



New South Wales

Appropriation Bill 2023

Explanatory note

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

The following Bills are cognate with this Bill—

Appropriation (Parliament) Bill 2023

Treasury and Revenue Legislation Amendment Bill 2023

Overview of Bill

The object of this Bill is to appropriate from the Consolidated Fund various sums of money required for the 2023–24 financial year for the services of the Government, including—

- (a) Departments of the Public Service, and
- (b) various special offices.

The Consolidated Fund largely comprises receipts from, and payments out of, taxes, fines, some regulatory fees, Commonwealth grants and income from Crown assets.

This Bill—

- (a) appropriates a single sum for the services of each agency, including capital works and services, recurrent services and the repayment of debt, and
- (b) contains an additional appropriation that allocates revenue raised in connection with gaming machine taxes to the Minister for Health for spending on health-related services, and
- (c) contains provision for transfer payments from the Commonwealth to non-government schools and local government, and
- (d) provides for appropriation for the whole of the 2023–24 financial year.

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.

Clause 3 defines certain terms used in the proposed Act.

Part 2 Appropriations—Departments

Part 2 (**clauses 4–22**) provides for appropriations to specified Ministers for the services of the departments and other matters within the administration of the Ministers for the 2023–24 financial year.

Part 3 Additional appropriation for health related services

Part 3 (**clause 23**) makes an additional appropriation to the Minister for Health, being part of the revenue raised from gaming machine taxes.

Part 4 Appropriations—Special Offices

Part 4 (**clauses 24–32**) provides for the appropriations for the services of the specified offices for the 2023–24 financial year.

Part 5 Commonwealth transfer payments

Part 5 (**clause 33**) provides for transfer payments from the Commonwealth to non-government schools and local government.

Part 6 Variations to authorised payments

Part 6 (**clauses 34–40**) provides for variations to authorised payments to be made in certain circumstances.

Clause 34 provides that payment of an amount that is more than the sum appropriated under the proposed Act or the *Appropriation (Parliament) Act 2023* is not authorised except in accordance with the proposed part or the *Government Sector Finance Act 2018*, Part 4.

Clause 35 enables the Treasurer to authorise the payment of a sum appropriated by the proposed Act to the Treasurer for the purpose of integrity agencies to make payments to integrity agencies. The integrity agencies are the Audit Office of New South Wales, the Independent Commission Against Corruption, the Law Enforcement Conduct Commission, the New South Wales Electoral Commission and the Ombudsman’s Office.

Clause 36 enables the Treasurer to authorise the payment of a sum appropriated by the proposed Act or the *Appropriation (Parliament) Act 2023* for the purpose of expenses related to the Government’s response to address a natural disaster or the impacts of a natural disaster in the Northern Rivers or Central West regions.

Clause 37 enables the Treasurer to authorise payment of a sum appropriated by the proposed Act or the *Appropriation (Parliament) Act 2023* for a purpose that is more than the sum specified if—

- (a) an equivalent sum is not paid out for another purpose, and
- (b) the Treasurer is of the opinion that—
 - (i) the exigencies of Government require the payment, or
 - (ii) the sum appropriated for the purpose is insufficient to enable the purpose to be effectively and efficiently carried out.

Clause 38 provides that the Treasurer must not authorise the payment of a sum under the proposed part to increase the amount of a salary or wage fixed by law.

Clause 39 provides the proposed part does not apply to sums appropriated by another Act.

Clause 40 requires the Treasurer to inform the Auditor-General of every authorisation given under the proposed part.

Part 7 General

Part 7 (**clauses 41–44**) provides for general matters related to the appropriations set out in the proposed Act.

Clause 41 allows the Treasurer to appoint a person to exercise the Treasurer's functions under proposed Part 6.

Clause 42 allows a Minister to appoint an accountable authority to identify a surplus to enable the Treasurer to authorise the surplus to be paid for another purpose under proposed Part 6 if the sum appropriated for the other purpose is insufficient.

Clause 43 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 an amount appropriated by those Acts.

Clause 44 provides that certain payments made from the Consolidated Fund on or after 1 July 2023 but before the enactment of the proposed Act are deemed to be made out of the sums appropriated by the proposed Act.