



New South Wales

## Appropriation Bill 2017

### Explanatory note

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

The following Bills are cognate with this Bill:

*Appropriation (Parliament) Bill 2017*

*State Revenue and Other Legislation Amendment (Budget Measures) Bill 2017*

*Emergency Services Levy Bill 2017*

### Overview of Bill

The object of this Bill is to appropriate from the Consolidated Fund various sums of money required during the 2017–18 financial year for the services of the Government, including:

- (a) Departments of the Public Service, and
- (b) various special offices.

The Bill appropriates a single sum for the services of each agency, including recurrent services, capital works and services and debt repayment.

The Consolidated Fund largely comprises receipts from, and payments out of, taxes, fines, some regulatory fees, Commonwealth grants and income from Crown assets.

The Bill for the 2017–18 financial year contains an additional appropriation which allocates revenue raised in connection with gaming machine taxes to the Minister for Health for spending on health related services.

The Bill for the 2017–18 financial year contains provision for transfer payments from the Commonwealth to non-Government schools and local government.

The Bill provides for appropriation for the whole of the 2017–18 financial year.

The Bill also sets out the recurrent services for which the “Advance to the Treasurer” appropriation was expended in the 2015–16 financial year, appropriates \$47,209,000 from the Consolidated Fund for those services and makes the necessary adjustment to the “Advance to the Treasurer” appropriation for that year.

## Outline of provisions

### **Part 1 Preliminary**

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

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

**Clause 3** interprets references in the proposed Act to services for which the Act makes appropriations and to the financial years to which the Act relates.

### **Part 2 Appropriation (Departments)**

Part 2 (**clauses 4–15**) provides for the appropriations for the services of the specified departments for the financial year of 2017–18. The total amount appropriated is \$74,067,860,000.

### **Part 3 Additional appropriation for health related services**

Part 3 (**clause 16**) makes an additional appropriation of \$358,072,252 to the Minister for Health, with this being part of the revenue raised from gaming machine taxes.

### **Part 4 Appropriation (Special Offices)**

Part 4 (**clauses 17–25**) provides for the appropriations for the services of the specified offices for the financial year of 2017–18. The total amount appropriated is \$376,451,000.

### **Part 5 Commonwealth transfer payments**

Part 5 (**clause 26**) provides for transfer payments of \$4,018,190,000 from the Commonwealth to non-Government schools and local government.

### **Part 6 General**

Part 6 (**clauses 27–31**) provides for general matters related to the appropriations set out in the proposed Act.

**Clause 27** enables the Treasurer to authorise payment for a purpose, in excess of the sum appropriated for the purpose, in specified circumstances. **Clause 28** allows this function to be delegated by the Treasurer.

**Clause 29** allows the Treasurer to apply an appropriation differently in the event that responsibility for a service is transferred.

**Clause 30** makes it clear that budget information in the notes included in the proposed Appropriation Acts and in Budget Papers does not form part of those Acts and does not affect the application of any amount appropriated by those Acts.

**Clause 31** deems certain payments that may be made from the Consolidated Fund on or after 1 July 2017 pending the enactment of the proposed Act, if they are so made, to be made out of the sums appropriated by the proposed Act once enacted.

### **Part 7 Budget variations for the year 2015–16**

Part 7 (**clauses 32 and 33**) provides for budget variations for the 2015–16 financial year.

**Clause 32** appropriates \$47,209,000 for (and reports the details of) the recurrent services for which the “Advance to the Treasurer” for that financial year was expended, as set out in Column 1 of **Schedule 1** to the proposed Act. Accordingly, the amount appropriated for the Advance for that financial year (originally \$170,000,000) is reduced by the amount appropriated by the clause.

The amount appropriated is in addition to any other amounts appropriated in respect of the 2015–16 financial year, subject to that adjustment of the amount appropriated for the Advance.

**Clause 33** contains miscellaneous provisions concerning the operation of the budget variations made by the proposed Act. The budget variations are to be construed as part of the annual Appropriation Act for the 2015–16 financial year. The provisions validate any payment out of the Consolidated Fund, and any approval of expenditure and expenditure, of the sum appropriated by the proposed Act to give effect to those variations, that occurred before the date of assent to the proposed Act.



New South Wales

# Appropriation Bill 2017

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New South Wales

## Appropriation Bill 2017

No. , 2017

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### **A Bill for**

An Act to appropriate out of the Consolidated Fund sums for the services of the Government for the year 2017–18 and to make additional appropriations to give effect to budget variations for the year 2015–16.

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See also the *Appropriation (Parliament) Bill 2017*, the *State Revenue and Other Legislation Amendment (Budget Measures) Bill 2017* and the *Emergency Services Levy Bill 2017*.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>Part 1 Preliminary</b>	2
<b>1 Name of Act</b>	3
This Act is the <i>Appropriation Act 2017</i> .	4
<b>2 Commencement</b>	5
This Act commences on the date of assent to this Act.	6
<b>3 Interpretation</b>	7
In this Act:	8
(a) a reference to <i>services</i> for which this Act makes an appropriation includes a reference to the following:	9
(i) recurrent services,	10
(ii) capital works and services,	11
(iii) repayment of debt, and	12
(b) a reference to the year 2015–16 is a reference to the year from 1 July 2015 to 30 June 2016, and	13
(c) a reference to the year 2017–18 is a reference to the year from 1 July 2017 to 30 June 2018.	14
	15
	16
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## Part 2 Appropriation (Departments)

**Note.** The total amount appropriated out of the Consolidated Fund for services for the year 2017–18 in accordance with this Part is \$74,067,860,000.

### Division 1 Education

#### 4 Department of Education

This Act appropriates the sum of \$13,905,309,000 to the Minister for Education out of the Consolidated Fund for the services of the Department of Education for the year 2017–18.

**Note:** The appropriation will fund services, disaggregated as follows:

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Early childhood education	435,353	—
02 Government schools	13,010,659	809,088
03 Non-government schools	1,245,230	—
04 Aboriginal affairs	48,618	—
05 Cluster grants	115,169	—

### Division 2 Family and Community Services

#### 5 Department of Family and Community Services

This Act appropriates the sum of \$6,295,054,000 to the Minister for Family and Community Services out of the Consolidated Fund for the services of the Department of Family and Community Services for the year 2017–18.

**Note:** The appropriation will fund services, disaggregated as follows:

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Targeted support to improve lives and realise potential	1,107,534	54,255
02 Ongoing support to break disadvantage	1,871,401	18,661
03 Empowerment for independent living	311,943	721
04 Accommodation supports for people with disability	1,972,738	44,862
05 Social and economic supports for people with disability	1,352,238	4,671
06 Cluster grants and other adjustments	17,120	—



**Division 3 Finance, Services and Innovation**

1

**6 Department of Finance, Services and Innovation**

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This Act appropriates the sum of \$1,119,502,000 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 2017–18.

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**Note:** The appropriation will fund services, disaggregated as follows:

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	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Property and advisory	168,876	19,747
02 Customer services	2	—
03 Revenue administration	469,758	21,563
04 Regulation	360,273	31,041
05 ICT, digital and innovation	163,699	17,404
06 Government services	187,719	9,606
07 Personnel services	140,960	—
08 Cluster grants and other adjustments	434,626	—

**Division 4 Health**

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**7 Ministry of Health**

8

This Act appropriates the sum of \$11,821,392,000 to the Minister for Health out of the Consolidated Fund for the services of the Ministry of Health for the year 2017–18.

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

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	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Acute health services	15,273,470	1,182,311
02 Sub-acute health services	1,245,923	125,324
03 Mental health	1,898,457	22,486
04 Small rural hospitals and specialist hospitals	625,868	89,291
05 Community health care services	792,224	7,046
06 Public health	814,672	312
07 Health and medical research	82,102	10,000
08 Ambulance emergency services	892,237	109,429
09 Cluster grants and other adjustments	25,904	—

**Division 5 Industry**

**8 Department of Industry**

This Act appropriates the sum of \$2,956,988,000 to the Minister for Primary Industries out of the Consolidated Fund for the services of the Department of Industry for the year 2017–18.

**Note:** The appropriation will fund services, disaggregated as follows:

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Sustaining the conditions for economic development	935,001	47,131
02 Support for new and expanding businesses to create jobs in NSW	98,645	500
03 Skills development for employment	1,438,371	—
04 Sustainable use of and access to natural resources	176,103	15,806
05 Risks managed for natural resources, farming and food	185,103	24,023
06 Cluster grants	551,343	—

**Division 6 Justice**

**9 Department of Justice**

This Act appropriates the sum of \$8,603,412,000 to the Attorney General out of the Consolidated Fund for the services of the Department of Justice for the year 2017–18.

**Note:** The appropriation will fund services, disaggregated as follows:

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Courts	622,661	34,713
02 Emergency services	159,579	164
03 Justice services	432,123	67,873
04 Offender management and rehabilitation	1,817,727	1,477,552
05 Cluster grants	4,643,598	—

**Division 7 Planning and Environment**

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**10 Department of Planning and Environment**

2

This Act appropriates the sum of \$2,449,562,000 to the Minister for Planning out of the Consolidated Fund for the services of the Department of Planning and Environment for the year 2017–18.

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**Note:** The appropriation will fund services, disaggregated as follows:

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	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Creating prosperous and sustainable regions	351,676	8,486
02 Arts and culture	242,610	111,175
03 Driving economic, social, environment outcomes through balanced decision making	87,908	487
04 Supporting a contemporary planning system	77,252	17,999
05 Sustainable and regulated use and access to mineral resources	101,361	901
06 Sustainable use, security and access to diverse and reliable energy and water resource	461,739	—
07 Cluster grants and other adjustments	1,435,813	—

**Division 8 Premier and Cabinet**

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**11 Department of Premier and Cabinet**

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This Act appropriates the sum of \$395,846,000 to the Premier out of the Consolidated Fund for the services of the Department of Premier and Cabinet for the year 2017–18.

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**Note:** The appropriation will fund services, disaggregated as follows:

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	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Policy, coordination and advice	81,723	3,225
02 Enabling effective government	103,021	3,713
03 Economy, infrastructure and community	40,641	—
04 Accountability, efficiency and effectiveness	2,488	—
05 Supporting major projects and initiatives	29,728	4,000
06 Cluster grants and other adjustments	154,924	—

**Division 9 Transport**

**12 Transport for NSW**

(1) This Act appropriates the sum of \$12,761,708,000 to the Minister for Transport and Infrastructure out of the Consolidated Fund for the services of Transport for NSW for the year 2017–18.

**Note:** The appropriation will fund services, disaggregated as follows:

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Transport—Cluster grants and personnel services	5,862,728	—
02 Public transport asset maintenance	89,868	134,114
03 Public transport growth and improvement	—	2,534,258
04 Public transport services	2,907,312	35,617
05 Roads, maritime and freight growth and improvement	—	8,300
06 Roads, maritime and freight asset maintenance	106,678	85,741
07 Transport access and coordination	197,817	27,751
08 Transport safety	89,712	—
09 Cluster grants and other adjustments	7,745,017	—

(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 \$117,919,000 to the Treasurer out of the Consolidated Fund for the services of The Treasury for the year 2017–18.

**Note:** The appropriation will fund services, as follows:

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Analysis, advice and delivery	135,614	14,650

**14 Crown Finance Entity**

This Act appropriates the sum of \$13,521,168,000 to the Treasurer out of the Consolidated Fund for the services of the Crown Finance Entity for the year 2017–18.

**Note:** The appropriation will fund services, as follows:

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Optimise State’s balance sheet	8,875,739	500

**15 Advance to the Treasurer**

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This Act appropriates the sum of \$120,000,000 to the Treasurer out of the Consolidated Fund for the services of the Advance to the Treasurer for the year 2017–18.

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<b>Part 3</b>	<b>Additional appropriation for health related services</b>	1
<b>16</b>	<b>Special appropriation to Minister for Health—additional revenue from gaming machine taxes</b>	2
		3
(1)	This Act appropriates the sum of \$358,072,252 to the Minister for Health out of the Consolidated Fund for the services of the Ministry of Health for the year 2017–18.	4
		5
(2)	The sum appropriated is in addition to any other sum appropriated by this Act.	6

## Part 4 Appropriation (Special Offices)

**Note.** The total amount appropriated out of the Consolidated Fund for services for the year 2017–18 in accordance with this Part is \$376,451,000.

### 17 Judicial Commission of New South Wales

This Act appropriates the sum of \$5,486,000 to the Attorney General out of the Consolidated Fund for the services of the Judicial Commission of New South Wales for the year 2017–18.

**Note:** The appropriation will fund services, as follows:

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Courts	6,785	150

### 18 Office of the Director of Public Prosecutions

This Act appropriates the sum of \$126,983,000 to the Attorney General out of the Consolidated Fund for the services of the Office of the Director of Public Prosecutions for the year 2017–18.

**Note:** The appropriation will fund services, as follows:

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Courts	148,425	4,618

### 19 Office of the Children’s Guardian

This Act appropriates the sum of \$17,750,000 to the Minister for Family and Community Services out of the Consolidated Fund for the services of the Office of the Children’s Guardian for the year 2017–18.

**Note:** The appropriation will fund services, as follows:

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Other cluster entities	33,777	189

### 20 Independent Commission Against Corruption

This Act appropriates the sum of \$21,357,000 to the Premier out of the Consolidated Fund for the services of the Independent Commission Against Corruption for the year 2017–18.

**Note:** The appropriation will fund services, as follows:

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Accountability, efficiency and effectiveness	23,297	1,260

**21 Independent Pricing and Regulatory Tribunal** 1

This Act appropriates the sum of \$31,987,000 to the Premier out of the Consolidated Fund for the services of the Independent Pricing and Regulatory Tribunal for the year 2017–18. 2  
3  
4

**Note:** The appropriation will fund services, as follows: 5

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Accountability, efficiency and effectiveness	33,200	1,530

**22 Law Enforcement Conduct Commission** 6

This Act appropriates the sum of \$21,195,000 to the Minister for Police out of the Consolidated Fund for the services of the Law Enforcement Conduct Commission for the year 2017–18. 7  
8  
9

**Note:** The appropriation will fund services, as follows: 10

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Law enforcement—Police	22,085	1,200

**23 New South Wales Electoral Commission** 11

This Act appropriates the sum of \$81,772,000 to the Premier out of the Consolidated Fund for the services of the New South Wales Electoral Commission for the year 2017–18. 12  
13  
14

**Note:** The appropriation will fund services, as follows: 15

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Accountability, efficiency and effectiveness	73,193	12,884

**24 Ombudsman’s Office** 16

This Act appropriates the sum of \$34,255,000 to the Premier out of the Consolidated Fund for the services of the Ombudsman’s Office for the year 2017–18. 17  
18

**Note:** The appropriation will fund services, as follows: 19

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Accountability, efficiency and effectiveness	37,325	3,152



**25 Public Service Commission**

1

This Act appropriates the sum of \$35,666,000 to the Premier out of the Consolidated Fund for the services of the Public Service Commission for the year 2017–18.

2

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**Note:** The appropriation will fund services, as follows:

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	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Accountability, efficiency and effectiveness	38,784	3,044

## **Part 5 Commonwealth transfer payments**

1

### **26 Appropriation for Commonwealth transfer payments**

2

(1) This Act appropriates the sum of \$4,018,190,000 to the Treasurer out of the Consolidated Fund, for Commonwealth transfer payments to non-Government schools and local government for services for the year 2017–18.

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(2) The sum appropriated is in addition to any other sum appropriated by this Act.

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(3) The sum appropriated is subject to section 26 of the *Public Finance and Audit Act 1983*.

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<b>Part 6</b>	<b>General</b>	1
<b>27</b>	<b>Variation of authorised payments from Consolidated Fund</b>	2
(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 <i>Public Finance and Audit Act 1983</i> .	3 4 5
(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).	6 7 8 9
(3)	The sum appropriated under Part 3 may only be paid out for the purpose specified in Part 3.	10 11
(4)	The sums appropriated under Part 4 may only be paid out for the purposes specified in Part 4.	12 13
(5)	The sum appropriated under Part 5 may only be paid out for the purpose specified in Part 5.	14 15
(6)	This section does not apply to sums appropriated by another Act.	16
(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.	17 18 19
(8)	The Treasurer is to inform the Auditor-General of every authorisation given under this section.	20 21
(9)	An authorisation under this section may be given before or after the relevant payment is made.	22 23
<b>28</b>	<b>Appointment of person to carry out functions of Treasurer under section 27</b>	24
(1)	The Treasurer may appoint a person to carry out the Treasurer’s functions under section 27.	25 26
(2)	Any such appointment is subject to such conditions (if any) as the Treasurer determines.	27 28
(3)	The Treasurer may revoke any such appointment at any time.	29
(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.	30 31 32
<b>29</b>	<b>Delayed restructures</b>	33
(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 2017 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.	34 35 36 37 38 39 40 41
(2)	Section 24 of the <i>Public Finance and Audit Act 1983</i> does not apply to or in respect of an appropriation or service to which this section applies.	42 43

<b>30</b>	<b>Budget related information</b>	1
(1)	In this section:	2
	<i>budget related information</i> means:	3
(a)	notes included in this Act relating to expenses and capital expenditure, and	4
(b)	Budget Papers of the Government tabled in Parliament in connection with the Bill for this Act.	5
	<i>this Act</i> includes the <i>Appropriation (Parliament) Act 2017</i> .	6
(2)	Budget related information:	7
(a)	does not form part of this Act, and	8
(b)	does not affect the application of any amount appropriated by this Act.	9
<b>31</b>	<b>Payments authorised on lapse of appropriation</b>	10
(1)	This section applies only if this Act is assented to after 1 July 2017.	11
(2)	Any amounts expended for services under section 25 of the <i>Public Finance and Audit Act 1983</i> or any Supply Act on or after 1 July 2017 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.	12
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<b>Part 7</b>	<b>Budget variations for the year 2015–16</b>	1
<b>32</b>	<b>Adjustment of “Advance to the Treasurer”, 2015–16</b>	2
(1)	This Act appropriates the sum of \$47,209,000 out of the Consolidated Fund in adjustment of the amount appropriated for the services of the “Advance to the Treasurer”, 2015–16, for supplementary charges made during the year 2015–16 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 appropriated is reduced by the amount appropriated by this section.	3 4 5 6 7 8
(2)	The sum appropriated is in addition to any other sums that may have been appropriated, subject to the adjustment of the amount appropriated for the services of the “Advance to the Treasurer”, 2015–16.	9 10 11
<b>33</b>	<b>Operation of budget variations and validation of expenditure</b>	12
(1)	This Act, to the extent that it appropriates an amount for, and otherwise gives effect to, the budget variations for the year 2015–16, is to be construed as if it formed part of the annual Appropriation Act for the year 2015–16 and to have effect as if it had commenced at the start of that year.	13 14 15 16
(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 2015–16.	17 18 19
(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:	20 21 22
(a)	is taken to have been validly approved at the time it was approved, or was purported to have been approved, and	23 24
(b)	is taken to have been validly made at the time it was made, or purported to have been made,	25 26
	and is taken thereafter to be, and to have been at all relevant times, validly approved and made.	27 28

**Schedule 1      Payments during 2015–16**

(Section 32)

**Column 1  
 Treasurer's  
 Advance  
 Amount  
 \$,000**

**TREASURER**

RECURRENT SERVICES

**Department of Education**

*Additional Funding for the National Art School* 2,825

Total Department of Education **2,825**

**Department of Family and Community Services**

*Funding for the procurement and ongoing commissioning costs for the Social and Affordable Housing Fund* 13,784

Total Department of Family and Community Services **13,784**

**Department of Finance, Services and Innovation**

*Funding for the Jobs Action Plan* 30,000

Total Department of Finance, Services and Innovation **30,000**

**Department of Premier and Cabinet**

*Funding for the Safe Shooting Program* 600

Total Department of Premier and Cabinet **600**

**TOTAL—RECURRENT SERVICES** **47,209**

**TREASURER'S ADVANCE FOR RECURRENT SERVICES** **47,209**

**TOTAL—TREASURER'S ADVANCE** **47,209**