



New South Wales

# Appropriation Bill 2022

## Explanatory note

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

The following Bills are cognate with this Bill—

*Appropriation (Parliament) Bill 2022*

*State Revenue Legislation Amendment Bill 2022*

## Overview of Bill

The object of this Bill is to appropriate from the Consolidated Fund various sums of money required during the 2022–23 financial year for the services of the Government, including—

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

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

This Bill—

- (a) appropriates a single sum for the services of each agency, including recurrent services, capital works and services, and debt repayment, and
- (b) contains an additional appropriation that allocates revenue raised in connection with gaming machine taxes to the Minister for Health for spending on health-related services, and
- (c) contains provision for transfer payments from the Commonwealth to non-government schools and local government, and
- (d) provides for appropriation for the whole of the 2022–23 financial year, and
- (e) validates budget variations for the 2021–22 financial 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** defines terms used in the proposed Act.

### Part 2 Appropriations—Departments

Part 2 (**clauses 4–21**) provides for appropriations to specified Ministers for the services of the departments and other matters within the administration of the Ministers for the financial year of 2022–23.

### Part 3 Additional appropriation for health related services

Part 3 (**clause 22**) makes an additional appropriation to the Minister for Health, being part of the revenue raised from gaming machine taxes.

### Part 4 Appropriations—Special Offices

Part 4 (**clauses 23–31**) provides for the appropriations for the services of the specified offices for the 2022–23 financial year.

### Part 5 Commonwealth transfer payments

Part 5 (**clause 32**) provides for transfer payments from the Commonwealth to non-government schools and local government.

### Part 6 Variations to authorised payments

Part 6 (**clauses 33–40**) provides for variations to authorised payments to be made in certain circumstances.

**Clause 33** provides that payment of an amount that is more than the sum appropriated under the proposed Act or the *Appropriation (Parliament) Act 2022* is not authorised except in accordance with the proposed Part or the *Government Sector Finance Act 2018*, Part 4.

**Clause 34** enables the Treasurer to authorise payment for a purpose that is more than the sum appropriated for the purpose if the Treasurer is of the opinion that the exigencies of government require the payment or the sum appropriated for the purpose is insufficient to enable the purpose to be effectively and efficiently carried out. However, an equivalent sum must not be paid out for another purpose.

**Clause 35** enables the Treasurer to authorise payment for a purpose in excess of the sum appropriated for the purpose if the Treasurer is of the opinion that the additional sum is reasonably necessary because of a State contingency. However, an equivalent sum must not be paid out from the sum appropriated to the Treasurer by the proposed Act for the purpose of State contingencies.

**Clause 36** enables the Treasurer to authorise payment for a purpose specified for an integrity agency other than the Audit Office of NSW in excess of the sum appropriated for the purpose if the Treasurer is of the opinion that the additional sum is reasonably necessary for the purpose. However, an equivalent sum must not be paid out from the sum appropriated to the Treasurer by the proposed Act for the purpose of integrity agencies. Clause 36 also enables the Treasurer to authorise payment of a sum, out of the sum appropriated to the Treasurer by the proposed Act for the purpose of integrity agencies, to the Audit Office of NSW for the services of the Audit Office of NSW if the Treasurer is of the opinion that the sum is reasonably necessary for the Audit Office to effectively and efficiently carry out its functions and provide its services. Clause 20 defines the

integrity agencies as the Audit Office of NSW, the Independent Commission Against Corruption, the Law Enforcement Conduct Commission, the New South Wales Electoral Commission and the Office of the Ombudsman.

**Clause 37** enables the Treasurer to authorise payment for a purpose in excess of the sum appropriated for the purpose if the Treasurer is of the opinion that the additional sum is reasonably necessary because of an expense related to the Government's response to a public health emergency or other crisis. However, an equivalent sum must not be paid out from the sum appropriated to the Treasurer for the purposes of expenditure related to the Government's response to public health emergencies and other crises.

**Clause 38** provides that the Treasurer must not authorise the payment of a sum under the proposed Part to increase the amount of any salary or wage fixed by law.

**Clause 39** provides the proposed Part does not apply to sums appropriated by another Act.

**Clause 40** requires the Treasurer to inform the Auditor-General of every authorisation given under the proposed Part.

## **Part 7 General**

Part 7 (**clauses 41–45**) provides for general matters related to the appropriations set out in the proposed Act.

**Clause 41** allows the Treasurer to apply an appropriation differently in the event that responsibility for a service is transferred.

**Clause 42** allows the Treasurer to appoint a person to exercise the Treasurer's functions under proposed Part 6.

**Clause 43** allows a Minister to appoint an accountable authority to identify a surplus to enable the Treasurer to authorise the surplus to be paid for another purpose under proposed Part 6 if the sum appropriated for that other purpose is insufficient.

**Clause 44** makes it clear that budget-related 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 45** provides that if the proposed Act is assented to after 1 July 2022, certain payments made from the Consolidated Fund on or after 1 July 2022 but before the enactment of the proposed Act are deemed to be made out of the sums appropriated by the proposed Act.

## **Part 8 Budget variations for the year 2021–22**

Part 8 (**clauses 46 and 47**) provides for budget variations for the 2021–22 financial year.

**Clause 46** appropriates amounts for the exigencies of Government in accordance with the *Government Sector Finance Act 2018*, section 4.13 as set out in **Schedule 1** of the proposed Act.

**Clause 47** provides that the appropriation made by the proposed Part is to be construed as part of the annual Appropriation Act for the 2021–22 financial year. It also validates the following occurring before the date of assent to the proposed Act—

- (a) payment out of the Consolidated Fund of the sum appropriated,
- (b) approval of expenditure of the sum appropriated,
- (c) expenditure of the sum appropriated.



New South Wales

# Appropriation Bill 2022

## Contents

---

	Page
<b>Part 1 Preliminary</b>	
1 Name of Act	2
2 Commencement	2
3 Definitions	2
<b>Part 2 Appropriations—Departments</b>	
<b>Division 1 Customer Service</b>	
4 Department of Customer Service	3
5 Digital Restart Fund	3
6 Rental Bond Interest Account	3
<b>Division 2 Education</b>	
7 Department of Education	3
<b>Division 3 Enterprise, Investment and Trade</b>	
8 Department of Enterprise, Investment and Trade	4
<b>Division 4 Health</b>	
9 Ministry of Health	4

---

---

	Page
<b>Division 5 Planning and Environment</b>	
10 Department of Planning and Environment	5
<b>Division 6 Premier and Cabinet</b>	
11 Department of Premier and Cabinet	5
<b>Division 7 Regional NSW</b>	
12 Department of Regional NSW	6
<b>Division 8 Stronger Communities</b>	
13 Department of Communities and Justice	6
<b>Division 9 Transport and Infrastructure</b>	
14 Department of Transport	7
<b>Division 10 Treasury</b>	
15 Treasury	7
16 Administered items	7
17 Appropriation to Treasurer for NSW Generations Fund	8
18 Appropriation to Treasurer for Snowy Hydro Legacy Fund	8
19 Appropriation to Treasurer for State contingencies	8
20 Appropriation to Treasurer relating to integrity agencies	8
21 Special appropriation to Treasurer for expenditure related to Government's response to crises	8
<b>Part 3 Additional appropriation for health related services</b>	
22 Special appropriation to Minister for Health—additional revenue from gaming machine taxes	9
<b>Part 4 Appropriations—Special Offices</b>	
23 Independent Pricing and Regulatory Tribunal	10
24 Judicial Commission of New South Wales	10
25 Office of the Children's Guardian	10
26 Office of the Director of Public Prosecutions	10
27 Independent Commission Against Corruption	11
28 Law Enforcement Conduct Commission	11
29 New South Wales Electoral Commission	11
30 Office of the Ombudsman	11
31 Public Service Commission	11
<b>Part 5 Commonwealth transfer payments</b>	
32 Appropriation for Commonwealth transfer payments	13
<b>Part 6 Variations to authorised payments</b>	
33 Payments not to be in excess of sums specified	14
34 Variations—exigencies of government and appropriations insufficient for purpose	14
35 Variations—State contingencies	14
36 Variations—contingencies relating to integrity agencies	14

---

	Page	
37	Variations—Government’s response to crises	15
38	Treasurer must not increase fixed salary or wages	15
39	Part does not apply to sums appropriated by another Act	15
40	Treasurer is to inform Auditor-General of authorisations	15
<b>Part 7</b>	<b>General</b>	
41	Delayed restructures	16
42	Appointment of person to carry out functions of Treasurer under Part 6	16
43	Appointment of accountable authority to identify surplus	16
44	Budget-related information	16
45	Payments authorised on lapse of appropriation	17
<b>Part 8</b>	<b>Budget variations for the year 2021–22</b>	
46	Payments made during 2021–22 under section 4.13 of Government Sector Finance Act 2018	18
47	Operation of budget variations and validation of expenditure	18
<b>Schedule 1</b>	<b>Payments during 2021–22</b>	<b>19</b>



New South Wales

# Appropriation Bill 2022

No. , 2022

---

## **A Bill for**

An Act to appropriate out of the Consolidated Fund sums for the services of the Government for the year 2022–23 and to make an additional appropriation to give effect to budget variations for the year 2021–22.

---

See also the *Appropriation (Parliament) Bill 2022* and the *State Revenue Legislation Amendment Bill 2022*.

---

<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 2022</i> .	4
<b>2 Commencement</b>	5
This Act commences on the date of assent to this Act.	6
<b>3 Definitions</b>	7
In this Act—	8
<i>services</i> includes the following—	9
(a) recurrent services,	10
(b) capital works and services,	11
(c) repayment of debt.	12
<i>year 2022–23</i> means the year from 1 July 2022 to 30 June 2023.	13



## Part 2 Appropriations—Departments

**Note—** The total amount appropriated out of the Consolidated Fund for services for the year 2022–23 in accordance with this Part is \$118,379,244,000.

### Division 1 Customer Service

#### 4 Department of Customer Service

This Act appropriates the sum of \$3,053,934,000 to the Minister for Customer Service and Digital Government out of the Consolidated Fund for the services of the Department of Customer Service for the year 2022–23.

**Note—** The appropriation will fund services, disaggregated across State outcomes as follows—

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Excellence in customer service	1,904,662	81,594
02 Digital leadership and innovation in government services	308,145	163,318
03 Fair, secure and efficient markets	743,731	40,132
04 Cluster grants and other adjustments	1,648,642	—

#### 5 Digital Restart Fund

This Act appropriates the sum of \$614,000,000 to the Minister for Customer Service and Digital Government out of the Consolidated Fund for payment into the Digital Restart Fund established under the *Digital Restart Fund Act 2020*.

#### 6 Rental Bond Interest Account

This Act appropriates the sum of \$66,153,000 to the Minister for Customer Service and Digital Government out of the Consolidated Fund for payment into the Rental Bond Interest Account established under the *Residential Tenancies Act 2010*.

### Division 2 Education

#### 7 Department of Education

This Act appropriates the sum of \$22,508,149,000 to the Minister for Education and Early Learning out of the Consolidated Fund for the services of the Department of Education for the year 2022–23.

**Note—** The appropriation will fund services, disaggregated across State outcomes as follows—

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Best start in life for young children	1,089,367	1,200
02 Educational foundations for success	18,771,243	2,665,485

		<b>Expenses</b>	<b>Capital expenditure</b>
		<b>\$,000</b>	<b>\$,000</b>
03	Skilled and employable workforce	2,457,823	1,690
04	Cluster grants and other adjustments	127,993	—

### **Division 3 Enterprise, Investment and Trade**

#### **8 Department of Enterprise, Investment and Trade**

This Act appropriates the sum of \$3,405,525,000 to the Minister for Enterprise, Investment and Trade out of the Consolidated Fund for the services of the Department of Enterprise, Investment and Trade for the year 2022–23.

**Note—** The appropriations under this section will fund services, disaggregated across State outcomes as follows—

		<b>Expenses</b>	<b>Capital expenditure</b>
		<b>\$,000</b>	<b>\$,000</b>
01	Increased economic development and investment attraction	739,941	75,586
02	Excellence in arts, sport and tourism	560,824	308,293
03	Vibrant, safe and responsible hospitality and racing	127,253	—
04	Cluster grants and other adjustments	1,736,680	—

### **Division 4 Health**

#### **9 Ministry of Health**

This Act appropriates the sum of \$18,224,657,000 to the Minister for Health out of the Consolidated Fund for the services of the Ministry of Health for the year 2022–23.

**Note—** The appropriations under this section and Part 3 will fund services, disaggregated across State outcomes as follows—

		<b>Expenses</b>	<b>Capital expenditure</b>
		<b>\$,000</b>	<b>\$,000</b>
01	People receive high-quality, safe care in our hospitals	16,018,123	1,733,005
02	People can access care in out-of-hospital settings to manage their health and wellbeing	7,957,769	475,130
03	People receive timely emergency care	4,008,872	562,587
04	Keeping people healthy through prevention and health promotion	1,532,218	18,374

		<b>Expenses</b>	<b>Capital expenditure</b>
		<b>\$,000</b>	<b>\$,000</b>
05	Our people and systems are continuously improving to deliver the best health outcomes and experiences	1,136,442	54,609
06	Cluster grants	31,101	—

## **Division 5 Planning and Environment**

### **10 Department of Planning and Environment**

This Act appropriates the sum of \$3,889,499,000 to the Minister for Planning out of the Consolidated Fund for the services of the Department of Planning and Environment for the year 2022–23.

**Note—** The appropriation will fund services, disaggregated across State outcomes as follows—

		<b>Expenses</b>	<b>Capital expenditure</b>
		<b>\$,000</b>	<b>\$,000</b>
01	Create a strong and liveable NSW	1,140,645	27,226
02	Maximise community benefit from government land and property	1,043,298	55,123
03	Connecting communities to resilient and sustainable local environments and heritage	1,382,075	470,219
04	Sustainable, secure and healthy water resources and services	998,235	137,375
05	Cluster grants and other adjustments	689,203	—

## **Division 6 Premier and Cabinet**

### **11 Department of Premier and Cabinet**

This Act appropriates the sum of \$417,245,000 to the Premier out of the Consolidated Fund for the services of the Department of Premier and Cabinet for the year 2022–23.

**Note—** The appropriation will fund services, disaggregated across State outcomes as follows—

		<b>Expenses</b>	<b>Capital expenditure</b>
		<b>\$,000</b>	<b>\$,000</b>
01	Effective and coordinated government	279,419	16,178
02	Empowering Aboriginal communities	115,157	3,794
03	Accountable and responsible government	504	—

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
04 Cluster grants and other adjustments	11,192	—

**Division 7 Regional NSW** 1

**12 Department of Regional NSW** 2

This Act appropriates the sum of \$2,379,185,000 to the Deputy Premier out of the Consolidated Fund for the services of the Department of Regional NSW for the year 2022–23. 3  
4  
5

**Note—** The appropriation will fund services, disaggregated across State outcomes as follows— 6  
7

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Stronger and cohesive regional communities and economies	2,491,278	21,369
02 Stronger primary industries	530,990	70,291
03 Mineral and petroleum industries generating prosperity safely	196,260	3,695
04 Cluster grants and other adjustments	216,465	—

**Division 8 Stronger Communities** 8

**13 Department of Communities and Justice** 9

This Act appropriates the sum of \$20,533,735,000 to the Attorney General out of the Consolidated Fund for the services of the Department of Communities and Justice for the year 2022–23. 10  
11  
12

**Note—** The appropriation will fund services, disaggregated across State outcomes as follows— 13  
14

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Children and families thrive	3,093,632	11,046
02 Efficient and effective legal system	1,331,965	100,457
03 Inclusive communities	3,596,355	10
04 People have a safe and affordable place to live	1,174,052	8,000
05 Reduce reoffending	2,735,890	201,404
06 Cluster grants and other adjustments	9,171,066	—

**Division 9 Transport and Infrastructure**

**14 Department of Transport**

This Act appropriates the sum of \$26,999,950,000 to the Minister for Infrastructure out of the Consolidated Fund for the services of the Department of Transport for the year 2022–23.

**Note—** The appropriation will fund services, disaggregated across State outcomes as follows—

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 Connecting our customers' whole lives	9,592,319	5,223,161
02 Successful places for communities	812,727	2,830,017
03 Transport systems and solutions enabling economic activity	1,604,244	1,633,858
04 Cluster grants and other adjustments	14,977,052	—

**Division 10 Treasury**

**15 Treasury**

This Act appropriates the sum of \$1,416,460,000 to the Treasurer out of the Consolidated Fund for the services of Treasury for the year 2022–23.

**Note—** The appropriation will fund services, disaggregated across State outcomes as follows—

	<b>Expenses \$,000</b>	<b>Capital expenditure \$,000</b>
01 A strong, resilient and diverse economy	1,253,165	382,266
02 A sustainable fiscal environment enabling delivery of outcomes	245,449	209
03 Stewardship of the public sector performance and financial system	43,062	111

**16 Administered items**

This Act appropriates the sum of \$13,860,752,000 to the Treasurer out of the Consolidated Fund for the purposes of the activities or services administered by the Treasurer on behalf of the State generally for the year 2022–23.

**Note—** The appropriation will fund services for the following State outcome—

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 A sustainable fiscal environment enabling delivery of outcomes	9,248,941	—
<b>17 Appropriation to Treasurer for NSW Generations Fund</b>		1
This Act appropriates the sum of \$500,000,000 to the Treasurer out of the Consolidated Fund for payment into the NSW Generations (Community Services and Facilities) Fund established under the <i>NSW Generations Funds Act 2018</i> .		2 3 4
<b>18 Appropriation to Treasurer for Snowy Hydro Legacy Fund</b>		5
This Act appropriates the sum of \$90,000,000 to the Treasurer out of the Consolidated Fund for payment into the Snowy Hydro Legacy Fund established under the <i>Snowy Hydro Legacy Fund Act 2018</i> .		6 7 8
<b>19 Appropriation to Treasurer for State contingencies</b>		9
This Act appropriates the sum of \$100,000,000 to the Treasurer out of the Consolidated Fund for State contingencies for the year 2022–23.		10 11
<b>20 Appropriation to Treasurer relating to integrity agencies</b>		12
(1) This Act appropriates the sum of \$20,000,000 to the Treasurer out of the Consolidated Fund for contingencies in relation to the integrity agencies for the year 2022–23.		13 14 15
(2) In this section—		16
<i>integrity agency</i> means each of the following—		17
(a) the Audit Office of NSW,		18
(b) the Independent Commission Against Corruption,		19
(c) the Law Enforcement Conduct Commission,		20
(d) the New South Wales Electoral Commission,		21
(e) the Office of the Ombudsman.		22
<b>21 Special appropriation to Treasurer for expenditure related to Government's response to crises</b>		23 24
This Act appropriates the sum of \$300,000,000 to the Treasurer out of the Consolidated Fund for expenditure related to the Government's response to public health emergencies and other crises that is not otherwise covered by an appropriation under this Act or the <i>Appropriation (Parliament) Act 2022</i> for the year 2022–23.		25 26 27 28

<b>Part 3</b>	<b>Additional appropriation for health related services</b>	1
<b>22</b>	<b>Special appropriation to Minister for Health—additional revenue from gaming machine taxes</b>	2 3
(1)	This Act appropriates the sum of \$505,207,818 to the Minister for Health out of the Consolidated Fund for the services of the Ministry of Health for the year 2022–23.	4 5
(2)	The sum appropriated is in addition to any other sum appropriated by this Act.	6

## Part 4 Appropriations—Special Offices

**Note—** The total amount appropriated out of the Consolidated Fund for services for the year 2022–23 in accordance with this Part is \$657,914,000.

### 23 Independent Pricing and Regulatory Tribunal

This Act appropriates the sum of \$38,485,000 to the Minister for Customer Service and Digital Government out of the Consolidated Fund for the services of the Independent Pricing and Regulatory Tribunal for the year 2022–23.

**Note—** The appropriation will fund services for the following State outcome—

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Fair, secure and efficient markets	41,086	180

### 24 Judicial Commission of New South Wales

This Act appropriates the sum of \$6,000,000 to the Attorney General out of the Consolidated Fund for the services of the Judicial Commission of New South Wales for the year 2022–23.

**Note—** The appropriation will fund services for the following State outcome—

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Efficient and effective legal system	7,343	150

### 25 Office of the Children’s Guardian

This Act appropriates the sum of \$31,721,000 to the Minister for Families and Communities out of the Consolidated Fund for the services of the Office of the Children’s Guardian for the year 2022–23.

**Note—** The appropriation will fund services for the following State outcome—

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Children and families thrive	58,643	988

### 26 Office of the Director of Public Prosecutions

This Act appropriates the sum of \$203,610,000 to the Attorney General out of the Consolidated Fund for the services of the Office of the Director of Public Prosecutions for the year 2022–23.

**Note—** The appropriation will fund services for the following State outcome—

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Efficient and effective legal system	215,528	5,733



**27 Independent Commission Against Corruption** 1

This Act appropriates the sum of \$35,197,000 to the Premier out of the Consolidated Fund for the services of the Independent Commission Against Corruption for the year 2022–23. 2  
 3  
 4

**Note—** The appropriation will fund services for the following State outcome— 5

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Accountable and responsible government	34,609	1,169

**28 Law Enforcement Conduct Commission** 6

This Act appropriates the sum of \$24,129,000 to the Premier out of the Consolidated Fund for the services of the Law Enforcement Conduct Commission for the year 2022–23. 7  
 8  
 9

**Note—** The appropriation will fund services for the following State outcome— 10

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Accountable and responsible government	24,852	1,390

**29 New South Wales Electoral Commission** 11

This Act appropriates the sum of \$241,779,000 to the Premier out of the Consolidated Fund for the services of the New South Wales Electoral Commission for the year 2022–23. 12  
 13  
 14

**Note—** The appropriation will fund services for the following State outcome— 15

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Accountable and responsible government	246,028	13,081

**30 Office of the Ombudsman** 16

This Act appropriates the sum of \$43,869,000 to the Premier out of the Consolidated Fund for the services of the Office of the Ombudsman for the year 2022–23. 17  
 18

**Note—** The appropriation will fund services for the following State outcome— 19

	<b>Expenses</b>	<b>Capital expenditure</b>
	<b>\$,000</b>	<b>\$,000</b>
01 Accountable and responsible government	44,549	2,140

**31 Public Service Commission** 20

This Act appropriates the sum of \$33,124,000 to the Premier out of the Consolidated Fund for the services of the Public Service Commission for the year 2022–23. 21  
 22

**Note—** The appropriation will fund services for the following State outcome— 23

		<b>Expenses</b>	<b>Capital expenditure</b>
		<b>\$,000</b>	<b>\$,000</b>
01	Effective and coordinated government	40,731	1,270

## **Part 5 Commonwealth transfer payments**

1

### **32 Appropriation for Commonwealth transfer payments**

2

(1) This Act appropriates the sum of \$5,196,600,000 to the Treasurer out of the Consolidated Fund for Commonwealth transfer payments to non-government schools and local government for services for the year 2022–23.

3

4

5

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

6

(3) The sum appropriated is subject to the *Government Sector Finance Act 2018*, section 4.11.

7

8

<b>Part 6</b>	<b>Variations to authorised payments</b>	1
<b>33</b>	<b>Payments not to be in excess of sums specified</b>	2
(1)	Payment of a sum must not be made from the Consolidated Fund for a purpose for the year 2022–23 if the sum is more than the sum appropriated for the purpose by this Act or the <i>Appropriation (Parliament) Act 2022</i> .	3 4 5
(2)	Subsection (1) does not limit a payment authorised by—	6
(a)	this Part, or	7
(b)	the <i>Government Sector Finance Act 2018</i> , Part 4.	8
<b>34</b>	<b>Variations—exigencies of government and appropriations insufficient for purpose</b>	9
(1)	The Treasurer may authorise the payment of a sum appropriated by this Act for a purpose that is more than the sum specified for the purpose if—	10 11
(a)	the Treasurer is of the opinion that the exigencies of government require the payment, and	12 13
(b)	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.	14 15
(2)	The Treasurer may authorise the payment of a sum appropriated by this Act for a purpose that is more than the sum specified for the purpose if—	16 17
(a)	the Treasurer is of the opinion that the sum appropriated for the purpose is insufficient to enable the purpose to be effectively and efficiently carried out, and	18 19 20
(b)	an equivalent sum is identified as surplus to another purpose by the Minister in relation to whom the other purpose is specified, whether the other purpose is specified in relation to the same or a different Minister, and	21 22 23
(c)	the equivalent sum is not paid out for the other purpose.	24
(3)	The Treasurer must not, under this section, authorise the payment of a sum appropriated under a Part of this Act to be paid out for a purpose other than a purpose specified in that Part.	25 26 27
<b>35</b>	<b>Variations—State contingencies</b>	28
	The Treasurer may authorise the payment of a sum appropriated for a purpose by this Act or the <i>Appropriation (Parliament) Act 2022</i> that is more than the sum specified for the purpose if—	29 30 31
(a)	the Treasurer is of the opinion that the additional sum is reasonably necessary because of a State contingency, and	32 33
(b)	an equivalent sum is not paid out from the sum appropriated to the Treasurer by section 19.	34 35
<b>36</b>	<b>Variations—contingencies relating to integrity agencies</b>	36
(1)	The Treasurer may authorise the payment of a sum appropriated by this Act for a purpose specified in Part 4 for an integrity agency other than the Audit Office of NSW that is more than the sum specified for the purpose if—	37 38 39
(a)	the Treasurer is of the opinion that—	40
(i)	the sum appropriated for the purpose is insufficient to enable the purpose to be effectively and efficiently carried out, and	41 42
(ii)	the additional sum is reasonably necessary for the integrity agency to effectively and efficiently carry out the purpose, and	43 44

(b)	an equivalent sum is not paid out from the sum appropriated to the Treasurer by section 20.	1 2
(2)	The Treasurer may authorise the payment of a sum from the sum appropriated to the Treasurer by section 20 to the Audit Office of NSW for the services of the Office if the Treasurer is of the opinion that the sum is reasonably necessary for the Office to effectively and efficiently carry out its functions and provide its services.	3 4 5 6
(3)	In this section— <i>integrity agency</i> has the same meaning as in section 20(2).	7 8
<b>37</b>	<b>Variations—Government’s response to crises</b>	9
	The Treasurer may authorise the payment of a sum appropriated for a purpose by this Act or the <i>Appropriation (Parliament) Act 2022</i> that is more than the sum specified for the purpose if—	10 11 12
(a)	the Treasurer is of the opinion that the additional sum is reasonably necessary because of expenditure related to the Government’s response to a public health emergency or other crisis, and	13 14 15
(b)	an equivalent sum is not paid out from the sum appropriated to the Treasurer by section 21.	16 17
<b>38</b>	<b>Treasurer must not increase fixed salary or wages</b>	18
	The Treasurer must not authorise the payment of a sum under this Part that increases salary or wages if the amount of the salary or wages is fixed by law.	19 20
<b>39</b>	<b>Part does not apply to sums appropriated by another Act</b>	21
	This Part does not apply to sums appropriated by another Act except as otherwise provided in this Part.	22 23
<b>40</b>	<b>Treasurer is to inform Auditor-General of authorisations</b>	24
(1)	The Treasurer is to inform the Auditor-General of every authorisation given under this Part.	25 26
(2)	An authorisation under this Part may be given before or after the payment is made.	27

<b>Part 7</b>	<b>General</b>	1
<b>41</b>	<b>Delayed restructures</b>	2
(1)	An appropriation made in this Act for a service does not lapse and may be applied for or towards the service after the responsibility for the service is transferred if—	3 4
(a)	the transfer occurs on or after the date the Bill for this Act is introduced in the Legislative Assembly, and	5 6
(b)	the transfer occurs because of a determination made by the Premier before 1 July 2022 to create new ministries, or to change or abolish existing ministries, and consequently to create, restructure or abolish an authority, and	7 8 9
(c)	the appropriation is applied for or towards the service in accordance with an applicable determination as may be made by the Treasurer.	10 11
(2)	A determination made by the Treasurer under subsection(1)(c)—	12
(a)	may extend to the application of the appropriation before the determination is made, and	13 14
(b)	operates to validate that application.	15
(3)	This section does not limit a payment authorised by Part 6.	16
(4)	The <i>Government Sector Finance Act 2018</i> , section 4.9 does not apply in relation to an appropriation or service to which this section applies.	17 18
<b>42</b>	<b>Appointment of person to carry out functions of Treasurer under Part 6</b>	19
(1)	The Treasurer may appoint a person to carry out the Treasurer’s functions under Part 6.	20 21
(2)	The appointment is subject to the conditions, if any, that the Treasurer decides.	22
(3)	The Treasurer may revoke the appointment at any time.	23
(4)	A person appointed under this section has, in place of the Treasurer, the Treasurer’s function under section 40 of informing the Auditor-General of every authorisation given by the person under Part 6.	24 25 26
<b>43</b>	<b>Appointment of accountable authority to identify surplus</b>	27
(1)	A Minister may appoint the accountable authority for a GSF agency for which the Minister is the responsible Minister to carry out the Minister’s functions under section 34(2)(b).	28 29 30
(2)	The appointment is subject to the conditions, if any, that the Minister determines.	31
(3)	The Minister may revoke the appointment at any time.	32
(4)	In this section—	33
	<i>accountable authority</i> , for a GSF agency, has the same meaning as in the <i>Government Sector Finance Act 2018</i> .	34 35
	<i>GSF agency</i> has the same meaning as in the <i>Government Sector Finance Act 2018</i> .	36
<b>44</b>	<b>Budget-related information</b>	37
(1)	Budget-related information—	38
(a)	does not form part of this Act, and	39
(b)	does not affect the application of an amount appropriated by this Act.	40
(2)	In this section—	41
	<i>budget-related information</i> means—	42

(a)	notes included in this Act relating to expenses and capital expenditure, and	1
(b)	Budget Papers of the Government tabled in Parliament in connection with the Bill for this Act.	2 3
	<i>this Act</i> includes the <i>Appropriation (Parliament) Act 2022</i> .	4
<b>45</b>	<b>Payments authorised on lapse of appropriation</b>	5
(1)	This section applies only if this Act is assented to after 1 July 2022.	6
(2)	An amount is taken to have been expended out of a sum appropriated for a purpose by this Act if the amount—	7 8
(a)	was paid for the purpose out of the Consolidated Fund under the <i>Government Sector Finance Act 2018</i> , section 4.10, and	9 10
(b)	was paid on or after 1 July 2022 and before the date of assent to this Act.	11

<b>Part 8</b>	<b>Budget variations for the year 2021–22</b>	1
<b>46</b>	<b>Payments made during 2021–22 under section 4.13 of Government Sector Finance Act 2018</b>	2
		3
(1)	This Act appropriates the sum of \$17,795,427,000 out of the Consolidated Fund for the exigencies of Government during the year 2021–22—	4
		5
(a)	being the total of the sums specified in Schedule 1 to provide for the payments specified in relation to those sums, and	6
		7
(b)	made in anticipation of appropriation by Parliament under the <i>Government Sector Finance Act 2018</i> , section 4.13.	8
		9
(2)	The sum appropriated is in addition to any other sums that may have been appropriated to the Treasurer for the year 2021–22.	10
		11
<b>47</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 gives effect to, the budget variations for the year 2021–22, is to be construed as if it—	13
		14
(a)	formed part of the annual Appropriation Act for the year 2021–22, and	15
(b)	commenced at the start of that year.	16
(2)	The following are validated, despite occurring before the date of assent to this Act—	17
(a)	the payment out of the Consolidated Fund of a sum appropriated under this Part,	18
		19
(b)	the approval of the expenditure of a sum appropriated under this Part,	20
(c)	the expenditure of a sum appropriated under this Part.	21
(3)	This section applies to part of a sum appropriated under this Act in the same way as it applies to the whole of the sum.	22
		23



## Schedule 1 Payments during 2021–22

1

section 46

2

### Payments made under the Government Sector Finance Act 2018, section 4.13

Amount \$,000

#### Attorney General

##### Department of Communities and Justice

Authorised s4.13 Exigencies of Government Supplementation – COVID-19 Response 261,000

Authorised s4.13 Exigencies of Government Supplementation – Storms & Floods 168,800

**Total—Department of Communities and Justice 429,800**

**Total—Attorney General 429,800**

#### Deputy Premier

##### Department of Regional NSW

Authorised s4.13 Exigencies of Government Supplementation – COVID-19 Response 67,245

**Total—Department of Regional NSW 67,245**

**Total—Deputy Premier 67,245**

#### Minister for Customer Service and Digital Government

##### Department of Customer Service

Authorised s4.13 Exigencies of Government Supplementation – COVID-19 Response 14,347,160

Authorised s4.13 Exigencies of Government Supplementation – Storms & Floods 332,000

**Total—Department of Customer Service 14,679,160**

**Total—Minister for Customer Service and Digital Government 14,679,160**

#### Minister for Education and Early Learning

##### Department of Education

Authorised s4.13 Exigencies of Government Supplementation – COVID-19 Response 356,000

**Total—Department of Education 356,000**

**Total—Minister for Education and Early Learning 356,000**

<b>Payments made under the Government Sector Finance Act 2018, section 4.13</b>	<b>Amount \$,000</b>
<b>Minister for Health</b>	
<b>Ministry of Health</b>	
Authorised s4.13 Exigencies of Government Supplementation – COVID-19 Response	1,247,904
<b>Total—Ministry of Health</b>	<b>1,247,904</b>
<b>Total—Minister for Health</b>	<b>1,247,904</b>
<b>Minister for Planning</b>	
<b>Department of Planning and Environment</b>	
Authorised s4.13 Exigencies of Government Supplementation – COVID-19 Response	134,800
Authorised s4.13 Exigencies of Government Supplementation – Storms & Floods	28,000
<b>Total—Department of Planning and Environment</b>	<b>162,800</b>
<b>Total—Minister for Planning</b>	<b>162,800</b>
<b>Premier</b>	
<b>Department of Premier and Cabinet</b>	
Authorised s4.13 Exigencies of Government Supplementation – COVID-19 Response	329,198
<b>Total—Department of Premier and Cabinet</b>	<b>329,198</b>
<b>New South Wales Electoral Commission</b>	
Authorised s4.13 Exigencies of Government Supplementation – COVID-19 Response	29,120
<b>Total—New South Wales Electoral Commission</b>	<b>29,120</b>
<b>Total—Premier</b>	<b>358,318</b>
<b>Treasurer</b>	
<b>Treasury</b>	
Authorised s4.13 Exigencies of Government Supplementation – COVID-19 Response	7,000
<b>Total—Treasury</b>	<b>7,000</b>
<b>Administered items</b>	
Authorised s4.13 Exigencies of Government Supplementation – COVID-19 Response	487,200
<b>Total—Administered items</b>	<b>487,200</b>
<b>Total—Treasurer</b>	<b>494,200</b>

<b>Payments made under the Government Sector Finance Act 2018, section 4.13</b>	<b>Amount \$,000</b>
<b>Total—all payments</b>	<b>17,795,427</b>

---