

Appropriation Act 2003 No 31

[2003-31]



New South Wales

Status Information

Currency of version

Repealed version for 22 July 2003 to 30 June 2005 (accessed 29 December 2024 at 15:59)

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The Act was repealed by Sch 3 to the [Statute Law \(Miscellaneous Provisions\) Act 2005 No 64](#) with effect from 1.7.2005.

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 1 July 2005

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Appropriation Act 2003 No 31



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 2003-04.

Part 1 Preliminary

1 Name of Act

This Act is the *Appropriation Act 2003*.

2 Commencement

This Act commences or is taken to have commenced on 1 July 2003.

3 Interpretation

In this Act, a reference to the year 2003-04 is a reference to the year from 1 July 2003 to 30 June 2004.

Part 2 Appropriations out of the Consolidated Fund

4 General appropriation from Consolidated Fund 2003-04 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 2003-04.
- (2) The total sum appropriated out of the Consolidated Fund for the recurrent services of the Government for the year 2003-04, in accordance with the provisions of sections 6 to 24, inclusive, is the sum of \$28,676,477,000.
- (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 2003 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 2003-04 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 2003-04.
- (2) The total sum appropriated out of the Consolidated Fund for capital works and services for the year 2003-04, in accordance with the provisions of sections 6 to 24, inclusive, is the sum of \$3,589,079,000.
- (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 2003 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 the Arts and Minister for Citizenship

- (1) RECURRENT SERVICES: The sum of \$400,970,000 is hereby appropriated to the Premier, Minister for the Arts and Minister for Citizenship for the recurrent services of the following:

	\$,000
01. Cabinet Office	22,392
02. Parliamentary Counsel's Office	5,018
03. Premier's Department	113,684
04. Independent Pricing and Regulatory Tribunal	14,089
05. Sustainable Energy Development Authority	8,839
06. Ministry for the Arts	81,229
07. State Library of New South Wales	50,059
08. Australian Museum	22,511
09. Museum of Applied Arts and Sciences	28,092
10. Historic Houses Trust of New South Wales	15,660
11. Art Gallery of New South Wales	16,799
12. State Records Authority	5,145
13. New South Wales Film and Television Office	7,427
14. Community Relations Commission	10,026

	400,970
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(2) CAPITAL WORKS AND SERVICES: The sum of \$49,972,000 is hereby appropriated to the Premier, Minister for the Arts and Minister for Citizenship for the capital works and services of the following:

	\$,000
01. Cabinet Office	10
02. Parliamentary Counsel's Office	930
03. Premier's Department	645
04. Independent Pricing and Regulatory Tribunal	180
05. Sustainable Energy Development Authority	1,000
06. Ministry for the Arts	3,882
07. State Library of New South Wales	13,581
08. Australian Museum	6,200
09. Museum of Applied Arts and Sciences	11,458
10. Historic Houses Trust of New South Wales	9,212
11. Art Gallery of New South Wales	2,027
12. State Records Authority	345
13. New South Wales Film and Television Office	44
14. Community Relations Commission	458
Total, Capital Works and Services	49,972

7 Minister for Agriculture and Fisheries

(1) RECURRENT SERVICES: The sum of \$244,044,000 is hereby appropriated to the Minister for Agriculture and Fisheries for the recurrent services of the following:

	\$,000
01. Department of Agriculture	184,827
02. Rural Assistance Authority	23,966
03. New South Wales Fisheries	35,251
Total, Recurrent Services	244,044

(2) CAPITAL WORKS AND SERVICES: The sum of \$11,042,000 is hereby appropriated to the Minister for Agriculture and Fisheries for the capital works and services of the following:

	\$,000
01. Department of Agriculture	9,147
02. Rural Assistance Authority	140
03. New South Wales Fisheries	1,755
Total, Capital Works and Services	11,042

8 Attorney General and Minister for the Environment

(1) RECURRENT SERVICES: The sum of \$734,102,000 is hereby appropriated to the Attorney General and Minister for the Environment for the recurrent services of the following:

	\$,000
01. Attorney General's Department	336,826
02. Judicial Commission of New South Wales	3,456
03. Legal Aid Commission of New South Wales	67,499
04. Environment Protection Authority	95,621
05. Environmental Trust	15,603
06. National Parks and Wildlife Service	198,792
07. Royal Botanic Gardens and Domain Trust	16,305
Total, Recurrent Services	734,102

(2) CAPITAL WORKS AND SERVICES: The sum of \$93,694,000 is hereby appropriated to the Attorney General and Minister for the Environment for the capital works and services of the following:

	\$,000
01. Attorney General's Department	59,487
02. Judicial Commission of New South Wales	48
03. Legal Aid Commission of New South Wales	2,179

04.	Environment Protection Authority	3,179
05.	National Parks and Wildlife Service	26,144
06.	Royal Botanic Gardens and Domain Trust	2,657
	Total, Capital Works and Services	<u>93,694</u>

9 Minister for Community Services, Minister for Ageing, Minister for Disability Services and Minister for Youth

(1) RECURRENT SERVICES: The sum of \$1,951,500,000 is hereby appropriated to the Minister for Community Services, Minister for Ageing, Minister for Disability Services and Minister for Youth for the recurrent services of the following:

	\$,000	
01.	Department of Community Services	752,841
02.	Office of the Children's Guardian	2,667
03.	Department of Ageing, Disability and Home Care	1,189,932
04.	Commission for Children and Young People	6,060
	Total, Recurrent Services	<u>1,951,500</u>

(2) CAPITAL WORKS AND SERVICES: The sum of \$29,210,000 is hereby appropriated to the Minister for Community Services, Minister for Ageing, Minister for Disability Services and Minister for Youth for the capital works and services of the following:

	\$,000	
01.	Department of Community Services	14,913
02.	Office of the Children's Guardian	40
03.	Department of Ageing, Disability and Home Care	14,135
04.	Commission for Children and Young People	122
	Total, Capital Works and Services	<u>29,210</u>

10 Minister for Education and Training and Minister for Aboriginal Affairs

(1) RECURRENT SERVICES: The sum of \$6,934,467,000 is hereby appropriated to the Minister for Education and Training and Minister for Aboriginal Affairs for the recurrent services of the following:

	\$,000
01. Department of Education and Training	6,831,745
02. Office of the Board of Studies	80,033
03. Department of Aboriginal Affairs	22,689
Total, Recurrent Services	6,934,467

(2) CAPITAL WORKS AND SERVICES: The sum of \$357,887,000 is hereby appropriated to the Minister for Education and Training and Minister for Aboriginal Affairs for the capital works and services of the following:

	\$,000
01. Department of Education and Training	357,148
02. Office of the Board of Studies	700
03. Department of Aboriginal Affairs	39
Total, Capital Works and Services	357,887

11 Minister for Energy and Utilities and Minister for Science and Medical Research

(1) RECURRENT SERVICES: The sum of \$256,541,000 is hereby appropriated to the Minister for Energy and Utilities and Minister for Science and Medical Research for the recurrent services of the following:

	\$,000
01. Ministry of Energy and Utilities	166,737
02. Payments for Water and Sewerage Assistance	89,804
Total, Recurrent Services	256,541

(2) CAPITAL WORKS AND SERVICES: The sum of \$17,522,000 is hereby appropriated to the Minister for Energy and Utilities and Minister for Science and Medical Research for the capital works and services of the following:

	\$,000
01. Ministry of Energy and Utilities	17,522
Total, Capital Works and Services	17,522

12 Minister for Gaming and Racing

(1) RECURRENT SERVICES: The sum of \$34,887,000 is hereby appropriated to the Minister for Gaming and Racing for the recurrent services of the following:

	\$,000
01. Department of Gaming and Racing	28,729
02. Casino Control Authority	6,158
	<hr/>
Total, Recurrent Services	34,887
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(2) CAPITAL WORKS AND SERVICES: The sum of \$472,000 is hereby appropriated to the Minister for Gaming and Racing for the capital works and services of the following:

	\$,000
01. Department of Gaming and Racing	402
02. Casino Control Authority	70
	<hr/>
Total, Capital Works and Services	472
	<hr/>

13 Minister for Health

(1) RECURRENT SERVICES: The sum of \$7,363,354,000 is hereby appropriated to the Minister for Health for the recurrent services of the following:

	\$,000
01. Department of Health	7,356,141
02. Health Care Complaints Commission	7,213
	<hr/>
Total, Recurrent Services	7,363,354
	<hr/>

(2) CAPITAL WORKS AND SERVICES: The sum of \$371,335,000 is hereby appropriated to the Minister for Health for the capital works and services of the following:

	\$,000
01. Department of Health	371,335
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Total, Capital Works and Services	371,335
	<hr/>

14 Minister for Infrastructure and Planning and Minister for Natural Resources

- (1) RECURRENT SERVICES: The sum of \$507,234,000 is hereby appropriated to the Minister for Infrastructure and Planning and Minister for Natural Resources for the recurrent services of the following:

	\$,000
01 Heritage Office	6,215
02. Department of Infrastructure, Planning and Natural Resources	461,435
03. Department of Lands	39,584
Total, Recurrent Services	507,234

- (2) CAPITAL WORKS AND SERVICES: The sum of \$17,115,000 is hereby appropriated to the Minister for Infrastructure and Planning and Minister for Natural Resources for the capital works and services of the following:

	\$,000
01. Heritage Office	19
02. Department of Infrastructure, Planning and Natural Resources	16,096
03. Department of Lands	1,000
Total, Capital Works and Services	17,115

15 Minister for Justice

- (1) RECURRENT SERVICES: The sum of \$553,368,000 is hereby appropriated to the Minister for Justice for the recurrent services of the following:

	\$,000
01. Department of Corrective Services	553,368
Total, Recurrent Services	553,368

- (2) CAPITAL WORKS AND SERVICES: The sum of \$107,270,000 is hereby appropriated to the Minister for Justice for the capital works and services of the following:

	\$,000
01. Department of Corrective Services	107,270

	107,270
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16 Minister for Juvenile Justice and Minister for Western Sydney

(1) RECURRENT SERVICES: The sum of \$108,249,000 is hereby appropriated to the Minister for Juvenile Justice and Minister for Western Sydney for the recurrent services of the following:

	\$,000
01. Department of Juvenile Justice	108,249
Total, Recurrent Services	108,249

(2) CAPITAL WORKS AND SERVICES: The sum of \$42,349,000 is hereby appropriated to the Minister for Juvenile Justice and Minister for Western Sydney for the capital works and services of the following:

	\$,000
01. Department of Juvenile Justice	42,349
Total, Capital Works and Services	42,349

17 Minister for Mineral Resources

(1) RECURRENT SERVICES: The sum of \$84,351,000 is hereby appropriated to the Minister for Mineral Resources for the recurrent services of the following:

	\$,000
01. Department of Mineral Resources	45,735
02. Coal Compensation Board	38,616
Total, Recurrent Services	84,351

(2) CAPITAL WORKS AND SERVICES: The sum of \$13,745,000 is hereby appropriated to the Minister for Mineral Resources for the capital works and services of the following:

	\$,000
01. Department of Mineral Resources	13,645
02. Coal Compensation Board	100
Total, Capital Works and Services	13,745

18 Minister for Police

(1) RECURRENT SERVICES: The sum of \$1,531,462,000 is hereby appropriated to the Minister for Police for the recurrent services of the following:

	\$,000
01. Ministry for Police	5,349
02. NSW Police	1,501,903
03. New South Wales Crime Commission	9,436
04. Police Integrity Commission	14,774
Total, Recurrent Services	1,531,462

(2) CAPITAL WORKS AND SERVICES: The sum of \$70,388,000 is hereby appropriated to the Minister for Police for the capital works and services of the following:

	\$,000
01. Ministry for Police	279
02. NSW Police	66,492
03. New South Wales Crime Commission	2,567
04. Police Integrity Commission	1,050
Total, Capital Works and Services	70,388

19 Minister for Roads and Minister for Housing

(1) RECURRENT SERVICES: The sum of \$1,726,296,000 is hereby appropriated to the Minister for Roads and Minister for Housing for the recurrent services of the following:

	\$,000
01. Roads and Traffic Authority	1,258,738
02. Payments to Other Government Bodies Under the Control of the Minister	467,558
Total, Recurrent Services	1,726,296

(2) CAPITAL WORKS AND SERVICES: The sum of \$1,044,593,000 is hereby appropriated to

the Minister for Roads and Minister for Housing for the capital works and services of the following:

	\$,000
01. Roads and Traffic Authority	1,044,593
Total, Capital Works and Services	<u>1,044,593</u>

20 Minister for Rural Affairs, Minister for Local Government and Minister for Emergency Services

(1) RECURRENT SERVICES: The sum of \$509,218,000 is hereby appropriated to the Minister for Rural Affairs, Minister for Local Government and Minister for Emergency Services for the recurrent services of the following:

	\$,000
01. Department of Local Government	84,974
02. New South Wales Fire Brigades	386,193
03. Department of Rural Fire Service	18,632
04. State Emergency Service	19,419
Total, Recurrent Services	<u>509,218</u>

(2) CAPITAL WORKS AND SERVICES: The sum of \$18,927,000 is hereby appropriated to the Minister for Rural Affairs, Minister for Local Government and Minister for Emergency Services for the capital works and services of the following:

	\$,000
01. Department of Local Government	340
02. New South Wales Fire Brigades	13,996
03. Department of Rural Fire Service	311
04. State Emergency Service	4,280
Total, Capital Works and Services	<u>18,927</u>

21 Special Minister of State, Minister for Commerce, Minister for Industrial Relations and Minister for the Central Coast

(1) RECURRENT SERVICES: The sum of \$148,705,000 is hereby appropriated to the Special Minister of State, Minister for Commerce, Minister for Industrial Relations and

Minister for the Central Coast for the recurrent services of the following:

	\$,000
01. Department of Commerce	148,705
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Total, Recurrent Services	148,705
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(2) CAPITAL WORKS AND SERVICES: The sum of \$16,377,000 is hereby appropriated to the Special Minister of State, Minister for Commerce, Minister for Industrial Relations and Minister for the Central Coast for the capital works and services of the following:

	\$,000
01. Department of Commerce	16,377
	<hr/>
Total, Capital Works and Services	16,377
	<hr/>

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

(1) RECURRENT SERVICES: The sum of \$140,005,000 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. Tourism New South Wales	39,518
02. Sydney Olympic Park Authority	42,620
03. Department of Sport and Recreation	48,942
04. Centennial Park and Moore Park Trust	3,668
05. Department for Women	5,257
	<hr/>
Total, Recurrent Services	140,005
	<hr/>

(2) CAPITAL WORKS AND SERVICES: The sum of \$28,866,000 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. Tourism New South Wales	810
02. Sydney Olympic Park Authority	10,789
03. Department of Sport and Recreation	11,246

04.	Centennial Park and Moore Park Trust	5,953
05.	Department for Women	68
	Total, Capital Works and Services	<u>28,866</u>

23 Minister for Transport Services and Minister for the Hunter

- (1) RECURRENT SERVICES: The sum of \$2,405,289,000 is hereby appropriated to the Minister for Transport Services and Minister for the Hunter for the recurrent services of the following:

	\$,000	
01.	Ministry of Transport	2,403,716
02.	Office of Co-ordinator General of Rail	1,573
	Total, Recurrent Services	<u>2,405,289</u>

- (2) CAPITAL WORKS AND SERVICES: The sum of \$41,286,000 is hereby appropriated to the Minister for Transport Services and Minister for the Hunter for the capital works and services of the following:

	\$,000	
01.	Ministry of Transport	40,786
02.	Waterways Authority	500
	Total, Capital Works and Services	<u>41,286</u>

24 Treasurer and Minister for State Development

- (1) RECURRENT SERVICES: The sum of \$3,042,435,000 is hereby appropriated to the Treasurer and Minister for State Development for the recurrent services of the following:

	\$,000	
01.	Treasury	335,721
02.	Crown Finance Entity	2,366,091
03.	Advance to the Treasurer	240,000
04.	Department of State and Regional Development	100,623
	Total, Recurrent Services	<u>3,042,435</u>

- (2) CAPITAL WORKS AND SERVICES: The sum of \$1,257,029,000 is hereby appropriated to the Treasurer and Minister for State Development for the capital works and services of the following:

	\$,000
01. Treasury	8,427
02. Crown Finance Entity	1,188,492
03. Advance to the Treasurer	60,000
04. Department of State and Regional Development	110
Total, Capital Works and Services	1,257,029

Part 3 General

25 Variation of authorised payments from Consolidated Fund

- (1) In this section, **purpose** means a purpose specified in Part 2 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 for a purpose may not be made in excess of the sum specified for the 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 amount 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 subsection (4).
- (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) This section does not apply to sums appropriated by another Act.
- (6) 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.
- (7) The Treasurer is to inform the Auditor-General of every authorisation given under this section.

26 Appointment of person to carry out the functions of the Treasurer under section 25

- (1) The Treasurer may appoint a person to carry out the Treasurer's functions under section 25.
- (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 25 (7) of informing the Auditor-General of every authorisation given by the person under section 25.

27 Delayed restructures

- (1) Without limiting section 25, if the responsibility for a service or function for which an appropriation is made in this Act is transferred after 1 July 2003 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.