

# Appropriation Act 2019 No 3

[2019-3]



New South Wales

## Status Information

### Currency of version

Repealed version for 25 June 2019 to 20 November 2024 (accessed 14 January 2025 at 6:02)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

This Act was repealed by the [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2024 No 82](#), Sch 5 with effect from 21.11.2024.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 21 November 2024

# Appropriation Act 2019 No 3



New South Wales

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# Appropriation Act 2019 No 3



New South Wales

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.

## Part 1 Preliminary

### 1 Name of Act

This Act is the *Appropriation Act 2019*.

### 2 Commencement

This Act commences on the date of assent to this Act.

### 3 Interpretation

In this Act:

- (a) a reference to **services** for which this Act makes an appropriation includes a reference to the following:
  - (i) recurrent services,
  - (ii) capital works and services,
  - (iii) repayment of debt, and
- (b) a reference to the year 2018–19 is a reference to the year from 1 July 2018 to 30 June 2019, and
- (c) a reference to the year 2019–20 is a reference to the year from 1 July 2019 to 30 June 2020.

## Part 2 Appropriation (Departments)

### Note—

The total amount appropriated out of the Consolidated Fund for services for the year 2019–20 in accordance with this Part is \$82,530,500,000.

## Division 1 Customer Service

### 4 Department of Customer Service

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:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 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                    | —                                     |

## Division 2 Education

### 5 Department of Education

This Act appropriates the sum of \$18,085,890,000 to the Minister for Education and Early Childhood Learning out of the Consolidated Fund for the services of the Department of Education for the year 2019-20.

**Note—**

The appropriation will fund services, disaggregated across State outcomes as follows:

|    |                                       | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|---------------------------------------|----------------------------|---------------------------------------|
| 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                     | —                                     |

## Division 3 Health

### 6 Ministry of Health

This Act appropriates the sum of \$14,201,094,000 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.

**Note—**

The appropriations under this section and section 14 will fund services, disaggregated across State outcomes as follows:

|    |                                     | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|-------------------------------------|----------------------------|---------------------------------------|
| 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 Environment**

### **7 Department of Planning, Industry and Environment**

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:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 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**

### **8 Department of Premier and Cabinet**

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.

**Note—**

The appropriation will fund services, disaggregated across State outcomes as follows:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 01 | Excellence in arts, culture and heritage | 370,431                    | 286,737                               |
| 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                    | —                                     |

**Division 6 Stronger Communities****9 Department of Family and Community Services and Justice**

This Act appropriates the sum of \$15,420,782,000 to the Attorney General out of the Consolidated Fund for the services of the Department of Family and Community Services and Justice for the year 2019–20.

**Note—**

The appropriation will fund services, disaggregated across State outcomes as follows:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 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                  | —                                     |



## Division 7 Transport

### 10 Transport for NSW

(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:

|    |                                      | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--------------------------------------|----------------------------|---------------------------------------|
| 01 | Safe and reliable travel             | 5,762,364                  | 1,616,373                             |
| 02 | Accessible transport                 | 985,690                    | 128,709                               |
| 03 | Successful places                    | 579,986                    | 8,854,476                             |
| 04 | Cluster grants and other adjustments | 7,313,581                  | —                                     |

(2) A reference in this section to Transport for NSW includes a reference to the Department of Transport.

## Division 8 Treasury

### 11 The Treasury

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, disaggregated across State outcomes as follows:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 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 Crown Finance Entity

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:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 01 | Effective capital and balance sheet optimisation | 9,819,496                  | —                                     |

### **13 Appropriation to the Treasurer for State contingencies**

This Act appropriates the sum of \$120,000,000 to the Treasurer out of the Consolidated Fund for State contingencies for the year 2019-20.

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

### **14 Special appropriation to Minister for Health and Medical Research—additional revenue from gaming machine taxes**

(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.

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

## **Part 4 Appropriation (Special Offices)**

#### **Note—**

The total amount appropriated out of the Consolidated Fund for services for the year 2019-20 in accordance with this Part is \$432,911,000.

### **15 Judicial Commission of New South Wales**

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:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 01 | Effective and efficient resolution of legal disputes | 6,734                      | 150                                   |

### **16 Office of the Director of Public Prosecutions**

This Act appropriates the sum of \$147,337,000 to the Attorney General out of the Consolidated Fund for the services of the Office of the Director of Public Prosecutions for the year 2019-20.

#### **Note—**

The appropriation will fund services for the following State outcome:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 01 | Effective and efficient resolution of legal disputes | 173,740                    | 3,308                                 |

### **17 Office of the Children’s Guardian**

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:

|    |                               | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|-------------------------------|----------------------------|---------------------------------------|
| 01 | Protect children and families | 52,766                     | 5,364                                 |

### **18 Independent Commission Against Corruption**

This Act appropriates the sum of \$24,899,000 to the Premier out of the Consolidated Fund for the services of the Independent Commission Against Corruption for the year 2019–20.

**Note—**

The appropriation will fund services for the following State outcome:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 01 | Accountable and responsible government | 25,765                     | 800                                   |

### **19 Independent Pricing and Regulatory Tribunal**

This Act appropriates the sum of \$30,996,000 to the Minister for Customer Service out of the Consolidated Fund for the services of the Independent Pricing and Regulatory Tribunal for the year 2019–20.

**Note—**

The appropriation will fund services for the following State outcome:

|    |                                      | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--------------------------------------|----------------------------|---------------------------------------|
| 01 | Competitive, fair and secure markets | 32,920                     | 6,724                                 |

### **20 Law Enforcement Conduct Commission**

This Act appropriates the sum of \$24,199,000 to the Premier out of the Consolidated Fund for the services of the Law Enforcement Conduct Commission for the year 2019–20.

**Note—**

The appropriation will fund services for the following State outcome:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 01 | Accountable and responsible government | 24,706                     | 7,282                                 |

**21 New South Wales Electoral Commission**

This Act appropriates the sum of \$114,356,000 to the Premier out of the Consolidated Fund for the services of the New South Wales Electoral Commission for the year 2019–20.

**Note—**

The appropriation will fund services for the following State outcome:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 01 | Accountable and responsible government | 106,075                    | 15,905                                |

**22 Ombudsman’s Office**

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:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 01 | Accountable and responsible government | 31,048                     | 300                                   |

**23 Public Service Commission**

This Act appropriates the sum of \$28,287,000 to the Premier out of the Consolidated Fund for the services of the Public Service Commission for the year 2019–20.

**Note—**

The appropriation will fund services for the following State outcome:

|    |  | <b>Expenses<br/>\$,000</b> | <b>Capital expenditure<br/>\$,000</b> |
|----|--|----------------------------|---------------------------------------|
| 01 | Accountable and responsible government | 44,854                     | 174                                   |

## **Part 5 Commonwealth transfer payments**

### **24 Appropriation for Commonwealth transfer payments**

- (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.
- (2) The sum appropriated is in addition to any other sum appropriated by this Act.
- (3) The sum appropriated is subject to section 4.11 of the *Government Sector Finance Act 2018*.

## **Part 6 General**

### **25 Variations of authorised payments from Consolidated Fund**

- (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 *Government Sector Finance Act 2018*.
- (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.
- (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:
  - (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
  - (b) the equivalent sum is not paid out for the other purpose.
- (4) Subsections (2) and (3) are subject to subsections (5)-(8).
- (5) The sums appropriated under Part 2 may only be paid out for any of the purposes specified in Part 2.
- (6) The sum appropriated under Part 3 may only be paid out for the purpose specified in Part 3.
- (7) The sums appropriated under Part 4 may only be paid out for any of the purposes specified in Part 4.

- (8) The sum appropriated under Part 5 may only be paid out for the purpose specified in Part 5.
- (9) This section does not apply to sums appropriated by another Act.
- (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.
- (11) The Treasurer is to inform the Auditor-General of every authorisation given under this section.
- (12) An authorisation under this section may be given before or after the payment is made.

## **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.
- (2) The appointment is subject to the conditions (if any) that the Treasurer determines.
- (3) The Treasurer may revoke the appointment at any time.
- (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.

## **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) The appointment is subject to the conditions (if any) that the Minister determines.
- (3) The Minister may revoke the appointment at any time.
- (4) In this section:

**accountable authority**, for a GSF agency, has the same meaning as in the [Government Sector Finance Act 2018](#).

**GSF agency** has the same meaning as in the [Government Sector Finance Act 2018](#).

## **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.

- (2) Section 4.9 of the *Government Sector Finance Act 2018* does not apply to or in respect of an appropriation or service to which this section applies.

## **29 Budget related information**

- (1) In this section:

***budget related information*** means:

- (a) notes included in this Act relating to expenses and capital expenditure, and
- (b) Budget Papers of the Government tabled in Parliament in connection with the Bill for this Act.

***this Act*** includes the *Appropriation (Parliament) Act 2019*.

- (2) Budget related information:

- (a) does not form part of this Act, and
- (b) does not affect the application of any amount appropriated by this Act.

## **30 Payments authorised on lapse of appropriation**

- (1) This section applies only if this Act is assented to after 1 July 2019.
- (2) Any amounts expended for services under section 4.10 of the *Government Sector Finance Act 2018* 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.

## **Part 7 Budget variations for the year 2018-19**

### **31 Payments made during 2018-19 under section 22 of *Public Finance and Audit Act 1983***

- (1) This Act appropriates the sum of \$6,350,000,000, being the total of the sums 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.

- (2) The sum appropriated is in addition to any other sums that may have been appropriated, subject to the adjustment of the vote “Advance to the Treasurer” for the year 2018-19.

### 32 Operation of budget variations and validation of expenditure

- (1) This Act, to the extent that it appropriates an amount for, and otherwise gives effect to, the budget variations for the year 2018-19, is to be construed as if it formed part of the annual Appropriation Act for the year 2018-19 and to have effect as if it had commenced at the start of that year.
- (2) The payment before the date of assent to this Act out of the Consolidated Fund of the whole or any part of the sum appropriated under section 31 is validated. This subsection applies despite this Act being assented to after the year 2018-19.
- (3) To the extent (if any) to which it may be necessary to do so, the expenditure of the whole or any part of the sum appropriated under section 31 before the date of assent to this Act:
- (a) is taken to have been validly approved at the time it was approved, or was purported to have been approved, and
- (b) is taken to have been validly made at the time it was made, or purported to have been made,
- and is taken thereafter to be, and to have been at all relevant times, validly approved and made.

## Schedule 1 Payments during 2018-19

(Section 31)

|   | <b>Column 1</b>          |
|---|--------------------------|
|   | <b>s 22 PF&amp;A Act</b> |
|   | <b>Amount \$,000</b>     |
| <b>TREASURER</b>  |                          |
| RECURRENT SERVICES  |                          |
| <b>Crown Finance Entity</b>   |                          |
| <i>To transfer proceeds of the sale of Westconnex (WCX) to the Debt Retirement Fund for the purpose of reducing the debt of the State</i> | 5,900,000                |
| <i>Emergency drought relief package</i>   | 150,000                  |
| <b>Total Crown Finance Entity</b>   | <b>6,050,000</b>         |
| <b>TOTAL—TREASURER</b>  | <b>6,050,000</b>         |



**MINISTER FOR PRIMARY INDUSTRIES**

RECURRENT SERVICES

**Department of Industry**

*Emergency drought relief package*

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300,000

**Total Department of Industry**

**300,000**

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**TOTAL—MINISTER FOR PRIMARY INDUSTRIES**

**300,000**

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**TOTAL—RECURRENT SERVICES**

**6,350,000**

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**TOTAL—SECTION 22 PF&A ACT**

**6,350,000**

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