

New South Wales

Appropriation Bill 2009

Explanatory note

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

The following Bills are cognate with this Bill:

- Appropriation (Parliament) Bill 2009
- Appropriation (Special Offices) Bill 2009
- State Revenue Legislation Amendment Bill 2009

Overview of Bill

The object of this Bill is to appropriate various sums of money required for the recurrent services and capital works and services of the Government during the 2009–2010 financial year.

The Bill relates to appropriations from the Consolidated Fund—the principal account of the Government for General Government transactions. The Consolidated Fund could be considered as the "public purse" and largely comprises receipts from, and payments out of, taxes, fines, some regulatory fees, Commonwealth grants and income from Crown assets.

The Bill for the 2009–2010 year contains an additional appropriation, which allocates revenue raised in connection with changes to gaming machine taxes to the Minister for Health for spending on health related services.

Outline of provisions

Part 1 (clauses 1–3) provides for the name of the proposed Act (also referred to as the short title), commencement on 1 July 2009, and interpretation of references to the financial year to which the proposed Act relates.

Part 2 (clauses 4–25) provides for the appropriations for the financial year of 2009–2010. The amounts appropriated for the 2009–2010 financial year are:

- (a) \$44,989,326,000 for recurrent services, and
- (b) \$6,540,252,000 for capital works and services.

Part 3 (clauses 26 and 27) makes an additional appropriation to the Minister for Health, with this being part of the revenue raised from gaming machine taxes.

Part 4 (clauses 28–31) provides for general matters related to the appropriations set out in the proposed Act.

Clause 28 enables the Treasurer to authorise payment for a purpose, in excess of the sum appropriated for the purpose, in specified circumstances. Clause 29 allows this function to be delegated by the Treasurer.

Clause 30 allows the Treasurer to apply an appropriation differently in the event that responsibility for a service or function is transferred.

Clause 31 allows a Minister to table a Budget Paper in the Legislative Assembly by presenting it to the Clerk of the Legislative Assembly, if the Legislative Assembly is not sitting when the Budget Paper is sought to be tabled.



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Appropriation Bill 2009

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Appropriation Bill 2009

No , 2009

A Bill for

An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Government for the year 2009–10.

See also the Appropriation (Parliament) Bill 2009, the Appropriation (Special Offices) Bill 2009 and the State Revenue Legislation Amendment Bill 2009.

Part 1	Preliminary	
The Legisla	ture of New South Wales enacts:	
Part 1	Preliminary	
1 Name	of Act This Act is the Appropriation Act 2009.	

2

3

Clause 1

3

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Treasurer.

Par	t 2	Appropriations out of the Consolidated Fund	1
4	Geno serv	eral appropriation from Consolidated Fund 2009–10 for recurrent ices	2
	(1)	Out of the Consolidated Fund there are hereby appropriated the sums identified in sections 6 to 25, inclusive, as the sums appropriated by this Act for recurrent services, which sums may be issued and applied for or towards the several uses and purposes expressed in those sections for the recurrent services of the Government for the year 2009–10.	4 5 6 7 8
	(2)	The total sum appropriated out of the Consolidated Fund for the recurrent services of the Government for the year 2009–10, in accordance with the provisions of sections 6 to 25, inclusive, is the sum of \$44,989,326,000.	9 10 11 12
	(3)	Any amounts expended for recurrent services under section 25 of the <i>Public Finance and Audit Act 1983</i> or any Supply Act on or after 1 July 2009 and before the date of assent to this Act are taken to have been expended out of such of the sums for recurrent services set out in sections 6 to 25, inclusive, as may be determined by the Treasurer.	13 14 15 16 17
5		eral appropriation from Consolidated Fund 2009–10 for capital s and services	18 19
	(1)	Out of the Consolidated Fund there are hereby appropriated the sums identified in sections 6 to 25, inclusive, as the sums appropriated by this Act for capital works and services, which sums may be issued and applied for or towards the several uses and purposes expressed in those sections for capital works and services for the year 2009–10.	20 21 22 23 24
	(2)	The total sum appropriated out of the Consolidated Fund for capital works and services for the year 2009–10, in accordance with the provisions of sections 6 to 25, inclusive, is the sum of \$6,540,252,000.	25 26 27

Any amounts expended for capital works and services under section 25

of the *Public Finance and Audit Act 1983* or any Supply Act on or after 1 July 2009 and before the date of assent to this Act are taken to have

been expended out of such of the sums for capital works and services

set out in sections 6 to 25, inclusive, as may be determined by the

)	approp	RRENT SERVICES: The sum of \$682,014,000 oriated to the Premier, and Minister for the Arts for es of the following:	
			\$,000
	01.	Department of Premier and Cabinet	267,439
	02.	Independent Pricing and Regulatory Tribunal of New South Wales	16,322
	03.	Natural Resources Commission	4,548
	04.	Department of the Arts, Sport and Recreation	393,705
		Total, Recurrent Services	682,014
		_	
(2)	hereby	TAL WORKS AND SERVICES: The sum of \$2 appropriated to the Premier, and Minister for the works and services of the following:	
(2)	hereby	appropriated to the Premier, and Minister for the	Arts for the
(2)	hereby capital	appropriated to the Premier, and Minister for the works and services of the following:	Arts for the \$,000
(2)	hereby capital	appropriated to the Premier, and Minister for the works and services of the following: Department of Premier and Cabinet Independent Pricing and Regulatory Tribunal of New	Arts for the \$,000 3,552
(2)	hereby capital 01. 02.	appropriated to the Premier, and Minister for the works and services of the following: Department of Premier and Cabinet Independent Pricing and Regulatory Tribunal of New South Wales	\$,000 3,552 180

2

7			nier, Minister for Climate Change and the Enviro	onment, and	1 2
	(1)	approp the En	RRENT SERVICES: The sum of \$837,354,00 oriated to the Deputy Premier, Minister for Climate vironment, and Minister for Commerce for the recufollowing:	e Change and	3 4 5 6
				\$,000	
		01.	Department of Environment and Climate Change	570,220	
		02.	Environmental Trust	94,588	
		03.	Royal Botanic Gardens and Domain Trust	19,090	
		04.	Department of Commerce	153,456	
			Total, Recurrent Services	837,354	
	(2)	hereby Change	TAL WORKS AND SERVICES: The sum of \$4 appropriated to the Deputy Premier, Minister e and the Environment, and Minister for Community works and services of the following:	for Climate	7 8 9 10
				\$,000	
		01.	Department of Environment and Climate Change	41,562	
		02.	Royal Botanic Gardens and Domain Trust	2,860	
		03.	Department of Commerce	3,394	
			Total, Capital Works and Services	47,816	

8		ster for riginal <i>A</i>	Ageing, Minister for Disability Services, and N Affairs	linister for	1 2
	(1)	approp Servic	URRENT SERVICES: The sum of \$2,198,176, priated to the Minister for Ageing, Minister es, and Minister for Aboriginal Affairs for the recordious following:	for Disability	3 4 5 6
				\$,000	
		01.	Department of Ageing, Disability and Home Care	2,172,123	
		02.	Department of Aboriginal Affairs	26,053	
			Total, Recurrent Services	2,198,176	
	(2)	hereby Servic	ΓAL WORKS AND SERVICES: The sum of \$7 appropriated to the Minister for Ageing, Ministers, and Minister for Aboriginal Affairs for the capes of the following:	r for Disability	7 8 9 10
				\$,000	
		01.	Department of Ageing, Disability and Home Care	\$,000 145,370	
		01. 02.	Department of Ageing, Disability and Home Care Department of Aboriginal Affairs	• •	
			1 6 6,	145,370	
9	Atto	02.	Department of Aboriginal Affairs	145,370 140	11
9	Atto (1)	02. rney Ge RECU approp	Department of Aboriginal Affairs Total, Capital Works and Services	145,370 140 145,510 000 is hereby	11 12 13 14
9		02. rney Ge RECU approp	Department of Aboriginal Affairs Total, Capital Works and Services Eneral, and Minister for Industrial Relations URRENT SERVICES: The sum of \$561,950, oriated to the Attorney General, and Minister	145,370 140 145,510 000 is hereby	12 13
9		02. rney Ge RECU approp	Department of Aboriginal Affairs Total, Capital Works and Services Eneral, and Minister for Industrial Relations URRENT SERVICES: The sum of \$561,950, oriated to the Attorney General, and Minister	145,370 140 145,510 000 is hereby for Industrial	12 13
9		02. rney Ge RECU approp Relatio	Department of Aboriginal Affairs Total, Capital Works and Services Peneral, and Minister for Industrial Relations URRENT SERVICES: The sum of \$561,950, oriated to the Attorney General, and Minister ons for the recurrent services of the following:	145,370 140 145,510 000 is hereby for Industrial \$,000	12 13
9		o2. rney Ge RECU approp Relation	Department of Aboriginal Affairs Total, Capital Works and Services Peneral, and Minister for Industrial Relations URRENT SERVICES: The sum of \$561,950, oriated to the Attorney General, and Minister ons for the recurrent services of the following: Attorney General's Department	145,370 140 145,510 000 is hereby for Industrial \$,000 414,130	12 13

Department of Community Services

Total, Capital Works and Services

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01.

\$,000

26,378

26,378

Clause 10

11	Mini Spec	ster for cial Mini	Corrective Services, Minister for Public Sister of State	ector Reform, and	1 2
	(1)	approp Sector	RRENT SERVICES: The sum of \$804 oriated to the Minister for Corrective Services Reform, and Special Minister of State for the following:	, Minister for Public	3 4 5 6
				\$,000	
		01.	Department of Corrective Services	804,690	
			Total, Recurrent Services	804,690	
	(2)	hereby for Pul	TAL WORKS AND SERVICES: The sum appropriated to the Minister for Corrective blic Sector Reform, and Special Minister of and services of the following:	e Services, Minister	7 8 9 10
				\$,000	
		01.	Department of Corrective Services	130,245	
			Total, Capital Works and Services	130,245	
12	Mini	ster for	Education and Training, and Minister for	Women	11
	(1)		TRRENT SERVICES: The sum of \$10,029		12
	(-)	approp	priated to the Minister for Education and Tra	aining, and Minister	13
		for Wo	omen for the recurrent services of the follow	ing:	14
				\$,000	
		01.	Department of Education and Training	9,933,258	
		02.	Office of the Board of Studies	96,059	
			Total, Recurrent Services	10,029,317	

	(2)	hereby	TAL WORKS AND SERVICES: The sum of appropriated to the Minister for Education ter for Women for the capital works and services.	n and Training, and	1 2 3
				\$,000	
		01.	Department of Education and Training	2,532,549	
		02.	Office of the Board of Studies	431	
			Total, Capital Works and Services	2,532,980	
13	Mini	ster for	Emergency Services, and Minister for Sn	nall Business	4
	(1)		JRRENT SERVICES: The sum of \$129		5
	()	approp	oriated to the Minister for Emergency Service	ces, and Minister for	6
		Small	Business for the recurrent services of the fol	lowing:	7
				\$,000	
		01.	New South Wales Fire Brigades	71,196	
		02.	Department of Rural Fire Service	51,165	
		03.	State Emergency Service	7,193	
			Total, Recurrent Services	129,554	
	(2)	hereby	ΓAL WORKS AND SERVICES: The sur appropriated to the Minister for Emerg ter for Small Business for the capital works ing:	gency Services, and	8 9 10 11
				\$,000	
		01.	New South Wales Fire Brigades	6,424	
		02.	Department of Rural Fire Service	310	
		03.	State Emergency Service	427	
			Total, Capital Works and Services	7,161	

14			Fair Trading, Minister for Citizenship, and Mini on the Arts	ster Assisting	1 2
	(1)	approp and Mi	RRENT SERVICES: The sum of \$11,944, riated to the Minister for Fair Trading, Minister nister Assisting the Premier on the Arts for the refollowing:	for Citizenship,	3 4 5 6
				\$,000	
		01.	Community Relations Commission of New South Wales	11,944	
			Total, Recurrent Services	11,944	
	(2)	approp and Mi	TAL WORKS AND SERVICES: The sum of \$3 riated to the Minister for Fair Trading, Minister inister Assisting the Premier on the Arts for the cases of the following:	for Citizenship,	7 8 9 10
				\$,000	
		01.	Community Relations Commission of New South Wales	35	
			Total, Capital Works and Services	35	
15	Mini	ster for	Gaming and Racing, and Minister for Sport ar	nd Recreation	11
	(1)	approp	RRENT SERVICES: The sum of \$7,057,0 riated to the Minister for Gaming and Racing, a and Recreation for the recurrent services of the form	nd Minister for	12 13 14
				\$,000	
		01.	Casino, Liquor and Gaming Control Authority	7,057	
			Total, Recurrent Services	7,057	

Total, Capital Works and Services

Appropriation Bill 2009

405,446

Clause 16

17	Mini	ster for	Housing, and Minister for Western Sydney		1
		approp	URRENT SERVICES: The sum of \$1,944,817 priated to the Minister for Housing, and Ministry for the recurrent services of the following:		2 3 4
				\$,000	
		01.	Payments to other Government bodies under the control of the Minister for Housing	1,944,817	
			Total, Recurrent Services	1,944,817	
18	Mini Yout	ster for th, and l	Juvenile Justice, Minister for Volunteering, M Minister Assisting the Premier on Veterans' Af	inister for ffairs	5 6
	(1)	approp Volun	URRENT SERVICES: The sum of \$166,505, priated to the Minister for Juvenile Justice teering, Minister for Youth, and Minister Assistiterans' Affairs for the recurrent services of the following the services of	Minister for ing the Premier	7 8 9 10
				\$,000	
		01.	Department of Juvenile Justice	152,036	
		02.	Office for Children	14,469	
			Total, Recurrent Services	166,505	
	(2)	hereby Volun	TAL WORKS AND SERVICES: The sum of appropriated to the Minister for Juvenile Justic teering, Minister for Youth, and Minister Assistiterans' Affairs for the capital works and services of	ce, Minister for ing the Premier	11 12 13 14
				\$,000	
		01.	Department of Juvenile Justice	23,397	
		02.	Office for Children	1,163	
			Total, Capital Works and Services	24,560	

	ster for Local Government, th (Mental Health)	, and Minister Assistin	g the Minister for
(1)	RECURRENT SERVICE appropriated to the Minister for services of the following:	ster for Local Govern	ment, and Minister
			\$,000
	01. Department of Loca	l Government	85,765
	Total, Recurrent Ser	rvices	85,765
(2)	CAPITAL WORKS AND appropriated to the Minister for I and services of the following	ster for Local Govern Health (Mental Health)	ment, and Minister
			\$,000
	01. Department of Loca	l Government	150
	Total, Capital Work	s and Services	150
Mini	ster for Planning, and Minis	ster for Redfern Water	loo
(1)	RECURRENT SERVICE appropriated to the Minist		

Department of Planning

Total, Recurrent Services

Sydney Olympic Park Authority

01.

02.

Appropriation Bill 2009

\$,000

72,861

34,196 107,057

Clause 19

(2)	CAPITAL WORKS AND SERVICES: The sum of \$9,975,000 is
	hereby appropriated to the Minister for Planning, and Minister for
	Redfern Waterloo for the capital works and services of the following:

		\$,000
01.	Department of Planning	3,164
02.	Sydney Olympic Park Authority	6,811
	Total, Capital Works and Services	9,975

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21 Minister for Police, Minister for Lands, and Minister for Rural Affairs

(1) RECURRENT SERVICES: The sum of \$2,237,453,000 is hereby appropriated to the Minister for Police, Minister for Lands, and Minister for Rural Affairs for the recurrent services of the following:

		\$,000
01.	Ministry for Police	7,163
02.	NSW Police Force	2,131,973
03.	New South Wales Crime Commission	15,372
04.	Police Integrity Commission	17,780
05.	Department of Lands	65,165
	Total, Recurrent Services	2,237,453

5

(2)	CAPITAL WORKS AND SERVICES: The sum of \$140,645,000 is
	hereby appropriated to the Minister for Police, Minister for Lands, and
	Minister for Rural Affairs for the capital works and services of the
	following:

		\$,000
01.	Ministry for Police	69
02.	NSW Police Force	136,831
03.	New South Wales Crime Commission	1,561
04.	Police Integrity Commission	1,790
05.	Department of Lands	394
	Total, Capital Works and Services	140,645

22 Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources, and Minister for State Development

(1) RECURRENT SERVICES: The sum of \$1,228,127,000 is hereby appropriated to the Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources, and Minister for State Development for the recurrent services of the following:

		\$,000
01.	Department of Primary Industries	234,078
02.	New South Wales Rural Assistance Authority	258,954
03.	Department of Water and Energy	480,869
04.	Department of State and Regional Development	254,226
	Total, Recurrent Services	1,228,127

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Clause 23 Part 2		Appropriation Bill 20 Appropriations out o	on of the Consolidated Fund		
	(2)	(2) CAPITAL WORKS AND SERVICES: The sum of \$37,43 hereby appropriated to the Minister for Primary Industries, Min Energy, Minister for Mineral Resources, and Minister f Development for the capital works and services of the following		ries, Minister for nister for State	1 2 3 4
				\$,000	
		01. Department of	f Primary Industries	30,860	
		02. New South W	ales Rural Assistance Authority	50	
		03. Department of	f Water and Energy	6,049	
		04. Department of	f State and Regional Development	479	
		Total, Capital	Works and Services	37,438	
23	Minis	ter for Roads			5
	(1)		VICES: The sum of \$1,563,835 finister for Roads for the recurren		6 7 8
				\$,000	
		01. Roads and Tra	affic Authority of New South Wales	1,563,835	
		Total, Recurre	ent Services	1,563,835	
	(2)		AND SERVICES: The sum of \$2 to the Minister for Roads for the caying:		9 10 11
				\$,000	

Roads and Traffic Authority of New South Wales

Total, Capital Works and Services

2,456,187

2,456,187

01.

03.

Advance to the Treasurer

Total, Recurrent Services

24			Transport, and Minister for the Illawarra		1
	(1)	approp	URRENT SERVICES: The sum of \$4,364,122 priated to the Minister for Transport, and Marra for the recurrent services of the following:		2 3 4
				\$,000	
		01.	Ministry of Transport	4,346,222	
		02.	Independent Transport Safety and Reliability Regulator	15,785	
		03.	Office of Transport Safety Investigations	2,115	
			Total, Recurrent Services	4,364,122	
		Illawa	appropriated to the Minister for Transport, and rra for the capital works and services of the following appropriate to the minister for Transport, and real properties of the following appropriate to the Minister for Transport, and real properties are the following appropriate to the Minister for Transport, and real properties are the following appropriate to the Minister for Transport, and real properties are the following appropriate to the Minister for Transport, and real properties are the following appropriate to the following a		6 7
		Illawa		owing:	
		Illawa:	rra for the capital works and services of the follo		
				wing: \$,000	
		01.	rra for the capital works and services of the following the following manner of the following for the	\$,000 14,723	
25	Trea	01.	rra for the capital works and services of the following the following for the follow	\$,000 14,723 20	
25	Trea	01. 02. surer RECU	rra for the capital works and services of the following the following for the follow	\$,000 14,723 20 14,743 8,000 is hereby	7
25		01. 02. surer RECU	Ministry of Transport Office of Transport Safety Investigations Total, Capital Works and Services URRENT SERVICES: The sum of \$5,042,285	\$,000 14,723 20 14,743 8,000 is hereby	7 8 9
25		01. 02. surer RECU	Ministry of Transport Office of Transport Safety Investigations Total, Capital Works and Services URRENT SERVICES: The sum of \$5,042,285	\$,000 14,723 20 14,743 8,000 is hereby of the following:	7 8 9

300,000 5,042,288

Clause 25	Appropriation Bill 2009
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Part 2 Appropriations out of the Consolidated Fund

(2) CAPITAL WORKS AND SERVICES: The sum of \$493,964,000 is hereby appropriated to the Treasurer for the capital works and services of the following:

		\$,000
01.	Treasury	9,461
02.	Crown Finance Entity	344,503
03.	Advance to the Treasurer	140,000
	Total, Capital Works and Services	493,964

Appropriation Bill 2009	App	ropr	iation	Bill	2009
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Clause 26

Additional appropriation for health related services

Part 3

Par	t 3		itional appropriation for health related rices	1 2
26	Addi serv		appropriation from Consolidated Fund 2009–10 for recurrent	3 4
	(1)	identif for rec toward	f the Consolidated Fund there is hereby appropriated the sum fied in section 27, to the Minister specified in relation to that sum, current services, which sum may be issued and applied for or ds the use and purpose expressed in that section for the recurrent es of the Government for the year 2009–10.	5 6 7 8 9
	(2)		otal sum appropriated out of the Consolidated Fund in accordance the provisions of this Part is the sum of \$236,000,000.	10 11
	(3)		um appropriated by this Part is in addition to any other sum priated by this Act for recurrent services.	12 13
	(4)	Public 2009 a expens	mounts expended for recurrent services under section 25 of the <i>EFinance and Audit Act 1983</i> or any Supply Act on or after 1 July and before the date of assent to this Act are taken to have been ded out of such of the sum for recurrent services set out in section may be determined by the Treasurer.	14 15 16 17 18
27			ropriation to Minister for Health—additional revenue from chine taxes	19 20
			URRENT SERVICES: The sum of \$236,000,000 is hereby priated to the Minister for Health for the recurrent services of the ving:	21 22 23
			\$,000	
		01.	Department of Health 236,000	
			Total, Recurrent Services 236,000	
			eates additional revenue raised in connection with changes to gaming Minister for Health for spending on recurrent health related services.	24 25

Part 4		General	1
28	• •		2
	(1)	In this section, <i>purpose</i> means a purpose specified in Part 2 or 3 in relation to a Minister to which a sum is appropriated for recurrent services or for capital works and services.	3 4 5
	(2)	Payment of a sum appropriated under Part 2 or 3 for a purpose may not be made in excess of the sum specified for the purpose or, if the same purpose is specified in Parts 2 and 3, the total sum specified for that purpose, except as provided by this section or Division 4 of Part 2 of the <i>Public Finance and Audit Act 1983</i> .	6 7 8 9 10
	(3)	If the exigencies of government so require, the Treasurer may authorise the payment of a sum in excess of the sum or total 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 (4) and (5).	11 12 13 14 15
	(4)	A sum appropriated for recurrent services may only be paid out for recurrent services and a sum appropriated for capital works and services may only be paid out for capital works and services.	16 17 18
	(5)	A sum appropriated under Part 3 may only be paid out for a purpose specified in Part 3.	19 20
	(6)	This section does not apply to sums appropriated by another Act.	21
	(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.	22 23 24
	(8)	The Treasurer is to inform the Auditor-General of every authorisation given under this section.	25 26
	(9)	An authorisation under this section may be given before or after the relevant payment is made.	27 28
29	Appointment of person to carry out the functions of the Treasurer under section 28		29 30
	(1)	The Treasurer may appoint a person to carry out the Treasurer's functions under section 28.	31 32
	(2)	Any such appointment is subject to such conditions (if any) as the Treasurer determines.	33 34
	(3)	The Treasurer may revoke any such appointment at any time.	35

General Part 4

(4) A person appointed under this section has, in place of the Treasurer, the Treasurer's function under section 28 (8) of informing the Auditor-General of every authorisation given by the person under section 28.

30 Delayed restructures

- (1) Without limiting section 28, if the responsibility for a service or function for which an appropriation is made in this Act is transferred on or after 1 July 2009 because of the determination made before that date 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 issued and applied, in accordance with such determination as may be made by the Treasurer, for or towards the service or function the responsibility for which is transferred.
- (2) Section 24 of the *Public Finance and Audit Act 1983* does not apply to or in respect of an appropriation, service or function to which this section applies.

31 Tabling of Budget Papers

- (1) If the Legislative Assembly is not sitting at the time when a Budget Paper for the year 2009–10 is sought to be tabled in the Legislative Assembly, a Minister may, for the purpose of complying with section 27AB of the *Public Finance and Audit Act 1983*, present the Budget Paper to the Clerk of the Legislative Assembly to be dealt with in accordance with section 63C of that Act.
- (2) Section 63C of the *Public Finance and Audit Act 1983* applies in relation to a Budget Paper that is presented to the Clerk of the Legislative Assembly under this section in the same way as it applies to a report presented to the Clerk of the Legislative Assembly under a provision of that Act.

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