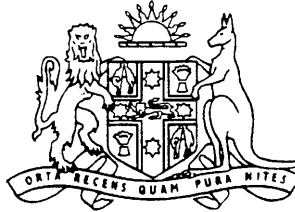


[Act 1998 No 77]



New South Wales

Appropriation (1997–98 Budget Variations) Bill 1998

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.
This Bill is cognate with the *Appropriation Act 1998*.

Overview of Bill

The object of this Bill is to appropriate additional amounts totalling \$1,837,351,000 from the Consolidated Fund for recurrent services and capital works and services for the year 1997–98 for the purpose of giving effect to certain Budget variations required by the exigencies of Government. The largest single additional amount is to repay Commonwealth debt, principally from the sale proceeds of TAB Limited.

The additional amounts are:

Recurrent services	\$515,569,000
Capital works and services	<u>\$1,321,782,000</u>
	\$1,837,351,000

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 1997, which is the date of commencement of the *Appropriation Act 1997*.

Clause 3 appropriates the additional amount for recurrent services.

Clause 4 appropriates the additional amount for capital works and services.

Clause 5 makes it clear that the sums appropriated by the proposed Act are in addition to any other sums appropriated in respect of the year 1997–98.

Clause 6 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 1997* (this emphasises that the appropriations are part of the budgetary process for the year 1997–98, 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) validates any payment of the appropriated sums before the date of assent to the proposed Act. Subclause (3) also provides that the proposed subsection applies whether or not the proposed Act is assented to during or after the year 1997–98 (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).