8) of informing the Auditor-General of every authorisation given by the person under section 27.

29 Delayed restructures

- (1) Without limiting section 27, if the responsibility for a service for which an appropriation is made in this Act is transferred on or after the date the Bill for this Act is introduced in the Legislative Assembly because of the determination made before 1 July 2016 by the Premier to create new ministries, or to change or abolish existing ministries, and consequently to create, restructure or abolish any authority, the appropriation does not lapse and may be applied, in accordance with such determination as may be made by the Treasurer, for or towards the service the responsibility for which is transferred.
- (2) Section 24 of the *Public Finance and Audit Act 1983* does not apply to or in respect of an appropriation or service to which this section applies.

30 Budget related information

- (1) In this section:
budget related information means:
- (a) notes included in this Act relating to expenses and capital expenditure, and
 - (b) Budget Papers of the Government tabled in Parliament in connection with the Bill for this Act.
- this Act* includes the *Appropriation (Parliament) Act 2016*.
- (2) Budget related information:
- (a) does not form part of this Act, and
 - (b) does not affect the application of any amount appropriated by this Act.

31 Payments authorised on lapse of appropriation

- (1) This section applies only if this Act is assented to after 1 July 2016.
- (2) Any amounts expended for services under section 25 of the *Public Finance and Audit Act 1983* or any Supply Act on or after 1 July 2016 and before the date of assent to this Act for a purpose for which a sum is appropriated by this Act are taken to have been expended out of such of the sums for services set out in this Act, as may be determined by the Treasurer.

Part 7 Budget variations for the year 2014–15

32 Adjustment of “Advance to the Treasurer”, 2014–15

- (1) This Act appropriates the sum of \$77,709,000 out of the Consolidated Fund in adjustment of the vote “Advance to the Treasurer”, 2014–15, for supplementary charges made during the year 2014–15 in the amounts specified in Column 1 of Schedule 1 for the recurrent services specified opposite those amounts in Schedule 1. Accordingly, the amount so voted is reduced by the amount appropriated by this section.
- (2) The sum appropriated is in addition to any other sums that may have been appropriated, subject to the adjustment of the vote “Advance to the Treasurer”, 2014–15.

33 Operation of budget variations and validation of expenditure

- (1) This Act, to the extent that it appropriates an amount for, and otherwise gives effect to, the budget variations for the year 2014–15, is to be construed as if it formed part of the annual Appropriation Act for the year 2014–15 and to have effect as if it had commenced at the start of that year.
- (2) The payment before the date of assent to this Act out of the Consolidated Fund of the whole or any part of the sum appropriated under section 32 is validated. This subsection applies despite this Act being assented to after the year 2014–15.
- (3) To the extent (if any) to which it may be necessary to do so, the expenditure of the whole or any part of the sum appropriated under section 32 before the date of assent to this Act:
 - (a) is taken to have been validly approved at the time it was approved, or was purported to have been approved, and
 - (b) is taken to have been validly made at the time it was made, or purported to have been made,and is taken thereafter to be, and to have been at all relevant times, validly approved and made.

Schedule 1 Payments during 2014–15

(Section 32)

	Column 1
	Treasurer's
	Advance
	Amount
	\$,000
TREASURER	
RECURRENT SERVICES	
Ministry of Health	
<i>Funding for Pink Hope</i>	250
Total Ministry of Health	<u>250</u>
Department of Education	
<i>Funding for Jigamy Farm multi-purpose centre upgrade</i>	139
Total Department of Education	<u>139</u>
Department of Industry, Skills and Regional Development	
<i>Blue Mountains Septic Pump Out financial assistance</i>	720
Total Department of Industry, Skills and Regional Development	<u>720</u>
Department of Planning and Environment	
<i>Hunter Infrastructure Investment Fund</i>	50,000
Total Department of Planning and Environment	<u>50,000</u>
New South Wales Electoral Commission	
<i>Funding for the March 2015 State Election and early provision of election campaign reimbursements</i>	26,600
Total New South Wales Electoral Commission	<u>26,600</u>
TOTAL—RECURRENT SERVICES	<u>77,709</u>
TREASURER'S ADVANCE FOR RECURRENT SERVICES	<u>77,709</u>
TOTAL—TREASURER'S ADVANCE	<u><u>77,709</u></u>

[Second reading speech made in—
Legislative Assembly on 21 June 2016
Legislative Council on 23 June 2016]