

[Act 1997 No 35]



New South Wales

## Appropriation (1996–97 Budget Variations) Bill 1997

### Explanatory note

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

This Bill is cognate with the *Appropriation Bill 1997*.

### Overview of Bill

The object of this Bill is to appropriate additional amounts totalling \$642,500,000 from the Consolidated Fund for recurrent services for the year 1996–97 for the purpose of giving effect to certain Budget variations required by the exigencies of Government. The additional amounts are:

New South Wales' contribution to Commonwealth deficit reduction	\$209,500,000
Additional health services in growth areas	134,000,000
Rail services	205,000,000
Victims' Compensation Fund	23,000,000

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M4M5 tollway charges reimbursement	9,000,000
Gun Buyback Scheme	50,000,000
State Bank loan loss indemnity costs	12,000,000
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	\$642,500,000

## Outline of provisions

**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 1996, which is the date of commencement of the *Appropriation Act 1996*.

**Clause 3** appropriates the additional amounts. The clause also allows the Treasurer to amend the estimates (a similar provision being contained in section 26 of the *Public Finance and Audit Act 1983*).

**Clause 4** appropriates the amount necessary to meet the State's contribution to the Commonwealth deficit reduction arising from the requirement of the Premiers' Conference in May 1996 as well as the amount necessary to meet the additional State Bank loan loss indemnity costs.

**Clause 5** appropriates the amount, announced by the Government early in the financial year commencing on 1 July 1996, to provide additional health services in growth areas.

**Clause 6** appropriates additional funds to the rail entities created following the split up of the former State Rail Authority.

**Clause 7** appropriates additional costs associated with the Victims' Compensation Scheme.

**Clause 8** appropriates the amount required to fund the rebate scheme, announced by the Government in October 1996, for private users of the M4 and M5 tollways.

**Clause 9** appropriates the amount necessary to meet the Gun Buyback Scheme as announced by the Federal Government.

**Clause 10** contains miscellaneous provisions concerning the operation of the proposed Act. Clause 10 (1) provides that the proposed Act is to be construed as part of the *Appropriation Act 1996* (this emphasises that the appropriations are part of the budgetary process for the year 1996–97, and ensures that terms are construed consistently). Clause 10 (2) is consequential on subclause (1), and makes it clear that the appropriations are not limited to meeting shortfalls from other appropriations. Clause 10 (3) validates any

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payment of the appropriated sums before the date of assent to the proposed Act. Clause 10 (3) also provides that the proposed subsection applies whether not the proposed Act is assented to during or after the year 1996–97 (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).