

### New South Wales

## **Appropriation Bill 2019**

### **Explanatory note**

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

The following Bills are cognate with this Bill:

Appropriation (Parliament) Bill 2019

State Revenue and Other Legislation Amendment Bill 2019

#### Overview of Bill

The object of this Bill is to appropriate from the Consolidated Fund various sums of money required during the 2019–20 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 2019–20 financial year contains an additional appropriation which allocates revenue raised in connection with gaming machine taxes to the Minister for Health and Medical Research for spending on health related services.

The Bill for the 2019–20 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 2019–20 financial year.

The Bill also appropriates the additional amounts for recurrent services under section 22 (1) of the *Public Finance and Audit Act 1983*, the details of which are set out in Column 1 of Schedule 1.

### 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 4–13) provides for the appropriations for the services of the specified departments for the financial year of 2019–20. The total amount appropriated is \$82,530,500,000.

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

Part 3 (clause 14) makes an additional appropriation of \$399,926,916 to the Minister for Health and Medical Research, being part of the revenue raised from gaming machine taxes.

### Part 4 Appropriation (Special Offices)

Part 4 (clauses 15–23) provides for the appropriations for the services of the specified offices for the financial year of 2019–20. The total amount appropriated is \$432,911,000.

### Part 5 Commonwealth transfer payments

Part 5 (clause 24) provides for transfer payments of \$4,308,000,000 from the Commonwealth to non-Government schools and local government.

#### Part 6 General

Part 6 (clauses 25–30) provides for general matters related to the appropriations set out in the proposed Act.

Clause 25 enables the Treasurer to authorise payment for a purpose, in excess of the sum appropriated for the purpose, in specified circumstances (including, subject to certain preconditions, if the Treasurer is satisfied that the appropriated sum is insufficient to enable the purpose to be effectively and efficiently carried out). Clause 26 allows the Treasurer to delegate the Treasurer's functions under clause 25. Clause 27 allows a Minister to delegate the Minister's functions under clause 25 (3) (a).

Clause 28 allows the Treasurer to apply an appropriation differently in the event that responsibility for a service is transferred.

Clause 29 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 30 deems certain payments that may be made from the Consolidated Fund on or after 1 July 2019 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 2018–19

Part 7 (clauses 31 and 32) provides for budget variations for the 2018–19 financial year.

Clause 31 appropriates \$6,350,000,000 for recurrent services in accordance with section 22 (1) of the *Public Finance and Audit Act 1983*, as set out in Column 1 of **Schedule 1** to the proposed Act.

Clause 32 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 2018–19 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 2019**

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New South Wales

## **Appropriation Bill 2019**

No , 2019

#### A Bill for

An Act to appropriate out of the Consolidated Fund sums for the services of the Government for the year 2019–20 and to make an additional appropriation to give effect to budget variations for the year 2018–19.

See also the Appropriation (Parliament) Bill 2019 and the State Revenue and Other Legislation Amendment Bill 2019.

The	Legisl	ature	of New South Wales enacts:	1
Par	t 1	Pre	eliminary	2
1	Nam	e of A	act	3
		This	Act is the Appropriation Act 2019.	4
2	Com	menc	ement	5
		This	Act commences on the date of assent to this Act.	6
3	Inter	preta	tion	7
		In th	is Act:	8
		(a)	a reference to <i>services</i> for which this Act makes an appropriation includes a reference to the following:	9 10
			(i) recurrent services,	11
			(ii) capital works and services,	12
			(iii) repayment of debt, and	13
		(b)	a reference to the year 2018–19 is a reference to the year from 1 July 2018 to 30 June 2019, and	14 15
		(c)	a reference to the year 2019–20 is a reference to the year from 1 July 2019 to 30 June 2020.	16 17

Part Note. T	he total a	ppropriation (Department out of the Consolid	•	for the year 2019–20 in	1
		nis Part is \$82,530,500,000.			3
Divis	ion 1	Customer Service			4
4	Departm	ent of Customer Service			5
	This Act appropriates the sum of \$988,772,000 to the Minister for Customer Service out of the Consolidated Fund for the services of the Department of Customer Service for the year 2019–20.  Note: The appropriation will fund services, disaggregated across State outcomes as follows:				
			Expenses \$,000	Capital expenditure \$,000	
	01	Competitive, fair and secure markets	576,446	31,082	
	02	Excellence in customer service	413,997	88,533	
	03	Digital leadership and innovation in government services	179,799	22,279	
	04	Cluster grants and other adjustments	415,703	_	
Divis	ion 2	Education			10
5	Departm	ent of Education			11
	Ear De	s Act appropriates the sum of \$18,08 by Childhood Learning out of the partment of Education for the year 20 be: The appropriation will fund services, of	Consolidated Fund : 019–20.	for the services of the	12 13 14 15
			Expenses \$,000	Capital expenditure \$,000	
	01	Educational foundations for success	15,775,650	2,242,319	
	02	Skilled and employable workforce	1,856,382	250	
	03	Best start in life for young children	526,741	_	
	04	Cluster grants	34,398	_	
Divis	ion 3	Health			16
6	Ministry	of Health			17
	Me He <b>No</b> t	s Act appropriates the sum of \$14,7 dical Research out of the Consolidate alth for the year 2019–20.  e: The appropriations under this section as State outcomes as follows:	ted Fund for the serv	vices of the Ministry of	18 19 20 21 22

			Expenses \$,000	Capital expenditure \$,000		
	01	Improved service in hospitals	20,087,244	2,593,712		
	02	Mentally healthy communities	2,102,871	72,709		
	03	Healthy, resilient communities	1,661,562	73,865		
	04	World class research and innovation	109,279	_		
	05	Cluster grants	30,609	_		
Division	4	Planning, Industry and Envi	ironment		1	
7 Depa	artmen	t of Planning, Industry and Enviro	nment		2	
	This Act appropriates the sum of \$3,183,305,000 to the Minister for Planning and Public Spaces out of the Consolidated Fund for the services of the Department of Planning, Industry and Environment for the year 2019–20.  Note: The appropriation will fund services, disaggregated across State outcomes as follows:					
			Expenses \$,000	Capital expenditure \$,000		
	01	Resilient and sustainable environment and energy	1,394,413	180,944		
	02	Sustainable and productive regional industries and communities	1,089,320	206,539		
	03	Maximise community benefit from government land and property	845,405	63,466		
	04	Create a strong and liveable NSW	753,939	30,668		
	05	Sustainable and secure water resources	379,238	23,231		
	06	Cluster grants and other adjustments	692,631	_		
Division	5	Premier and Cabinet			7	
8 Depa	artmen	t of Premier and Cabinet			8	
This Act appropriates the sum of \$1,520,538,000 to the Premier out of the Consolidated Fund for the services of the Department of Premier and Cabinet for the year 2019–20.					9 10 11	
	Note:	The appropriation will fund services, disa	aggregated across S	tate outcomes as follows:	12	
			Expenses \$,000	Capital expenditure \$,000		

370,431

286,737

01

Excellence in arts, culture and heritage

				Expenses \$,000	Capital expenditure \$,000	
		02	Effective and coordinated government	284,723	8,574	
		03	Empowering Aboriginal communities	47,521	94	
		04	Accountable and responsible government	460	_	
		05	Cluster grants	705,950	_	
Divi	sion	6	Stronger Communities			1
9	Depa	artmen	t of Family and Community Servic	es and Justice		2
		Conse Servi	Act appropriates the sum of \$15,420, olidated Fund for the services of the ces and Justice for the year 2019–20. The appropriation will fund services, disa	e Department of F	Samily and Community	3 4 5 6
				Expenses \$,000	Capital expenditure \$,000	
		01	Enable people with disability to live independently	3,098,738	28,932	
		02	Protect children and families	2,384,066	23,050	
		03	Breaking the cycle of reoffending	2,068,267	756,098	
		04	Provide a safe and affordable place to live	976,981	7,307	
		05	Effective and efficient resolution of legal disputes	653,318	21,855	
		06	Maintain rights and records	385,026	31,271	
		07	Resilient to disasters and emergencies	174,470	325	
		08	Build inclusive communities	98,723	1,222	
		09	Cluster grants	5,635,219	_	
Divi	sion	7	Transport			7
10	Tran	sport f	or NSW			8
	(1) This Act appropriates the sum of \$14,143,868,000 to the Minister for Transport and Roads out of the Consolidated Fund for the services of Transport for NSW for the year 2019–20.  Note: The appropriation will fund services, disaggregated across State outcomes as follows:					9 10 11 12
				Expenses	Capital expenditure	
				\$,000	\$,000	
		01	Safe and reliable travel	5,762,364	1,616,373	
		02	Accessible transport	985,690	128,709	

				Expenses \$,000	Capital expenditure \$,000	
		03	Successful places	579,986	8,854,476	
		04	Cluster grants and other adjustments	7,313,581	_	
	(2)		erence in this section to Transportment of Transport.	t for NSW inclu-	des a reference to the	1 2
Divi	sion	8	Treasury			3
11	The	Treasu	ry			4
	This Act appropriates the sum of \$368,168,000 to the Treasurer out of the Consolidated Fund for the services of The Treasury for the year 2019–20.					
		Note:	The appropriation will fund services, disa	aggregated across S	tate outcomes as follows:	7
				Expenses \$,000	Capital expenditure \$,000	
		01	Driving the economic growth of NSW	202,267	3,240	
		02	Sustainable fiscal position to enable delivery of outcomes	80,854	4,560	
		03	Cluster grants	133,346	_	
12	Crov	vn Fina	nce Entity			8
	This Act appropriates the sum of \$14,498,083,000 to the Treasurer out of the Consolidated Fund for the services of the Crown Finance Entity for the year 2019–20.  Note: The appropriation will fund services for the following State outcome:					9 10 11 12
				Expenses \$,000	Capital expenditure \$,000	
		01	Effective capital and balance sheet optimisation	9,819,496	_	
13	App	ropriati	on to the Treasurer for State cont	ingencies		13
			Act appropriates the sum of \$12 blidated Fund for State contingencies			14 15

Part	3	Additional appropriation for health related services	1
14	Special appropriation to Minister for Health and Medical Research—additional revenue from gaming machine taxes		2
	(1)	This Act appropriates the sum of \$399,926,916 to the Minister for Health and Medical Research out of the Consolidated Fund for the services of the Ministry of Health for the year 2019–20.	4 5
	(2)	The sum appropriated is in addition to any other sum appropriated by this Act.	7

Par	t 4	Appr	opriation (Special Office	es)		1
Note.	The to	tal amou with this F	nt appropriated out of the Consolidated Part is \$432,911,000.	d Fund for services	s for the year 2019–20 in	2
15	Judio	cial Com	nmission of New South Wales			4
	This Act appropriates the sum of \$5,385,000 to the Attorney General out of the Consolidated Fund for the services of the Judicial Commission of New South Wales for the year 2019–20.  Note: The appropriation will fund services for the following State outcome:					5 6 7 8
				g		J
				Expenses \$,000	Capital expenditure \$,000	
		01	Effective and efficient resolution of legal disputes	6,734	150	
16	Offic	e of the	Director of Public Prosecutions			9
		Consol	ct appropriates the sum of \$147,33' idated Fund for the services of utions for the year 2019–20.			10 11 12
		Note: T	he appropriation will fund services for the	e following State o	utcome:	13
				Expenses \$,000	Capital expenditure \$,000	
		01	Effective and efficient resolution of legal disputes	173,740	3,308	
17	Offic	e of the	Children's Guardian			14
	This Act appropriates the sum of \$28,407,000 to the Minister for Families, Communities and Disability Services out of the Consolidated Fund for the services of the Office of the Children's Guardian for the year 2019–20.  Note: The appropriation will fund services for the following State outcome:					15 16 17 18
				Expenses \$,000	Capital expenditure \$,000	
		01	Protect children and families	52,766	5,364	
18	Inde	pendent	Commission Against Corruption			19
		This Ac Fund for year 20	ct appropriates the sum of \$24,899,0 or the services of the Independent 019–20.	00 to the Premier Commission Aga	out of the Consolidated inst Corruption for the	20 21 22
		•	he appropriation will fund services for th	e following State o	utcome:	23
				Expenses \$,000	Capital expenditure \$,000	
		01	Accountable and responsible government	25,765	800	

				1	
out of Regula	the Consolidated Fund for the seatory Tribunal for the year 2019–20.	ervices of the In-	dependent Pricing and	2 3 4 5	
Note.	The appropriation will fulfu services for the	e following State of	atcome.		
		Expenses \$,000	Capital expenditure \$,000		
01	Competitive, fair and secure markets	32,920	6,724		
Law Enforce	ement Conduct Commission			6	
Fund f	for the services of the Law Enforce			7 8 9	
		e following State oເ	utcome:	10	
		Expenses \$,000	Capital expenditure \$,000		
01	Accountable and responsible government	24,706	7,282		
New South \	Wales Electoral Commission			11	
Conso	lidated Fund for the services of the l			12 13 14	
	· ·	e following State oเ	utcome:	15	
		Expenses \$,000	Capital expenditure \$,000		
01	Accountable and responsible government	106,075	15,905		
Ombudsmaı	n's Office			16	
This Act appropriates the sum of \$29,045,000 to the Premier out of the Consolidated Fund for the services of the Ombudsman's Office for the year 2019–20.  Note: The appropriation will fund services for the following State outcome:					
		Expenses	Capital expenditure		
		\$,000	\$,000		
01	Accountable and responsible government	31,048	300		
Public Servi	ce Commission			20	
Fund f	for the services of the Public Service	Commission for t	the year 2019–20.	21 22 23	
	out of Regula Note: 1  01  Law Enforce This A Fund of 2019— Note: 1  01  New South N  This A Conso for the Note: 1  01  Public Servi This A Fund of Fund of Note: 1	out of the Consolidated Fund for the se Regulatory Tribunal for the year 2019–20.  Note: The appropriation will fund services for the consolidated Fund for the services of the Law Enforce 2019–20.  Note: The appropriates the sum of \$24,199,0 Fund for the services of the Law Enforce 2019–20.  Note: The appropriation will fund services for the government.  New South Wales Electoral Commission  This Act appropriates the sum of \$11 Consolidated Fund for the services of the for the year 2019–20.  Note: The appropriation will fund services for the government.  Ombudsman's Office  This Act appropriates the sum of \$29,045,0 Fund for the services of the Ombudsman's Note: The appropriation will fund services for the government.  Public Service Commission  This Act appropriates the sum of \$28,287,0 Fund for the services of the Public Service	out of the Consolidated Fund for the services of the In Regulatory Tribunal for the year 2019–20.  Note: The appropriation will fund services for the following State of State	Rote: The appropriation will fund services for the following State outcome:    Expenses   Capital expenditure   \$,000   \$,000	

		Expenses	Capital expenditure
		\$,000	\$,000
01	Accountable and responsible government	44,854	174

Par	t 5	Commonwealth transfer payments	1
24	Аррі	opriation for Commonwealth transfer payments	2
	(1)	This Act appropriates the sum of \$4,308,000,000 to the Treasurer out of the Consolidated Fund, for Commonwealth transfer payments to non-Government schools and local government for services for the year 2019–20.	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 section 4.11 of the <i>Government Sector Finance Act 2018</i> .	7

Part 6		General	1
25	Varia	ations of authorised payments from Consolidated Fund	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 Part 4 of the <i>Government Sector Finance Act 2018</i> .	3 4 5
	(2)	If the exigencies of government so require, the Treasurer may authorise the payment of a sum appropriated for a purpose in excess of the sum specified for the 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.	6 7 8 9
	(3)	If the Treasurer is satisfied that a sum appropriated for a purpose is insufficient to enable the purpose to be effectively and efficiently carried out, the Treasurer may authorise the payment of a sum in excess of the sum specified for the purpose, but only if:	10 11 12 13
		(a) 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	14 15 16
		(b) the equivalent sum is not paid out for the other purpose.	17
	(4)	Subsections (2) and (3) are subject to subsections (5)–(8).	18
	(5)	The sums appropriated under Part 2 may only be paid out for any of the purposes specified in Part 2.	19 20
	(6)	The sum appropriated under Part 3 may only be paid out for the purpose specified in Part 3.	21 22
	(7)	The sums appropriated under Part 4 may only be paid out for any of the purposes specified in Part 4.	23 24
	(8)	The sum appropriated under Part 5 may only be paid out for the purpose specified in Part 5.	25 26
	(9)	This section does not apply to sums appropriated by another Act.	27
	(10)	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.	28 29 30
	(11)	The Treasurer is to inform the Auditor-General of every authorisation given under this section.	31 32
	(12)	An authorisation under this section may be given before or after the payment is made.	33
26	Appointment of person to carry out functions of Treasurer under section 25		
	(1)	The Treasurer may appoint a person to carry out the Treasurer's functions under section 25.	35 36
	(2)	The appointment is subject to the conditions (if any) that the Treasurer determines.	37
	(3)	The Treasurer may revoke the appointment at any time.	38
	(4)	A person appointed under this section has, in place of the Treasurer, the Treasurer's function under section 25 (11) of informing the Auditor-General of every authorisation given by the person under section 25.	39 40 41

27	Appointment of person to carry out functions of Minister under section 25 (3) (a)				
	(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 25 (3) (a).	2 3 4		
	(2)	The appointment is subject to the conditions (if any) that the Minister determines.	5		
	(3)	The Minister may revoke the appointment at any time.	6		
	(4)	In this section:	7		
		accountable authority, for a GSF agency, has the same meaning as in the Government Sector Finance Act 2018.	8 9		
		GSF agency has the same meaning as in the Government Sector Finance Act 2018.	10		
28	Delayed restructures				
	(1)	Without limiting section 25, 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 a determination made before 1 July 2019 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.	12 13 14 15 16 17 18		
	(2)	Section 4.9 of the <i>Government Sector Finance Act 2018</i> does not apply to or in respect of an appropriation or service to which this section applies.	20 21		
29	Budget related information				
	(1)	In this section:	23		
	. ,	budget related information means:	24		
		(a) notes included in this Act relating to expenses and capital expenditure, and	25		
		(b) Budget Papers of the Government tabled in Parliament in connection with the Bill for this Act.	26 27		
		this Act includes the Appropriation (Parliament) Act 2019.	28		
	(2)	Budget related information:	29		
		(a) does not form part of this Act, and	30		
		(b) does not affect the application of any amount appropriated by this Act.	31		
30	Payments authorised on lapse of appropriation				
	(1)	This section applies only if this Act is assented to after 1 July 2019.	33		
	(2)	Any amounts expended for services under section 4.10 of the <i>Government Sector Finance Act 2018</i> or any Supply Act on or after 1 July 2019 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.	34 35 36 37 38		

#### Part 7 **Budget variations for the year 2018–19** Payments made during 2018-19 under section 22 of Public Finance and Audit Act This Act appropriates the sum of \$6,350,000,000, being the total of the sums (1) specified in Column 1 of Schedule 1, out of the Consolidated Fund to provide for the payments for recurrent services specified opposite those sums in Schedule 1, made in anticipation of appropriation by Parliament under section 22 (1) of the Public Finance and Audit Act 1983 required for the exigencies of Government during the year 2018–19. The sum appropriated is in addition to any other sums that may have been (2) 10 appropriated, subject to the adjustment of the vote "Advance to the Treasurer" for the 11 year 2018–19. 12 32 Operation of budget variations and validation of expenditure 13 This Act, to the extent that it appropriates an amount for, and otherwise gives effect 14 to, the budget variations for the year 2018–19, is to be construed as if it formed part 15 of the annual Appropriation Act for the year 2018–19 and to have effect as if it had 16 commenced at the start of that year. 17 (2) The payment before the date of assent to this Act out of the Consolidated Fund of the 18 whole or any part of the sum appropriated under section 31 is validated. This 19 subsection applies despite this Act being assented to after the year 2018–19. 20 To the extent (if any) to which it may be necessary to do so, the expenditure of the 21 whole or any part of the sum appropriated under section 31 before the date of assent 22 to this Act: 23 is taken to have been validly approved at the time it was approved, or was 24 purported to have been approved, and 25 is taken to have been validly made at the time it was made, or purported to 26 have been made, 27 and is taken thereafter to be, and to have been at all relevant times, validly approved 28 and made.

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## Schedule 1 Payments during 2018–19

(Section 31)

	Column 1
	s 22 PF&A Act
	Amount \$,000
TREASURER	Amount 4,000
RECURRENT SERVICES	
Crown Finance Entity	
To transfer proceeds of the sale of Westconnex (WCX) to the Debt Retirement Fund for the purpose of reducing the debt of the State	5,900,000
Emergency drought relief package	150,000
Total Crown Finance Entity	6,050,000
TOTAL—TREASURER	6,050,000
MINISTER FOR PRIMARY INDUSTRIES	
RECURRENT SERVICES	
Department of Industry	
Emergency drought relief package	300,000
Total Department of Industry	300,000
TOTAL—MINISTER FOR PRIMARY INDUSTRIES	300,000
TOTAL—RECURRENT SERVICES	6,350,000
TOTAL—SECTION 22 PF&A ACT	6,350,000