

[Act 2000 No 10]



New South Wales

Appropriation (Budget Variations) Bill 2000

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.*

Overview of Bill

The object of this Bill is to appropriate additional amounts from the Consolidated Fund for recurrent services and capital works and services for the years 1999–2000 and 1998–99 for the purpose of giving effect to certain Budget variations required by the exigencies of Government.

The additional amounts appropriated for the 1999–2000 year are:

- (a) \$121,016,000 in adjustment of the vote “Advance to the Treasurer”, and
- (b) \$132,250,000 for recurrent services in accordance with section 22 (1) of the *Public Finance and Audit Act 1983*, and
- (c) \$68,427,000 for capital works and services in accordance with section 22 (1) of the *Public Finance and Audit Act 1983*, and

* Amended in committee—see table at end of volume.

- (d) \$1,229,990,000 for additional recurrent services and capital works and services.

The additional amounts appropriated for the 1998–99 year are:

- (a) \$30,265,000 in adjustment of the vote “Advance to the Treasurer”, and
(b) \$234,000 in adjustment of the recurrent vote “Olympic Funding Reserve”, and
(c) \$47,554,000 for recurrent services in accordance with section 22 (1) of the *Public Finance and Audit Act 1983*, and
(d) \$144,520,000 for capital works and services in accordance with section 22 (1) of the *Public Finance and Audit Act 1983*.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides that the proposed Act is taken to have commenced on 1 July 1999 which is the date of commencement of the *Appropriation Act 1999*.

Part 2 Budget variations 1999–2000

Clause 3 appropriates the additional amount in adjustment of the vote “Advance to the Treasurer”, 1999–2000, the details of which are set out in Column 1 of Schedule 1.

Clause 4 appropriates the additional amounts for recurrent services and capital works and services under section 22 (1) of the *Public Finance and Audit Act 1983*, the details of which are set out in Column 2 of Schedule 1. Because these amounts are appropriated by the proposed Act, subclause (2) removes the requirement of the *Public Finance and Audit Act 1983* that details of them be included in the Appropriation Act for the 2000–2001 financial year.

Clause 5 appropriates the additional amounts for recurrent services and capital works and services, the details of which are set out in Column 3 of Schedule 1.

Part 3 Budget variations 1998–99

Clause 6 appropriates the additional amount in adjustment of the vote “Advance to the Treasurer”, 1998–99 the details of which are set out in Schedule 2.

Clause 7 appropriates an amount in adjustment of the vote “Olympic Funding Reserve” specified in Schedule 3 for recurrent services.

Clause 8 appropriates the additional amounts for recurrent services and capital works and services under section 22 (1) of the *Public Finance and Audit Act 1983*, the details of which are set out in Schedules 4 and 5, respectively. Because these amounts are appropriated by the proposed Act, subclause (2) removes the requirement of the *Public Finance and Audit Act 1983* that details of them be included in the Appropriation Act for the 2000–2001 financial year.

Part 4 General

Clause 9 makes it clear that the sums appropriated by the proposed Act are in addition to any other sums appropriated in respect of the year 1998–99 or 1999–2000.

Clause 10 contains miscellaneous provisions concerning the operation of the proposed Act. Subclause (1) provides that the proposed Act is to be construed as part of the *Appropriation Act 1999*. (This emphasises that the appropriations are part of the budgetary process for the year 1998–99 or 1999–2000, and ensures that terms are construed consistently.) Subclause (2) is consequential on subclause (1) and makes it clear that the appropriations are not limited to meeting shortfalls from other appropriations. Subclause (3) also provides that the proposed subsection applies whether or not the proposed Act is assented to during or after the year 1998–99 or 1999–2000. (This removes an argument, based on section 23 of the *Public Finance and Audit Act 1983*, that the appropriation lapses at the close of the year.)

Clause 11 validates, to the extent (if any) to which it may be necessary to do so, the approval or expenditure, before the date of assent to the proposed Act, of any sum to which the proposed Act applies.