

Appropriation Act 2006 No 46

[2006-46]



New South Wales

Status Information

Currency of version

Repealed version for 20 June 2006 to 6 December 2007 (accessed 12 July 2024 at 2:16)

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**

The Act was repealed by Part 1 of Sch 5 to the *Statute Law (Miscellaneous Provisions) Act (No 2) 2007* No 82 with effect from 7.12.2007.

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 7 December 2007

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Appropriation Act 2006 No 46



New South Wales

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 2006-07.

Part 1 Preliminary

1 Name of Act

This Act is the *Appropriation Act 2006*.

2 Commencement

This Act commences or is taken to have commenced on 1 July 2006.

3 Interpretation

In this Act, a reference to the year 2006-07 is a reference to the year from 1 July 2006 to 30 June 2007.

Part 2 Appropriations out of the Consolidated Fund

4 General appropriation from Consolidated Fund 2006-07 for recurrent services

- (1) Out of the Consolidated Fund there are hereby appropriated the sums identified in sections 6 to 24, 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 2006-07.
- (2) The total sum appropriated out of the Consolidated Fund for the recurrent services of the Government for the year 2006-07, in accordance with the provisions of sections 6 to 24, inclusive, is the sum of \$37,119,060,000.
- (3) Any amounts expended for recurrent services under section 25 of the *Public Finance and Audit Act 1983* or any Supply Act on or after 1 July 2006 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 24, inclusive, as may be determined by the Treasurer.

5 General appropriation from Consolidated Fund 2006-07 for capital works and services

- (1) Out of the Consolidated Fund there are hereby appropriated the sums identified in sections 6 to 24, 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 2006-07.
- (2) The total sum appropriated out of the Consolidated Fund for capital works and services for the year 2006-07, in accordance with the provisions of sections 6 to 24, inclusive, is the sum of \$3,334,794,000.
- (3) 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 2006 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 24, inclusive, as may be determined by the Treasurer.

6 Premier, Minister for State Development, and Minister for Citizenship

- (1) RECURRENT SERVICES: The sum of \$375,703,000 is hereby appropriated to the Premier, Minister for State Development, and Minister for Citizenship for the recurrent services of the following:

		\$,000
01.	The Cabinet Office	35,215
02.	Premier's Department	141,751
03.	Independent Pricing and Regulatory Tribunal	15,109
04.	Natural Resources Commission	4,373
05.	Department of State and Regional Development	168,023
06.	Community Relations Commission	11,232
	Total, Recurrent Services	375,703

- (2) CAPITAL WORKS AND SERVICES: The sum of \$4,208,000 is hereby appropriated to the Premier, Minister for State Development, and Minister for Citizenship for the capital works and services of the following:

		\$,000
01.	The Cabinet Office	591
02.	Premier's Department	1,320

03.	Independent Pricing and Regulatory Tribunal	180
04.	Natural Resources Commission	300
05.	Department of State and Regional Development	1,667
06.	Community Relations Commission	150
	Total, Capital Works and Services	<u>4,208</u>

7 Minister for Aboriginal Affairs

(1) RECURRENT SERVICES: The sum of \$30,645,000 is hereby appropriated to the Minister for Aboriginal Affairs for the recurrent services of the following:

		\$,000
01.	Department of Aboriginal Affairs	30,645
	Total, Recurrent Services	<u>30,645</u>

(2) CAPITAL WORKS AND SERVICES: The sum of \$39,000 is hereby appropriated to the Minister for Aboriginal Affairs for the capital works and services of the following:

		\$,000
01.	Department of Aboriginal Affairs	39
	Total, Capital Works and Services	<u>39</u>

8 Attorney General, Minister for the Environment, and Minister for the Arts

(1) RECURRENT SERVICES: The sum of \$1,317,096,000 is hereby appropriated to the Attorney General, Minister for the Environment, and Minister for the Arts for the recurrent services of the following:

		\$,000
01.	Attorney General's Department	411,196
02.	Judicial Commission of New South Wales	4,400
03.	Legal Aid Commission of New South Wales	87,125
04.	Department of Environment and Conservation	350,196
05.	Environmental Trust	76,497
06.	Royal Botanic Gardens and Domain Trust	17,379

07.	Department of the Arts, Sport and Recreation	370,303
	Total, Recurrent Services	<u>1,317,096</u>

(2) CAPITAL WORKS AND SERVICES: The sum of \$214,124,000 is hereby appropriated to the Attorney General, Minister for the Environment, and Minister for the Arts for the capital works and services of the following:

	\$,000	
01.	Attorney General's Department	124,965
02.	Judicial Commission of New South Wales	150
03.	Legal Aid Commission of New South Wales	4,356
04.	Department of Environment and Conservation	46,327
05.	Royal Botanic Gardens and Domain Trust	5,540
06.	Department of the Arts, Sport and Recreation	32,786
	Total, Capital Works and Services	<u>214,124</u>

9 Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, and Minister for Disability Services

(1) RECURRENT SERVICES: The sum of \$1,792,868,000 is hereby appropriated to the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, and Minister for Disability Services for the recurrent services of the following:

	\$,000	
01.	Department of Commerce	111,221
02.	Department of Ageing, Disability and Home Care	1,681,647
	Total, Recurrent Services	<u>1,792,868</u>

(2) CAPITAL WORKS AND SERVICES: The sum of \$78,880,000 is hereby appropriated to the Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, and Minister for Disability Services for the capital works and services of the following:

	\$,000	
01.	Department of Commerce	7,820

02.	Department of Ageing, Disability and Home Care	71,060
	Total, Capital Works and Services	78,880

10 Minister for Community Services, and Minister for Youth

- (1) RECURRENT SERVICES: The sum of \$1,077,802,000 is hereby appropriated to the Minister for Community Services, and Minister for Youth for the recurrent services of the following:

		\$,000
01.	Department of Community Services	1,066,477
02.	Office for Children	11,325
	Total, Recurrent Services	1,077,802

- (2) CAPITAL WORKS AND SERVICES: The sum of \$26,348,000 is hereby appropriated to the Minister for Community Services, and Minister for Youth for the capital works and services of the following:

		\$,000
01.	Department of Community Services	26,203
02.	Office for Children	145
	Total, Capital Works and Services	26,348

11 Minister for Education and Training

- (1) RECURRENT SERVICES: The sum of \$8,571,130,000 is hereby appropriated to the Minister for Education and Training for the recurrent services of the following:

		\$,000
01.	Department of Education and Training	8,481,037
02.	Office of the Board of Studies	90,093
	Total, Recurrent Services	8,571,130

- (2) CAPITAL WORKS AND SERVICES: The sum of \$495,500,000 is hereby appropriated to the Minister for Education and Training for the capital works and services of the following:

	\$,000
01. Department of Education and Training	494,684
02. Office of the Board of Studies	816
Total, Capital Works and Services	<u>495,500</u>

12 Minister for Energy, and Minister for Ports and Waterways

- (1) RECURRENT SERVICES: The sum of \$308,428,000 is hereby appropriated to the Minister for Energy, and Minister for Ports and Waterways for the recurrent services of the following:

	\$,000
01. Department of Energy, Utilities and Sustainability	308,428
Total, Recurrent Services	<u>308,428</u>

- (2) CAPITAL WORKS AND SERVICES: The sum of \$388,000 is hereby appropriated to the Minister for Energy, and Minister for Ports and Waterways for the capital works and services of the following:

	\$,000
01. Department of Energy, Utilities and Sustainability	388
Total, Capital Works and Services	<u>388</u>

13 Minister for Gaming and Racing, and Minister for the Central Coast

- (1) RECURRENT SERVICES: The sum of \$6,630,000 is hereby appropriated to the Minister for Gaming and Racing, and Minister for the Central Coast for the recurrent services of the following:

	\$,000
01. Casino Control Authority	6,630
Total, Recurrent Services	<u>6,630</u>

- (2) CAPITAL WORKS AND SERVICES: The sum of \$70,000 is hereby appropriated to the Minister for Gaming and Racing, and Minister for the Central Coast for the capital works and services of the following:

	\$,000
01. Casino Control Authority	70
Total, Capital Works and Services	<u>70</u>

14 Minister for Health

(1) RECURRENT SERVICES: The sum of \$9,632,113,000 is hereby appropriated to the Minister for Health for the recurrent services of the following:

	\$,000
01. Department of Health	9,622,729
02. Health Care Complaints Commission	9,384
Total, Recurrent Services	<u>9,632,113</u>

(2) CAPITAL WORKS AND SERVICES: The sum of \$385,697,000 is hereby appropriated to the Minister for Health for the capital works and services of the following:

	\$,000
01. Department of Health	385,685
02. Health Care Complaints Commission	12
Total, Capital Works and Services	<u>385,697</u>

15 Minister for Housing

(1) RECURRENT SERVICES: The sum of \$540,408,000 is hereby appropriated to the Minister for Housing for the recurrent services of the following:

	\$,000
01. Payments to other Government bodies under the control of the Minister	540,408
Total, Recurrent Services	<u>540,408</u>

16 Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs

(1) RECURRENT SERVICES: The sum of \$1,390,724,000 is hereby appropriated to the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services,

Minister for Lands, and Minister for Rural Affairs for the recurrent services of the following:

	\$,000
01. Department of Corrective Services	679,793
02. Department of Juvenile Justice	127,687
03. New South Wales Fire Brigades	465,829
04. Department of Rural Fire Service	34,303
05. State Emergency Service	28,312
06. Department of Lands	54,800
Total, Recurrent Services	1,390,724

(2) CAPITAL WORKS AND SERVICES: The sum of \$158,468,000 is hereby appropriated to the Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs for the capital works and services of the following:

	\$,000
01. Department of Corrective Services	128,095
02. Department of Juvenile Justice	8,008
03. New South Wales Fire Brigades	13,791
04. Department of Rural Fire Service	1,500
05. State Emergency Service	4,507
06. Department of Lands	2,567
Total, Capital Works and Services	158,468

17 Minister for Local Government

(1) RECURRENT SERVICES: The sum of \$84,383,000 is hereby appropriated to the Minister for Local Government for the recurrent services of the following:

	\$,000
01. Department of Local Government	84,383
Total, Recurrent Services	84,383

(2) CAPITAL WORKS AND SERVICES: The sum of \$150,000 is hereby appropriated to the Minister for Local Government for the capital works and services of the following:

	\$,000
01. Department of Local Government	150
	<hr/>
Total, Capital Works and Services	150
	<hr/>

18 Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources

(1) RECURRENT SERVICES: The sum of \$840,925,000 is hereby appropriated to the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources for the recurrent services of the following:

	\$,000
01. Department of Natural Resources	524,999
02. Department of Primary Industries	225,141
03. Rural Assistance Authority	35,743
04. Coal Compensation Board	55,042
	<hr/>
Total, Recurrent Services	840,925
	<hr/>

(2) CAPITAL WORKS AND SERVICES: The sum of \$29,555,000 is hereby appropriated to the Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources for the capital works and services of the following:

	\$,000
01. Department of Natural Resources	16,246
02. Department of Primary Industries	13,209
03. Rural Assistance Authority	50
04. Coal Compensation Board	50
	<hr/>
Total, Capital Works and Services	29,555
	<hr/>

19 Minister for Planning, Minister for Redfern Waterloo, and Minister for Science and Medical Research

(1) RECURRENT SERVICES: The sum of \$65,786,000 is hereby appropriated to the Minister for Planning, Minister for Redfern Waterloo, and Minister for Science and Medical

Research for the recurrent services of the following:

	\$,000
01. Department of Planning	65,786
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Total, Recurrent Services	65,786
	<hr/>

(2) CAPITAL WORKS AND SERVICES: The sum of \$4,164,000 is hereby appropriated to the Minister for Planning, Minister for Redfern Waterloo, and Minister for Science and Medical Research for the capital works and services of the following:

	\$,000
01. Department of Planning	4,164
	<hr/>
Total, Capital Works and Services	4,164
	<hr/>

20 Minister for Police

(1) RECURRENT SERVICES: The sum of \$1,932,084,000 is hereby appropriated to the Minister for Police for the recurrent services of the following:

	\$,000
01. Ministry for Police	7,154
02. NSW Police	1,896,169
03. New South Wales Crime Commission	12,194
04. Police Integrity Commission	16,567
	<hr/>
Total, Recurrent Services	1,932,084
	<hr/>

(2) CAPITAL WORKS AND SERVICES: The sum of \$106,131,000 is hereby appropriated to the Minister for Police for the capital works and services of the following:

	\$,000
01. Ministry for Police	107
02. NSW Police	101,091
03. New South Wales Crime Commission	2,561
04. Police Integrity Commission	2,372
	<hr/>
Total, Capital Works and Services	106,131
	<hr/>

21 Minister for Roads

- (1) RECURRENT SERVICES: The sum of \$1,412,889,000 is hereby appropriated to the Minister for Roads for the recurrent services of the following:

	\$,000
01. Roads and Traffic Authority	1,412,889
	<hr/>
Total, Recurrent Services	1,412,889
	<hr/>

- (2) CAPITAL WORKS AND SERVICES: The sum of \$1,524,912,000 is hereby appropriated to the Minister for Roads for the capital works and services of the following:

	\$,000
01. Roads and Traffic Authority	1,524,912
	<hr/>
Total, Capital Works and Services	1,524,912
	<hr/>

22 Minister for Tourism and Sport and Recreation, and Minister for Women

- (1) RECURRENT SERVICES: The sum of \$36,871,000 is hereby appropriated to the Minister for Tourism and Sport and Recreation, and Minister for Women for the recurrent services of the following:

	\$,000
01. Sydney Olympic Park Authority	36,871
	<hr/>
Total, Recurrent Services	36,871
	<hr/>

- (2) CAPITAL WORKS AND SERVICES: The sum of \$13,111,000 is hereby appropriated to the Minister for Tourism and Sport and Recreation, and Minister for Women for the capital works and services of the following:

	\$,000
01. Sydney Olympic Park Authority	13,111
	<hr/>
Total, Capital Works and Services	13,111
	<hr/>

23 Minister for Transport

- (1) RECURRENT SERVICES: The sum of \$3,357,909,000 is hereby appropriated to the Minister for Transport for the recurrent services of the following:

	\$,000
01. Ministry of Transport	3,340,386
02. Independent Transport Safety and Reliability Regulator	15,389
03. Chief Investigator of the Office of Transport Safety Investigations	2,134
	<hr/>
Total, Recurrent Services	3,357,909
	<hr/>

(2) CAPITAL WORKS AND SERVICES: The sum of \$11,781,000 is hereby appropriated to the Minister for Transport for the capital works and services of the following:

	\$,000
01. Ministry of Transport	11,331
02. Independent Transport Safety and Reliability Regulator	450
	<hr/>
Total, Capital Works and Services	11,781
	<hr/>

24 Treasurer, Minister for Infrastructure, and Minister for the Hunter

(1) RECURRENT SERVICES: The sum of \$4,344,666,000 is hereby appropriated to the Treasurer, Minister for Infrastructure, and Minister for the Hunter for the recurrent services of the following:

	\$,000
01. Treasury	419,206
02. Crown Finance Entity	3,680,460
03. Advance to the Treasurer	245,000
	<hr/>
Total, Recurrent Services	4,344,666
	<hr/>

(2) CAPITAL WORKS AND SERVICES: The sum of \$281,268,000 is hereby appropriated to the Treasurer, Minister for Infrastructure, and Minister for the Hunter for the capital works and services of the following:

	\$,000
01. Treasury	6,444
02. Crown Finance Entity	164,824
03. Advance to the Treasurer	110,000
	<hr/>

Total, Capital Works and Services

281,268

Part 3 Additional appropriation for health related services

25 Additional appropriation from Consolidated Fund 2006-07 for recurrent services

- (1) Out of the Consolidated Fund there is hereby appropriated the sum identified in section 26, to the Minister specified in relation to that sum, for recurrent services, which sum may be issued and applied for or towards the use and purpose expressed in that section for the recurrent services of the Government for the year 2006-07.
- (2) The total sum appropriated out of the Consolidated Fund in accordance with the provisions of this Part is the sum of \$199,000,000.
- (3) The sum appropriated by this Part is in addition to any other sum appropriated by this Act for recurrent services.
- (4) Any amounts expended for recurrent services under section 25 of the *Public Finance and Audit Act 1983* or any Supply Act on or after 1 July 2006 and before the date of assent to this Act are taken to have been expended out of such of the sum for recurrent services set out in section 26 as may be determined by the Treasurer.

26 Special appropriation to Minister for Health—additional revenue from gaming machine taxes

RECURRENT SERVICES: The sum of \$199,000,000 is hereby appropriated to the Minister for Health for the recurrent services of the following:

	\$,000
01. Department of Health	199,000
Total, Recurrent Services	199,000

Note—

This Part allocates the additional revenue raised in connection with changes to gaming machine taxes to the Minister for Health for spending on recurrent health related services.

Part 4 General

27 Variation of authorised payments from Consolidated Fund

- (1) In this section, **purpose** 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.

- (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 *Public Finance and Audit Act 1983*.
- (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).
- (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.
- (5) A sum appropriated under Part 3 may only be paid out for a purpose specified in Part 3.
- (6) This section does not apply to sums appropriated by another Act.
- (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.
- (8) The Treasurer is to inform the Auditor-General of every authorisation given under this section.
- (9) An authorisation under this section may be given before or after the relevant payment is made.

28 Appointment of person to carry out the functions of the Treasurer under section 27

- (1) The Treasurer may appoint a person to carry out the Treasurer's functions under section 27.
- (2) Any such appointment is subject to such conditions (if any) as the Treasurer determines.
- (3) The Treasurer may revoke any such appointment at any time.
- (4) A person appointed under this section has, in place of the Treasurer, the Treasurer's function under section 27 (8) of informing the Auditor-General of every authorisation given by the person under section 27.

29 Delayed restructures

- (1) Without limiting section 27, if the responsibility for a service or function for which an appropriation is made in this Act is transferred after 1 July 2006 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.